

No. 26 of 1974

AN ORDINANCE

To amend the *Scaffolding and Lifts Ordinance 1957-1968*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this twenty-third day of July, 1974.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

GORDON M. BRYANT
Minister of State for the Capital Territory.

SCAFFOLDING AND LIFTS ORDINANCE 1974

1. (1) This Ordinance may be cited as the *Scaffolding and Lifts Ordinance 1974*.^{*} Short title and citation.

(2) The *Scaffolding and Lifts Ordinance 1957-1968*,[†] as amended by this Ordinance, may be cited as the *Scaffolding and Lifts Ordinance 1957-1974*.

2. (1) Part I of the Schedule to the *Scaffolding and Lifts Ordinance 1957-1968* is amended— Schedule.

(a) by omitting paragraph (a) in the third column of item 2 and substituting the following paragraphs:—

“(a) Before the definition of ‘Authorized attendant’, insert—

“‘Approved plans and specifications’ means plans and specifications approved under the *Building Ordinance 1972-1974*;”

“(aa) Omit the definition of ‘Chief Inspector’, insert—

“‘Chief Inspector’ means the person holding office as the Chief Inspector of Scaffolding and Lifts under the *Scaffolding and Lifts Ordinance 1957-1974*, and includes an inspector acting in the place of that person;

“‘Commercial building work’ has the same meaning as in the *Building Regulations*;”

^{*} Notified in the *Australian Government Gazette* on 30 July 1974.

[†] Ordinance No. 8, 1957, as amended by No. 19, 1966; and No. 5, 1968.

“(ab) After the definition of ‘Contractor’, insert—

“‘Cost’, in relation to commercial building work, means—

- (a) where a contract has been entered into for the carrying out of the building work, the cost of the work as fixed by the contract; or
- (b) where there is no contract, or the contract does not fix the cost of the work, the cost of the work as determined in accordance with regulation 14 of the Building Regulations,

but does not include—

- (c) the cost of the land on which the building work is to be carried out; or
- (d) the cost, other than the cost of installation, of boilers, cranes, hoists, lifts or other machinery, being boilers, cranes, hoists, lifts or machinery that is not made at the site of the building work but is to form part of the building;”;

(b) by omitting paragraph (d) in the third column of that item and substituting the following paragraphs:—

“(d) After the definition of ‘Prescribed’, insert—

“‘Residential building work’ has the same meaning as in the Building Regulations;

“‘Rigger’ means a person directly in charge of—

- (a) the initial work of erecting or placing in position the members of any type of structure other than scaffolding;
- (b) dismantling or demolishing structures other than scaffolding; or
- (c) setting up cranes or hoists;

“‘Scaffolder’ means a person engaged in the work of erecting, altering or demolishing scaffolding which is so placed that a person or object falling from the scaffolding could fall a distance of ten feet or more;”;

“(e) After the definition of ‘Supporting structure’, insert—

“‘the Building Regulations’ means the Regulations made under the *Building Ordinance 1972-1974*;”;

“(f) At the end of the section, insert—

‘(2) For the purposes of this Act, each building in a pair of semi-detached buildings shall be deemed to be a separate building.

‘(3) A reference in this Act to the area of a building means—

- (a) in the case of a building of one storey—the area measured between the outer surfaces of the walls at the floor level of that storey; or
- (b) in the case of a building of more than one storey—the aggregate of the areas measured between the outer surfaces of the walls, at the floor level of each storey,

and includes the area occupied by a garage, car port, verandah or other structure, whether or not attached to or forming part of the building.’”;

(c) by inserting after paragraph (b) in the third column of item 8 the following paragraph:—

“(c) Add at the end of sub-section (4)—

‘(d) residential building work, where the approved plans and specifications provide for the erection of a residential building having an area not exceeding two thousand square feet, or for the addition to a residential building of an area not exceeding two thousand square feet;

(e) commercial building work, being commercial building work the cost of which does not exceed Five thousand dollars.’”.

(2) Part II of the Schedule to the *Scaffolding and Lifts Ordinance* 1957-1968 is amended by omitting item 11 and substituting the following item:—

“ 11 Regulation 72A .. Omit and insert—

‘ 72A. (1) Subject to sub-regulation (2), the fee payable by a person giving notice pursuant to section 6 of the Act is—

- (a) in the case of residential building work when the approved plans and specifications provide for the erection of a residential building having an area exceeding two thousand square feet, or for the addition to a residential building of an area exceeding two thousand square feet— One dollar for every one hundred square feet or part of one hundred square feet of that area; or
- (b) in the case of commercial building work—
 - (i) where the cost of the building work exceeds Five thousand dollars but does not exceed One hundred thousand dollars—Two dollars for every One thousand dollars or part of One thousand dollars of the cost; or
 - (ii) where the cost of the building work exceeds One hundred thousand dollars—Two hundred dollars together with One dollar for every Four thousand dollars or part of Four thousand dollars by which the cost exceeds One hundred thousand dollars.

(2) The maximum fee payable under sub-regulation (1) is Four thousand dollars.

(3) Subject to sub-regulation (4), only one fee is payable in respect of the notification of all building work, excavation work and compressed air work comprised in a single project.

(4) Where a second or subsequent notice is given in relation to a project, the fee payable shall be calculated on the area or cost, as the case may be, of so much only of the project as was not the subject of the prior notice or notices.’”.