

AUSTRALIAN CAPITAL TERRITORY

BOILER AND PRESSURE VESSELS REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 11 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, shall be void and of no effect.

Section 12(9B) of the Act provides that sections 12(4) and 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 these subsections to an Ordinance were references to a determination.

The Machinery Ordinance 1949, Flammable Liquids Ordinance 1976, Lakes Ordinance 1976, Building and Services Ordinance 1924, Pounds Ordinance 1928, Sale of Motor Vehicles Ordinance 1977, Adoption of Children Ordinance 1965 and Nature Conservation Ordinance 1980 (the principal Ordinances) have been amended to empower the Minister to determine fees and charges for the purposes of the principal Ordinances by notice in writing published in the Gazette.

The amending Regulations set out in Column 1 of the Table will amend the principal Regulations set out in Column 2 of the Table opposite to those amending 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.

TABLE

<u>COLUMN 1</u> <u>Amending Regulations</u>	<u>COLUMN 2</u> <u>Principal Regulations</u>
Boiler and Pressure Vessels Regulations (Amendment)	Boiler and Pressure Vessels Regulations
Flammable Liquids Regulations (Amendment)	Flammable Liquids Regulations
Flammable Liquids Regulations (Repeal)	
Lakes Regulations (Amendment)	Lakes Regulations
Canberra Sewerage and Water Supply Regulations (Amendment)	Canberra Sewerage and Water Regulations
Garbage Regulations (Amendment)	Garbage Regulations
Pounds Regulations (Amendment)	Pounds Regulations
Sale of Motor Vehicles Regulations (Amendment)	Sale of Motor Vehicles Regulations
Adoption of Children Regulations (Amendment)	Adoption of Children Regulations
Nature Conservation Regulations (Amendment)	Nature Conservation Regulations

Details of the amending Regulations are set out at attachments A to I.

ATTACHMENT A

BOILERS AND PRESSURE VESSELS REGULATIONS (AMENDMENT)

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Regulation 1 deals with commencement.

Regulation 2 amends regulation 23(2) of the principal Regulations, by omitting the reference to “the appropriate fee specified in the Schedule to these Regulations” and substituting “the relevant fee determined by the Minister under section 4A of the Ordinance”.

Regulation 3 omits regulation 24(4) of the principal regulations which related to prior payment of a prescribed fee for a certificate of inspection.

Regulation 4 amends regulation 39(1) of the principal Regulations, which relates to applications for a boiler attendant's certificate, by omitting the reference to "a fee of \$15" and substituting a reference to "the relevant fee determined by the Minister under section 4A of the Ordinance".

Regulation 5 repeals the Schedule to the principal Regulations, which prescribed fees for inspection of boilers and pressure vessels.