



AUSTRALIAN CAPITAL TERRITORY

## **Surveyors (Amendment) Act 1995**

**No. 23 of 1995**

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### **An Act to amend the *Surveyors Act 1967***

*[Notified in ACT Gazette S212: 5 September 1995]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Surveyors (Amendment) Act 1995*.

#### **Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Surveyors Act 1967*.<sup>1</sup>

#### **Members of the Board**

4. Section 6 of the Principal Act is amended—
  - (a) by omitting from subsection (1) “four” and substituting “5”; and
  - (b) by omitting subsections (4) and (5) and substituting the following subsection:

“(4) At least 2 of the remaining members of the Board shall be persons who are registered surveyors.”.

**Tenure of office**

5. Section 7 of the Principal Act is amended—

- (a) by omitting from paragraph (2) (a) “under subsection 6 (3)” and substituting “from the panel referred to in subsection 6 (3)”; and
- (b) by omitting paragraph (2) (b) and substituting the following paragraph:
  - “(b) if appointment of a person who is not a registered surveyor would result in there being 2 or more members who were not registered surveyors—be a registered surveyor.”.

**Vacation of office by member**

6. Section 10 of the Principal Act is amended by omitting from paragraph (g) all the words after “appointed”.

**Further amendments**

7. (1) The Principal Act is amended by omitting “Chairman” from the following provisions and substituting “Chairperson”:

Section 4 (definition of “Chairman” and “Deputy Chairman”), subsections 6 (2) and (6), 12 (2), 13 (2) and (3), 16 (3) and 21 (2), section 38, subsection 44 (1), paragraph 44 (2) (a), subsections 49A (2) and (9), section 51 and paragraph 52 (1) (b).

(2) The Principal Act is further amended as set out in the Schedule.

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**SCHEDULE**

Subsection 7 (2)

**Subsection 7 (2)—**

Insert “or her” after “his”.

**Section 10—**

Insert “or her” after “his” (first occurring).

**Paragraph 10 (a)—**

Insert “or her” after “his”.

**Paragraph 10 (b)—**

- (a) Insert “or she” after “he”.
- (b) Omit “his” (wherever occurring).

**Paragraph 10 (c)—**

- (a) Insert “or she” after “he”.
- (b) Omit “his”.

**Paragraph 10 (d)—**

Omit “he is”.

**Paragraph 10 (e)—**

- (a) Insert “or she” after “he”.
- (b) Omit “his”, substitute “the”.

**Paragraph 10 (f)—**

Omit “he is”.

**Paragraph 10 (g)—**

Insert “or she” after “he” (first and second occurring).

**Subsection 13 (1)—**

Insert “or she” after “he”.

**Paragraph 16 (1) (a)—**

Insert “or her” after “his”.

**Paragraph 16 (1) (b)—**

- (a) Insert “or her” after “his” (wherever occurring).
- (b) Insert “or she” after “he”.

**Paragraph 16 (1) (c)—**

Insert “or her” after “his”.

**SCHEDULE—continued****Paragraph 16 (1) (d)—**

Insert “or her” after “him”.

**Paragraph 16 (1) (e)—**

Insert “or her” after “his”.

**Subsection 16 (3)—**

Insert “or her” after “him”.

**Paragraph 17 (1) (a)—**

Insert “or she” after “he” (wherever occurring).

**Paragraph 17 (1) (b)—**

Insert “or she” after “he” (wherever occurring).

**Paragraph 17 (1) (c)—**

Insert “or she” after “he”.

**Paragraph 17 (2) (a)—**

Insert “or she” after “he”.

**Paragraph 17 (2) (b)—**

Insert “or she” after “he” (first occurring).

**Subparagraphs 17 (2) (b) (i) and (ii)—**

Insert “or she” after “he”.

**Paragraph 17 (2) (c)—**

Insert “or she” after “he”.

**Paragraph 17 (2) (d)—**

Insert “or she” after “he” (wherever occurring).

**Paragraph 17 (2) (e)—**

Insert “or she” after “he”.

**Subsection 17 (3)—**

Insert “or she” after “he”.

**Subsection 18 (1)—**

Insert “or her” after “his”.

**Subsection 19 (2)—**

Insert “or her” after “his”.

**SCHEDULE**—continued

**Subsection 19 (3)—**

Insert “or her” after “his” (wherever occurring).

**Paragraph 20 (c)—**

Insert “or her” after “him”.

**Subsection 23 (1)—**

Insert “or her” after “his”.

**Subsection 23 (2)—**

Insert “or her” after “his”.

**Subsection 24 (2)—**

(a) Insert “or her” after “him”.

(b) Insert “or her” after “his” (wherever occurring).

**Paragraph 25 (1) (b)—**

Insert “or her” after “him”.

**Paragraph 25 (1) (e)—**

Insert “or her” after “his”.

**Subparagraph 25 (1) (g) (ii)—**

Insert “or her” after “his”.

**Paragraph 25 (1) (i)—**

Insert “or her” after “his”.

**Paragraph 25 (1) (k)—**

Insert “or she” after “he”.

**Subsection 25 (2)—**

(a) Insert “or her” after “him”.

(b) Insert “or her” after “his”.

**Subsection 26 (1)—**

Insert “or her” after “him”.

**Subsection 26 (2)—**

Insert “or her” after “his”.

**Section 27—**

Insert “or her” after “his” (wherever occurring).

**Paragraph 27 (b)—**

Insert “or her” after “him”.

**SCHEDULE**—continued**Paragraph 27 (c)**—

Insert “or her” after “him”.

**Subsection 29 (1)**—

(a) Insert “or her” after “his” (wherever occurring).

(b) Insert “or her” after “him” (wherever occurring).

**Paragraph 29 (3) (b)**—

Insert “or she” after “he”.

**Subsection 32 (1)**—

Insert “or her” after “him”.

**Paragraph 33 (b)**—

(a) Insert “or her” after “his”.

(b) Insert “or her” after “him”.

**Paragraph 33 (d)**—

(a) Insert “or her” after “his”.

(b) Insert “or her” after “him”.

**Section 38**—

(a) Insert “or her” after “his” (wherever occurring).

(b) Omit “he”, substitute “the person”.

**Subsection 47 (1)**—

Insert “or she” after “he”.

**Subsection 47 (2)**—

Insert “or her” after “his”.

**Subsection 47 (5)**—

Insert “or she” after “he”.

**Paragraph 47 (6) (b)**—

Insert “or her” after “his”.

**Subsection 48 (2)**—

Insert “or her” after “him”.

**Paragraph 49 (a)**—

(a) Insert “or she” after “he”.

(b) Insert “or her” after “his”.

**SCHEDULE**—continued

**Subsection 49A (1)—**

Insert “or her” after “him”.

**Subsection 51A (2)—**

Insert “or her” after “him”.

**Subsection 51A (3)—**

Insert “or her” after “him”.

**Paragraph 52 (1) (a)—**

Insert “or her” after “him”.

**Paragraph 52 (1) (b)—**

(a) Insert “or her” after “him”.

(b) Insert “or her” after “his” (wherever occurring).

**Paragraph 52 (1) (c)—**

Insert “or her” after “his”.

**Subsection 52 (2)—**

Insert “or her” after “him”.

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**NOTE**

**Principal Act**

1. Reprinted as at 28 February 1995.

*[Presentation speech made in Assembly on 4 May 1995]*

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