



Australian Capital Territory

Water and Sewerage Amendment Act 2004

A2004-67

An Act to amend the *Water and Sewerage Act 2000* and the *Water and Sewerage Regulations 2001*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

2004 033B

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Part 1 Preliminary

1 Name of Act

This Act is the *Water and Sewerage Amendment Act 2004*.

2 Commencement

This Act commences—

- (a) if the *Construction Occupations Legislation Amendment Act 2004* has commenced before the notification day for this Act—on the day after its notification day; and
- (b) in any other case—on the commencement of the *Construction Occupations Legislation Amendment Act 2004*.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

Part 2 Water and Sewerage Act 2000

3 Legislation amended—pt 2

This part amends the *Water and Sewerage Act 2000*.

4 New section 17A

in part 3, insert

17A Water supply and sanitary plumbing work

- (1) A licensee commits an offence if—
 - (a) the licensee does water supply plumbing work or sanitary plumbing work in relation to—
 - (i) a shower; or
 - (ii) a tap inside a building; or
 - (iii) a sink; and
 - (b) the work contravenes a requirement prescribed under the regulations.

Maximum penalty: 10 penalty units.

- (2) An offence under subsection (1) is a strict liability offence.

Part 3 Water and Sewerage Regulations 2001

5 Legislation amended—pt 3

This part amends the *Water and Sewerage Regulations 2001*.

6 New regulation 16A

in part 3, insert

16A Water efficiency requirements—water supply and sanitary plumbing work—Act, s 17A

- (1) The following requirements are prescribed:
 - (a) for domestic water supply plumbing work involving the installation of, or work on, a shower—the shower head must have a maximum flow capacity of not more than 9 litres per minute;
 - (b) for domestic water supply plumbing work involving the installation of, or work on, a tap for a kitchen or laundry sink or any other basin inside a building—the outlet of the tap must have a maximum flow capacity of not more than 9 litres per minute;
 - (c) for domestic sanitary plumbing work involving the installation of, or work on, a sink—a garbage disposal unit must not be connected to the sink or an outlet from the sink.
- (2) The maximum flow capacity mentioned in subregulation (1) must be worked out using AS/NZS 6400 as in force from time to time.
- (3) Subregulation (1) (b) does not apply to domestic water supply plumbing work involving the installation of, or work on, a tap for a kitchen or laundry sink or any other basin inside a building if—

-
- (a) the tap is in part of the building used, or for use, mainly for business; or
 - (b) the usual pressure of water that is, or is to be, supplied to the building is less than 50kPa.

Example

a home on a farm supplied with bore water at a pressure less than 50kPa

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (4) In this regulation:

domestic—water supply plumbing work or sanitary plumbing work is ***domestic*** if it is work in relation to premises used, or for use, for residential purposes.

- (5) Subregulation (1) (b) does not apply to domestic water supply plumbing work carried out before 1 July 2005 if—
 - (a) the tap is fitted with another device (a ***secondary device***) that reduces the flow capacity of the tap for a kitchen or laundry sink or any other basin; or
 - (b) a compatible secondary device for the tap is not reasonably available in the ACT.

Example of secondary device

a valve in addition to the valve forming part of the tap

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (6) For this regulation, a secondary device is not ***compatible*** if use of the device with a tap would void the tap manufacturer's warranty.
- (7) Subregulation (6) does not limit when a secondary device is not compatible.

- (8) Subregulations (5), (6), (7) and this subregulation expire on 1 July 2005.
- (9) The Legislation Act, section 47 (6) does not apply to an instrument mentioned in subregulation (2).

Note The text of an applied, adopted or incorporated instrument, whether applied as in force at a particular time or from time to time, is taken to be a notifiable instrument if the operation of the Legislation Act, s 47 (5) or (6) is not disapplied (see s 47 (7)).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 13 May 2004.

2 Notification

Notified under the Legislation Act on 9 September 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Water and Sewerage Amendment Bill 2004, which was passed by the Legislative Assembly on 26 August 2004 a.m.

Acting Clerk of the Legislative Assembly

© Australian Capital Territory 2004