

2007

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SUPPLEMENTARY EXPLANATORY STATEMENT

**GOVERNMENT AMENDMENTS
SURVEYORS BILL 2007**

**Circulated by the authority of
Mr Andrew Barr MLA
Minister for Planning**

Amendment to Clause 8 (1) and (2)

Page 6

In response to the comments made by the Scrutiny Committee in report number 43, it was decided to clarify the Chief Surveyor's powers in relation to registering a person as a surveyor.

As identified in the original explanatory statement, there are insufficient numbers of persons seeking ACT registration to warrant a separate examination in this Territory. Instead, the ACT relies upon the Commonwealth Mutual Recognition Act to accept persons registered in another State, the Northern Territory or New Zealand (the Trans Tasman Recognitions Act). This simplifies the Chief Surveyor's role in that he or she must register a surveyor previously registered in the ACT or another jurisdiction.

These amendments clarify this role and address the Scrutiny Committee's concerns in relation to powers being insufficiently defined.

Amendment to Clause 10 proposed new note:

Page 7

This note was added to draw the reader's attention to the fact that if a person's registration is suspended or cancelled in another jurisdiction, the same action may be taken in the ACT. This provision is pursuant to the Commonwealth Mutual Recognitions Act.

Amendment to Clause 56 (1):

Page 33

The Scrutiny Committee in report number 43 suggested that inclusion of the words 'reasonable grounds' in this clause would make this provision less likely to be incompatible with the Human Rights Act. It was agreed that such an amendment would improve this clause.

(Note: The Scrutiny Committee report incorrectly referred to this subclause as 59(1).)