

1996—No. 132

CONSTRUCTION SAFETY ACT 1912—REGULATION

(Relating to certificates of competency)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Construction Safety Act 1912, has been pleased to make the Regulation set forth hereunder.

JEFFREY SHAW, Q.C., M.L.C.,
Minister for Industrial Relations.

Commencement

1. This Regulation commences on 22 April 1996.

Amendments

- 2 The Construction Safety Regulations 1950 are amended by inserting after Regulation 161G the following Regulations:

Prescribed qualifications for certificates of competency issued after the commencement of the Occupational Health and Safety (Certificates of Competency) Regulation 1996

161H. (1) This clause applies to all certificates of competency issued under the Act after the commencement of the Occupational Health and Safety (Certificates of Competency) Regulation 1996 (other than those in relation to the activities of a diver, powderman or explosive-powered tool operator) and has effect despite any other provision of these Regulations.

(2) The prescribed qualifications under section 17 (4) (a) and 17A (2) (a) of the Act for a certificate of competency in respect of any activity (other than that of diver, powderman or explosive-powered tool operator) is a certificate of competency in force under the Occupational Health and Safety (Certificates of Competency) Regulation 1996 in relation to work of the kind involved in the carrying out of that activity.

Exemption from requirements of secs. 17 and 17A of the Act for holders of certificates of competency issued under the Occupational Health and Safety (Certificates of Competency) Regulation 1996

161I. A person does not commit an offence under section 17 or 17A of the Act in relation to any activity referred to in either of those sections (other than that of diver, powderman or explosive-powered tool operator) if the person carrying out that activity is the holder of a certificate of competency in force under the Occupational Health and Safety (Certificates of Competency) Regulation 1996 in relation to work of the kind involved in the carrying out of that activity.

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to provide that the qualification for a certificate of competency under section 17 or 17A of the Construction Safety Act 1912 in respect of any activity referred to in either of those sections (other than that of diver, powderman or explosive-powered tool operator) is the corresponding certificate of competency under the Occupational Health and Safety (Certificates of Competency) Regulation 1996; and
- (b) to exempt the holder of a certificate of competency under the Occupational Health and Safety (Certificates of Competency) Regulation 1996 from the requirement to hold the corresponding certificate of competency under section 17 or 17A of the Construction Safety Act 1912.

This Regulation is made under the Construction Safety Act 1912, including section 22 (the general regulation making power) and sections 17 and 17A.
