

AUSTRALIAN CAPITAL TERRITORY

FLAMMABLE LIQUIDS REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 12 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 B

DETAILS OF FLAMMABLE LIQUIDS REGULATIONS (AMENDMENT)

No. 12 of 1983

Regulation 1 deals with commencement.

Regulation 2 inserts new regulations 2A and 2B into the principal regulations to amend regulation 4 of the Regulations under the Inflammable Liquid Act 1915 (NSW) in their application to the Territory (the adopted regulations), which relates to the submission of applications, by omitting the reference to a fee prescribed in regulation 7 and substituting a reference to a fee determined under section 34B of the

ordinance, and omitting regulation 7 of the adopted regulations which prescribed fees for the purposes of the Regulations.

Regulation 3 repeals regulation 4 of the principal regulations and inserts a new regulation 4 which amends regulation 23 of the adopted regulations which deals with pumps for the delivery of mineral spirit, as follows:

- (a) regulation 23(1) is amended by removing the reference to a fee of two dollars and substituting a reference to a fee determined under the Ordinance; and
- (b) by inserting a new regulation 23(1A). This is a formal amendment resulting from the repeal of the previous regulation 4.

Regulation 4 adds new regulations 5, 6 and 7 to the principal regulations which amend the adopted regulations as follows:

- (a) regulations 48, 48A and 48AA, which prescribe certain fees, are repealed;
- (b) Form B of Schedule A is amended by omitting the reference to “the prescribed fee set out in Regulation 7” and substituting “the appropriate fee”.
- (c) Form C of Schedule A is amended by omitting the reference to a fee of “\$4.50 per annum”.