
Building (Amendment) Ordinance (No. 2) 1982

No. 70 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 (No. 2) 1982*.¹

Principal Ordinance

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

Appointment of Building Controllers

3. Section 7 of the Principal Ordinance is amended by inserting after sub-section (3) the following sub-section:

"(3A) An action or proceeding, civil or criminal, does not lie against the Building Controller for or in respect of an act or thing done in good faith by him in his capacity as the Building Controller."

4. After section 18 of the Principal Ordinance the following section is inserted:

Publication of particulars of decisions made under section 18

"18A. (1) Where—

- (a) a decision suspending or cancelling a builder's licence is made by the Review Committee under sub-section 18 (7);

- (b) the period within which an appeal against the decision may be made under section 19 has expired; and
- (c) either—
 - (i) no appeal has been instituted under that section in relation to the decision; or
 - (ii) such an appeal having been instituted, the appeal has been withdrawn or struck out or has been determined otherwise than by a decision of the Supreme Court after a hearing,

the Chairman of the Review Committee shall cause to be published in the *Gazette* the prescribed particulars in relation to the decision.

“(2) Where a decision reprimanding the holder of a builder’s licence is made by the Review Committee under sub-section 18 (7), the Chairman of the Review Committee shall cause to be published in the *Gazette* the prescribed particulars in relation to the decision.

“(3) Where a decision cancelling a builder’s licence is made by the Building Controller under sub-section 18 (8), the Building Controller shall cause to be published in the *Gazette* the prescribed particulars in relation to the decision.

“(4) For the purposes of sub-sections (1), (2) and (3), the prescribed particulars in relation to a decision made under sub-section 18 (7) or (8) are—

- (a) the name of the licensee in respect of whom the decision was made;
- (b) the address at which, when the decision was made, the licensee was carrying on business;
- (c) the date on which the decision was made;
- (d) the nature of the decision;
- (e) in relation to a decision made by the Review Committee—the ground or grounds referred to in sub-section 18 (1) that the Committee, in making the decision, was satisfied existed; and
- (f) in relation to a decision made by the Building Controller—the ground or grounds referred to in sub-section 18 (1) in respect of which the notice under sub-section 18 (2) was served.”.

Representation before Review Committee

5. Section 60 of the Principal Ordinance is amended by inserting “or in relation to whom an inquiry is being held by that Committee under section 18” after “that Committee”.

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; Nos. 45 and 61, 1976; No. 46, 1978; No. 30, 1979; No. 69, 1982.