

# AUSTRALIAN CAPITAL TERRITORY

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## Regulations 1978 No. 14

### Regulations under the *Building and Services Ordinance 1924\**

I, ROBERT JAMES ELLICOTT, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Building and Services Ordinance 1924*.

Dated this twenty-fifth day of August 1978.

R. ELLICOTT

Minister of State for the Capital Territory

### AMENDMENTS OF THE CANBERRA SEWERAGE AND WATER SUPPLY REGULATIONS†

1. Regulation 4 of the Canberra Sewerage and Water Supply Regulations is amended by inserting after the definition of "the sewerage system" in sub-regulation (1) the following definition: Interpretation

" 'Tribunal' means the Administrative Appeals Tribunal established by the *Administrative Appeals Tribunal Act 1975*;"

2. Regulation 9 of the Canberra Sewerage and Water Supply Regulations is amended by omitting the table in sub-regulation (1) and substituting the following table: Fees

Column 1	Column 2	Column 3
Licence	Amount	Amount
	\$	\$
Sanitary plumber's licence .. .. .	35	7
Water-supply plumber's licence .. .. .	35	7
Journeyman plumber's licence .. .. .	18	4
Sanitary drainer's licence .. .. .	35	7
Operative drainer's licence .. .. .	18	4

\* Notified in the *Commonwealth of Australia Gazette* on 31 August 1978.

† For reference to the original Regulations and amendments made before 1960, see footnote on p. 93 of Vol. III of "Laws of the Australian Capital Territory 1911-1959" and, for later amendments, see Regulations 1962, No. 8; 1975, No. 14; and 1977, No. 8.

*Canberra Sewerage and Water Supply Regulations*

3. Regulation 15 of the Canberra Sewerage and Water Supply Regulations is repealed and the following regulations are substituted:

Interference  
with drains,  
&c.,  
connected  
with  
sewerage  
system

“ 15. (1) A person shall not alter, remove or in any way interfere with a drain, fitting, pipe, bend, trap or other thing connected with the sewerage system unless—

- (a) the person holds a sanitary plumber's licence and the Engineer has granted to him a plumbing permit in respect of the work;
- (b) the person holds a sanitary drainer's licence and the Engineer has granted to him a drainage permit in respect of the work;
- (c) the person holds a sanitary plumber's licence, the work is minor sanitary plumbing work and the Engineer has granted to him a minor plumbing permit that is in force under these Regulations; or
- (d) the person holds a sanitary drainer's licence, the work is minor drainage work and the Engineer has granted to him a minor drainage permit that is in force under these Regulations.

Penalty: \$300.

“ (2) For the purposes of sub-regulation (1)—

- (a) a plumbing permit shall be in accordance with Form 12;
- (b) a drainage permit shall be in accordance with Form 13; and
- (c) a minor plumbing permit and a minor drainage permit shall be in accordance with a form approved by the Engineer.

“ (3) The fee payable for the grant of a plumbing permit is \$35 together with \$3 for each sanitary fixture in excess of 9 sanitary fixtures supplied for the work.

“ (4) The fee payable for the grant of a drainage permit is \$25.

“ (5) The fee payable for the grant of a minor plumbing permit or a minor drainage permit is \$100 for each permit.

“ (6) A minor plumbing permit or a minor drainage permit shall be in force for a period of 12 months from and including the date on which the permit is granted.

“ (7) Notwithstanding anything contained in this regulation—

- (a) a person who holds a journeyman plumber's licence may perform minor sanitary plumbing work if he performs the work under the general supervision of a person who holds a plumbing permit in respect of the work or a minor plumbing permit; and

- (b) a person who holds an operative drainer's licence may perform minor drainage work if he performs the work under the general supervision of a person who holds a drainage permit in respect of the work or a minor drainage permit.

" (8) For the purposes of these Regulations, work referred to in sub-regulation (1) is minor sanitary plumbing work if—

- (a) the work is sanitary plumbing work;
- (b) the holder of a sanitary plumber's licence has entered into a contract with a person to perform the work; and
- (c) the consideration to be given for performance of the work, excluding the cost of sanitary fixtures supplied for the work, does not exceed \$150 in value.

" (9) For the purposes of these Regulations, work referred to in sub-regulation (1) is minor drainage work if—

- (a) the work is the laying or repair of any drain;
- (b) the holder of a sanitary drainer's licence has entered into a contract with a person to perform the work; and
- (c) the consideration to be given for performance of the work, excluding the cost of sanitary fixtures supplied for the work, does not exceed \$150 in value.

" 15AA. (1) The person to whom a minor plumbing permit has been granted shall, not later than the tenth day of each month, submit to the Proper Authority a certificate in writing specifying in respect of each job of minor sanitary plumbing work completed by him during the preceding month—

Certificate to be submitted in respect of minor plumbing or drainage work

- (a) the name and address of the person for whom the work was performed;
- (b) the address at which the work was performed;
- (c) the nature of the work;
- (d) the consideration given for the performance of the work, excluding the cost of sanitary fixtures supplied for the work; and
- (e) the date on which the work was completed,

and certifying that the work was completed in accordance with these Regulations.

