

Building (Amendment) Ordinance 1982

No. 69 of 1982

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

Dated 19 August 1982.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Building Ordinance 1972*

Short title

1. This Ordinance may be cited as the *Building (Amendment) Ordinance 1982*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Building Ordinance 1972*.²

Stop notices

3. Section 43 of the Principal Ordinance is amended by omitting paragraph (3) (b) and substituting the following paragraphs:

- "(b) except in the case of a notice given on the ground specified in paragraph (1) (a) or a notice of a kind referred to in paragraph (ba)—on the expiration of 7 days after the service of the notice unless the Building Controller, before the expiration of that period, gives a further notice under section 44;
- (ba) in the case of a notice given on the ground specified in paragraph (1) (d) in connection with the carrying out of building work in contravention of sub-section 36 (3)—when the plan referred to in that sub-section is received by the Building Controller;"

4. After section 45 of the Principal Ordinance the following section is inserted:

Notice to produce survey plan

"45A. Where building work for which a building permit has been granted under this Ordinance has been carried out in contravention of sub-section 36 (3), the Building Controller may serve on—

(a) the owner of the parcel of land on which the building work was carried out; or

(b) the person by whom the building work was carried out,

a notice requiring the person on whom it is served to produce to the Building Controller, within such period as is specified in the notice, being a period of not less than 7 days after the date of service of the notice, the plan referred to in sub-section 36 (3)."

Notice to carry out building work

5. Section 46 of the Principal Ordinance is amended by omitting from paragraph (1) (b) "36 (3) or".

Offences

6. Section 51 of the Principal Ordinance is amended by omitting from sub-section (2) "section 44 or 46 of this Ordinance" and substituting "section 44, 45A or 46".

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 27 August 1982.
2. No. 26, 1972 as amended by Nos. 7 and 38, 1974; os. 45 and 61, 1976; No. 46, 1978; No. 30, 1979.