



AUSTRALIAN CAPITAL TERRITORY

SCAFFOLDING AND LIFTS ACT 1912-1948

SCAFFOLDING AND LIFTS REGULATION (AMENDMENT)

SUBORDINATE LAW NO. 19 OF 1999

EXPLANATORY STATEMENT

The Regulations under the *Scaffolding and Lifts Act, 1912-1948 (NSW)* in their application in the Territory are amended to incorporate the amendments to the regulations under the *ACT Occupational Health and Safety Act 1989*.

Section 22.(2) of the *Scaffolding and Lifts Act, 1912-1948 (NSW)* allows the Executive under the *Scaffolding and Lifts Act 1957* to make regulations, which is deemed to include the power to make regulations not inconsistent with the *Scaffolding and Lifts Act, 1912-1948 (NSW)*.

The amendments to the *Regulations under the Scaffolding and Lifts Act, 1912-1948 (NSW)* in their application in the Territory will remove references to the use of explosives in the Territory. The regulations under *Scaffolding and Lifts Act 1912-1948 (NSW)* are no longer required as the use of explosives is now controlled by the regulations under the *ACT Occupational Health and Safety Act 1989*.

The regulations are amended as follows:

1. The amended regulations will commence on the day they are notified in the Gazette.
2. Notifies that the amendments are set out in the Schedule.

The Schedule notifies the consequential amendments required for the *Scaffolding and Lifts Act 1912 (NSW)* as a result of the amendments to the *Regulations under the Occupational Health and Safety Act*.

A new regulation is inserted before regulation 3 in Part 1 to amend the name of the regulations.

Regulation 3 is amended to remove the reference to the *Explosives Act 1905* as the amended *Regulations under the Occupational Health and Safety Act* now define explosives.

Subregulation 84 (1) is amended so that certain activities in relation to demolition cannot be undertaken via the use of explosives.

Subregulation 99 (24), 100 (27), and 101(25) are deleted as the use of explosives previously regulated by these subregulations are incorporated in the amendments to the *Regulations under the Occupational Health and Safety Act*.

Part 9 is deleted as the use of explosives in building and excavation work is now incorporated in the amendments to the *Regulations under the Occupational Health and Safety Act* which cover all workplaces in the Territory.

The Sixth Schedule is repealed to remove the reference to defective explosives and the deterioration of explosives.

The determination of the amendment to the regulations is a disallowable instrument for the purposes of Section 10 of the *Subordinate Laws Act 1989*.