

AUSTRALIAN CAPITAL TERRITORY

INSPECTION OF MACHINERY REGULATIONS

EXPLANATORY MEMORANDUM

No. 1 of 1969

Sub-regulation (2.) of regulation 23 of the Inspection of Machinery Regulations provides that a contravention or failure to comply with these Regulations does not give rise to any civil right, remedy or liability which would not exist if the Regulations had not been made.

The Courts have recently decided that in limited circumstances a breach of statutory duty may give rise to civil liability and therefore it is proposed to repeal sub—regulation (2.) of regulation 23 to allow a right of action to arise out of a breach of statutory duty under the Regulations.

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(Minister's Initials)