

2006

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

CONSTRUCTION OCCUPATION (LICENSING)
AMENDMENT REGULATION 2006 (No 1)

SL2006-52

EXPLANATORY STATEMENT

Circulated by authority of Simon Corbell MLA
Minister for Planning

Background

Various Acts including the *Building Act 2004* have provisions that deal with business arrangements including individuals and corporations. The term used to collectively refer to these arrangements in the various pieces of legislation is ‘person’ as defined in the *Legislation Act 2001*. That definition does not include ‘partnerships’. The *Construction Occupations (Licensing) Regulation 2004* contains provisions that deal with individuals and corporations. The *Construction Occupations (Licensing) Regulation* also has specific provisions that relate to partnerships. Differentiation to also recognise partnerships is addressed through the term ‘applicant’ which is enacted through this amendment.

Objective of the Amended Regulation

The objective of the amended Regulation is to ensure that business arrangements are appropriately accommodated within the Regulation.

Outline

Section 17 of the *Construction Occupations (Licensing) Regulation 2004* deals with insurance requirements for licensees. The *Construction Occupation (Licensing) Amendment Regulation 2006 (No 1)* amends section 17 of the *Construction Occupation (Licensing) Regulation 2004* by changing a number of references to ‘person’ and substitutes it with ‘applicant’.

Notes on Clauses

Clause 1 – Name of Regulation. This clause gives the Regulation a title.

Clause 2 – Commencement. This clause provides that the Regulation will commence on the day after its notification day.

Clause 3 – Legislation Amended. This clause provides that the Regulation amends the *Construction Occupation (Licensing) Regulation 2004*.

Clause 4 – Section 17(4). Clause 4 omits the words ‘A person’ and substitutes the words ‘An applicant’. This change accommodates business arrangements of the occupation covered by section 17(4) - building surveyors.

Clause 5 – Section 17(4). This clause omits the words ‘the person’ and substitutes the words ‘the applicant’. This change accommodates business arrangements of the occupation covered by section 17(4) - building surveyors.

Clause 6 – Section 17(5). This clause substitutes the existing clause with an amended clause that omits the references to ‘person’ and substitutes them with ‘applicant’. This change accommodates business arrangements of the occupation covered by section 17(5) - building surveyors.