" (2) The person to whom a minor drainage permit has been granted shall, not later than the tenth day of each month, submit to

the Proper Authority a certificate specifying in respect of each job of minor drainage work completed by him during the preceding month—

- (a) the name and address of the person for whom the work was performed;
- (b) the address at which the work was performed;
- (c) the nature of the work;
- (d) the consideration given for the performance of the work, excluding the cost of sanitary fixtures supplied for the work; and
- (e) the date on which the work was completed,

and certifying that the work was completed in accordance with these Regulations.

“ (3) Each certificate referred to in sub-regulation (1) or (2) shall bear the signature of the person submitting the certificate and the date on which it was so signed.

Suspension  
or  
cancellation  
of, or refusal  
to grant,  
minor  
plumbing or  
drainage  
permit

“ 15AB. (1) The Proper Authority may suspend for a specified period, or cancel, a minor plumbing permit or a minor drainage permit granted to a person—

- (a) where the person has ceased to be a person to whom a permit may be granted under these Regulations; or
- (b) where the minor plumbing permit or the minor drainage permit was granted to the person on the basis of a mistake in relation to a fact relevant to the grant of the permit.

“ (2) Where a person has contravened, or failed to comply with, a provision of these Regulations, the Proper Authority may—

- (a) where a minor plumbing permit or a minor drainage permit has been granted to the person—suspend for a specified period, or cancel, the permit; and
- (b) whether or not a minor plumbing permit or minor drainage permit has been granted to the person—direct the Engineer to refuse for a specified period to grant such a permit to the person.

“ (3) Where a minor plumbing permit or minor drainage permit is suspended or cancelled under paragraph (1) (b) by reason that the permit was granted on the basis of a mistake of fact, a proportion of the fee paid under sub-regulation 15 (5) for the permit shall be refunded to the person to whom the permit was granted.

“ (4) The amount to be refunded under sub-regulation (3) in respect of a minor plumbing permit or minor drainage permit that has been suspended or cancelled shall be calculated in accordance with the formula—

AB

—  
365

where—

- A is the amount of the fee paid under sub-regulation 15 (5) for the permit; and
- B is the difference between 365 and the number of days during which the permit was in force.”.

4. Regulation 18 of the Canberra Sewerage and Water Supply Regulations is amended—

Conditions to be complied with before approval

- (a) by omitting sub-regulation (2) and substituting the following sub-regulation:

“ (2) Subject to sub-regulations (3) and (4), there is payable for the inspection of a plan submitted for approval under paragraph (1) (b) a fee of \$15 together with \$3 for each sanitary fixture in excess of 9 sanitary fixtures shown on the plan.”; and

- (b) by inserting after sub-regulation (3) the following sub-regulation:

“ (4) Where a plan submitted for approval under paragraph (1) (b) relates only to minor sanitary plumbing work or minor drainage work, no fee is payable under sub-regulation (2) for inspection of the plan.”.

5. Regulation 20 of the Canberra Sewerage and Water Supply Regulations is amended—

Fees for plans

- (a) by omitting from paragraph (a) “ \$20 ” and substituting “ \$35 ”; and

- (b) by omitting from paragraph (b) “ \$20 ” and substituting “ \$35 ”.

6. Regulation 92A of the Canberra Sewerage and Water Supply Regulations is amended by omitting “ 15 ” and substituting “ 18 ”.

Sale of unmetered water

7. The Canberra Sewerage and Water Supply Regulations are amended by adding at the end thereof the following regulations:

“ 115. (1) The holder of a licence, a minor plumbing permit or a minor drainage permit in force under these Regulations shall, within 7 days after any change of his address—

Holder of licence or permit to notify change of address

- (a) give to the Proper Authority written notice of the change; and
- (b) lodge the licence or permit with the Proper Authority.

“(2) Where notice is given to the Proper Authority under sub-regulation (1), the Proper Authority shall—

- (a) amend the licence or permit by deleting the address shown in the licence or permit and substituting the address shown in the notice; and
- (b) cause the licence or permit to be returned to the holder.

Notice to be given of suspension, cancellation or refusal to issue or renew licence or permit

“116. (1) Where the Proper Authority—

- (a) suspends or cancels a sanitary plumber’s licence, a water-supply plumber’s licence, a journeyman plumber’s licence, a sanitary drainer’s licence, an operative drainer’s licence, a minor plumbing permit or a minor drainage permit that has been issued or granted to a person;
- (b) refuses to issue to a person, or renew, a licence referred to in paragraph (a); or
- (c) directs the Engineer to refuse, for a specified period, to grant to a specified person a minor plumbing permit or a minor drainage permit,

the Proper Authority shall cause to be sent to the person referred to in paragraph (a), (b) or (c) written notice of that suspension, cancellation, refusal or direction.

“(2) A notice referred to in sub-regulation (1) shall be sent by post to the person at the address specified in the licence or permit to which the notice relates.

Appeal

“117. Application may be made to the Tribunal for review of—

- (a) a suspension or cancellation by the Proper Authority of a sanitary plumber’s licence, a water-supply plumber’s licence, a journeyman plumber’s licence, a sanitary drainer’s licence, an operative drainer’s licence, a minor plumbing permit or a minor drainage permit that has been issued or granted to a person;
- (b) a refusal by the Proper Authority to issue to a person, or renew, a licence referred to in paragraph (a); or
- (c) a direction by the Proper Authority to the Engineer to refuse, for a specified period, to grant to a specified person a minor plumbing permit or a minor drainage permit.”.