

AUSTRALIAN CAPITAL TERRITORY

BUILDING REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 7 of 1983

Section 12(10) of the Seat of Government (Administration) Act 1910 (the Act) defines “determination” to mean a determination made by a Minister pursuant to a provision of an Ordinance empowering him to determine by notice in writing published in the Gazette fees or charges for the purposes of the Ordinance.

Section 12(9A) of the Act provides that every determination shall be laid before each House of the Parliament within fifteen sitting days of that House after the day on which the determination is made and if not so laid before each House of the Parliament, shall be void and of no effect.

Section 12(9B) of the Act provides that sections 12(4) to 12(7) inclusive of the Act, which deal with the disallowance of Ordinances, shall apply to a determination laid before a House of the Parliament as if the reference in those sub-sections to an Ordinance were references to a determination.

The Building Ordinance 1972, Weights and Measures Ordinance 1929 and the Motor Traffic Ordinance 1936 (the principal Ordinances) have been amended to empower the Minister to determine fees for the purposes of the principal Ordinances by notice in writing published in the Gazette.

The Building Regulations (Amendment), Weights and Measures Regulations (Amendment) and the Motor Traffic Regulations (Amendment) (the amending Regulations) will amend the Building Regulations, Weights and Measures Regulations and Motor Traffic Regulations (the principal Regulations) to repeal those regulations of the principal regulations which have become redundant as a result of the amendments to the principal Ordinances referred to above.

Details of the amending Regulations are set out in attachments A to C.

ATTACHEMENT A

DETAILS OF BUILDING REGULATIONS (AMENDMENT)

Regulation 1 amends regulation 2 of the principal Regulations by omitting from sub-regulation (1) the definitions of “commercial building work” and “residential building work”. Regulation 1 also omits regulations 2(2) and 2(3) which dealt with interpretation.

Regulations 2 amends regulation 12 of the principal Regulations by increasing the minimum amount of a building permit fee retained by the Building Controller when the permit holder surrenders the permit, from \$10 to \$20.

Regulation 3 amends regulation 18 of the principal Regulations by omitting sub-regulations (1), (2), (3) and (4) which set fees for copying documents held by the Building Controller.

Regulation 4 amends the principal Regulations by repealing regulations 4 to 11 (inclusive), 13, 15, 16 and 17, and Schedule 2, which dealt with prescribed fees and charges.