

Australian Capital Territory

Construction Occupations (Licensing) (Mandatory Qualifications) Declaration 2017 (No 1)

Disallowable Instrument DI2017-282

made under the

**Construction Occupations (Licensing) Regulation 2004, s 13 (Eligibility for licence—
qualifications and financial requirements—Act, s 18)**

EXPLANATORY STATEMENT

Section 13 of the *Construction Occupations (Licensing) Regulation 2004* (the **Regulation**) permits the Minister to declare the qualifications and financial requirements necessary for an entity to be eligible to be licensed in a construction occupation or occupation class.

The purpose of this instrument is to declare the qualifications necessary for an individual to be eligible to be licensed in various construction occupations and occupation classes.

This declaration includes qualifications for a new endorsement on an unrestricted electrician or electrical contractor licence for interval metering work. This endorsement is created by new section 31C in the Regulation inserted by the *Construction Occupations (Licensing) Amendment Regulation 2017 (No 1)*.

There are no changes to the qualification requirements for any other construction occupation or occupation class from those in the declaration revoked by the instrument (NI 2016-194)¹.

The instrument commences on the day after its notification day.

The declaration under section 13 of the Regulation is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

¹ Amendments to section 13 made by the [Building and Construction Legislation Amendment Act 2016](#) transferred the power to declare qualifications to the Minister. Prior to the amendments a declaration under section 13 was a notifiable instrument.

Regulatory Impact Statement (RIS)

A RIS is not required for this declaration. Sections 36 (1) (g) and (h) of the Legislation Act provides that a RIS need not be prepared for a matter arising under a territory law that is part of a uniform scheme of legislation or complementary with legislation of the Commonwealth, a State or New Zealand, or a matter involving the adoption of an Australian or international protocol, standard, code, or intergovernmental agreement or instrument, if an assessment of the benefits and costs has already been made and the assessment was made for, or is relevant to, the ACT.

The endorsement to which these qualifications relate to implementing changes to the [National Electricity Rules](#) to increase the contestability of metering work commencing on 1 December 2017. The National Electricity Rules are made under the National Electricity Law. The ACT adopts the National Electricity Law under the National Energy Retail Law (ACT) Act 2012 (A2012-31). Regulatory impact analysis for the reforms was undertaken for the COAG Energy Council and applied to the ACT. The regulatory impact analysis can be found at <http://www.aemc.gov.au/getattachment/ed88c96e-da1f-42c7-9f2a-51a411e83574/Final-determination.aspx> . Participation in this national reform is announced government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. There are no human rights impacts related to this instrument.