



AUSTRALIAN CAPITAL TERRITORY

MACHINERY ACT 1949 SCAFFOLDING AND LIFTS ACT 1912 SCAFFOLDING AND LIFTS ACT 1957

OCCUPATIONAL HEALTH AND SAFETY LEGISLATION REGULATIONS AMENDMENT

Subordinate Law No. 47 of 2000

EXPLANATORY STATEMENT

The objectives of the *Machinery Act 1949* are to regulate, prohibit or restrict the installation, use and operation of machinery, and to secure the safety of persons and property from injury or damage arising out of the installation, use or operation of machinery.

Section 5 of the Machinery Act allows the Executive to make regulations, not inconsistent with the Act, prescribing matters required or permitted in the Act to be prescribed; or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

The objectives of the *Scaffolding and Lifts Act 1912* and the *Scaffolding and Lifts Act 1957* are to consolidate the Acts controlling scaffolding and lifts. Section 22 of the *Scaffolding and Lifts Act 1912* allows the Executive to make regulations, not inconsistent with the Act, prescribing matters required or permitted in the Act to be prescribed; or necessary or convenient to be prescribed for carrying out or giving effect to this Act. Section 9 of the *Scaffolding and Lifts Act 1957* allows the Executive to make regulations, not inconsistent with this Act, prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

The regulations apply in the Territory under the provisions of the *Machinery Act 1949*, *Scaffolding and Lifts Act 1912*, and *Scaffolding and Lifts Act 1957*, and amend the *Boilers and Pressure Vessels Regulations* and the *Scaffolding and Lifts Regulations 1950* respectively.

The amendments to the regulations are consequential to the making of the *Occupational Health and Safety (Certification of Plant Users and Operators) Regulations 2000*.

The objective of these regulations is to amend the *Boilers and Pressure Vessels Regulations* to remove references to the certification of boiler attendants. A further objective is to amend the *Scaffolding and Lifts Regulations 1950* to remove references to the certification of power

Repeal of pt 4

Clause 7 Repeals part 4 relating to boiler attendants.

Substitution

Clause 8 Amends regulation 48 to remove the reference to boiler attendant's certificates.

Insertion

Clause 9 Adds the dictionary.

PART 3 – AMENDMENTS OF THE SCAFFOLDING AND LIFTS REGULATIONS 1950

Regulations amended in pt 3

Clause 10 This is a formal requirement. It establishes which regulations are being amended.

Use of Lifts

Clause 11 Amends regulation 68 to remove the reference to authorised lift attendants.

Change of ownership

Clause 12 Amends regulation 70 to remove the reference to authorised lift attendants in lift signage.

Commercial type hoists

Clause 13 Amends regulation 138 to remove the reference to operators of commercial type hoists.

Repeal

Clause 14 Repeals parts XIV – *The Certification and Qualifications of Drivers of Power Cranes and Power Hoists and of Riggers, Dogmen, Scaffolders and Crane Chasers* and XV – *The Certification and Qualifications of Authorised Attendants*.