



New South Wales

# Noise Control Amendment Regulation 1997

under the

Noise Control Act 1975

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Noise Control Act 1975*.

PAM ALLAN MP

Minister for the Environment

## Explanatory note

### Building intruder alarms

Clause 12A of the *Noise Control Regulation 1975* prohibited the use of an intruder alarm which emitted noise that was audible outside the relevant premises unless the alarm was constructed or regulated in accordance with the requirements of that clause. One of those requirements was that the alarm could not be reactivated (except by a different detection device) unless it had been reset.

The *Noise Control Regulation 1975* was repealed on 1 September 1995. Clause 22 of the *Noise Control (Miscellaneous Articles) Regulation 1995* now regulates the use of building intruder alarms. Clause 22 includes a requirement that the alarm cannot be reactivated until it has been manually reset. That requirement applies to all building intruder alarms regardless of when they were installed.

The object of the amendment made by Schedule I to this Regulation is to amend the requirements of the *Noise Control (Miscellaneous Articles) Regulation 1995* applying to building intruder alarms installed before 1 December 1997. The amended Regulation will provide that such an alarm cannot be reactivated until it has been reset either manually or automatically.

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The more stringent requirement about manual resetting will apply only to alarms installed on or after 1 December 1997.

### **Noise control equipment in cars**

Clause 16 of the *Noise Control (Motor Vehicles and Motor Vehicle Accessories) Regulation 1995* prohibits the removal of a motor vehicle's noise control equipment, otherwise than for the purpose of replacing the equipment. The object of the amendment made by Schedule 2 to this Regulation is to also permit the removal of noise control equipment for the purpose of its repair.

This Regulation is made under the *Noise Control Act 1975*, including section 64 (the general regulation-making power).

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## Noise Control Amendment Regulation 1997

### 1 Name of Regulation

This Regulation is the *Noise Control Amendment Regulation 1997*.

### 2 Amendment of Noise Control (Miscellaneous Articles) Regulation 1995

The *Noise Control (Miscellaneous Articles) Regulation 1995* is amended as set out in Schedule 1.

### 3 Amendment of Noise Control (Motor Vehicles and Motor Vehicle Accessories) Regulation 1995

The *Noise Control (Motor Vehicles and Motor Vehicle Accessories) Regulation 1995* is amended as set out in Schedule 2.

### 4 Notes

The explanatory note does not form part of this Regulation.

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Schedule 1      Amendment of Noise Control (Miscellaneous Articles) Regulation 1995

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**Schedule 1      Amendment of Noise Control  
(Miscellaneous Articles) Regulation  
1995**

(Clause 2)

**Clause 22 Use of building intruder alarms**

Omit clause 22 (1) (a) and (b). Insert instead:

- (a) in the case of an alarm installed before 1 December 1997:
  - (i) it automatically ceases to sound, whether continuously or intermittently, within 10 minutes after being activated by a detection device, and
  - (ii) it cannot be reactivated (except by a different detection device) until it has been manually or automatically reset, or
- (b) in the case of an alarm installed on or after 1 December 1997:
  - (i) it automatically ceases to sound, whether continuously or intermittently, within 5 minutes after being activated by a detection device, and
  - (ii) it cannot be reactivated (except by a different detection device) until it has been manually reset.

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Amendment of Noise Control (Motor Vehicles and Motor Vehicle  
Accessories) Regulation 1995

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**Schedule 2    Amendment of Noise Control (Motor  
Vehicles and Motor Vehicle  
Accessories) Regulation 1995**

(Clause 3)

**Clause 16 Noise control equipment to be properly maintained**

Insert “repairing or” after “purpose of” in clause 16 (2) (a).