

**BUILDING SERVICES CORPORATION (AMENDMENT) ACT
1994 No. 54**

NEW SOUTH WALES



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**BUILDING SERVICES CORPORATION (AMENDMENT) ACT
1994 No, 54**

NEW SOUTH WALES



Act No. 54, 1994

An Act to amend the Building Services Corporation Act 1989 in relation to complaints, rectification orders, discipline and insurance under that Act; to reconstitute the Building Services Corporation and to establish a Home Building Advisory Council; to make consequential amendments to the Consumer Claims Tribunals Act 1987; and for other purposes. [Assented to 28 September 1994]

Building Services Corporation (Amendment) Act 1994 No. 54

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Building Services Corporation (Amendment) Act 1994.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Building Services Corporation Act 1989 No. 147

3. The Building Services Corporation Act 1989 is amended as set out in Part 1 of Schedule 1 and in Schedules 2–6.

Amendment of Consumer Claims Tribunals Act 1987 No. 206

4. The Consumer Claims Tribunals Act 1987 is amended as set out in Part 2 of Schedule 1.

**SCHEDULE 1—AMENDMENTS RELATING TO
COMPLAINTS, RECTIFICATION ORDERS AND
ASSOCIATED MATTERS**

Part 1—Amendment of Building Services Corporation Act 1989

(Sec. 3)

(1) Section 3 (Definitions):

In the definition of “rectification order” in section 3 (1), omit “under”, insert instead “referred to in”.

(2) Section 49 (Definitions):

From the definition of “affected party” in section 49 (1), omit “Corporation”, insert instead “building disputes tribunal”.

(3) Section 57 (Holder of licence to be notified of proposed complaint):

- (a) Omit section 57 (1) (b), and the word “and” preceding it.
- (b) From section 57 (2), omit “those requirements”, insert instead “that requirement”.

SCHEDULE 1—AMENDMENTS RELATING TO COMPLAINTS,
RECTIFICATION ORDERS AND ASSOCIATED MATTERS—
continued

(4) Section 59 (**Rectification orders**):

- (a) From section 59 (1), omit “the Corporation may, by a written order served on the holder, require”, insert instead “the Corporation may apply to the registrar of consumer claims tribunals for an order to be made requiring”.
- (b) From section 59 (1A), omit “the Corporation may, by a written order served on the holder, require”, insert instead “the Corporation may apply to the registrar of consumer claims tribunals for an order to be made requiring”.
- (c) After section 59 (1A), insert:
 - (1B) Any such application is to be made and dealt with under the Consumer Claims Tribunals Act 1987, and any such orders may be made under that Act.

(5) Schedule 4 (**Savings and transitional provisions**):

Insert in numerical order:

Proposed complaints

21. The omission of the requirement in section 57 (1) (b) extends to a case where the holder of a licence was informed of the matters in a complaint within 30 days before the commencement of Schedule 1 (3) (a) to the amending Act.

Rectification orders

22. A rectification order made by the Corporation before the commencement of Schedule 1 (4) to the amending Act is taken to be a rectification order made by a building disputes tribunal.

Part 2—Amendment of Consumer Claims Tribunals Act 1987

(Sec. 4)

(6) Section 4A (Nomination of building dispute referees):

Omit section 4A (3) and (4).

SCHEDULE 1—AMENDMENTS RELATING TO COMPLAINTS,
RECTIFICATION ORDERS AND ASSOCIATED MATTERS—
continued

(7) Part 3A, heading:

Omit the heading, insert instead:

**PART 3A—BUILDING CLAIMS AND
RECTIFICATION ORDERS**

(8) Section 12A (**Definitions**):

Insert in alphabetical order:

“rectification order” means an order referred to in section 59 of the BSC Act.

(9) Section 12D (**Tribunal to be known as building disputes tribunal**):

After “claim”, insert “or an application for a rectification order”.

(10) Section 12K:

After section 12J, insert:

Rectification orders

12K. (1) A tribunal has jurisdiction to make a rectification order on application made as referred to in the BSC Act by the BSC to the registrar.

(2) The tribunal may add to, vary or omit any of the items of work to be rectified or completed as applied for by the BSC. The tribunal may decide not to make a rectification order.

(3) A rectification order need not specify the manner in which or method by which work is to be rectified or completed.

(4) The tribunal may make a rectification order conditional on the complainant complying with conditions specified in the order.

(5) A rectification order is not subject to any limits of the kinds referred to in section 32.

(6) A rectification order is not enforceable under Division 4 of Part 4.

SCHEDULE 1—AMENDMENTS RELATING TO COMPLAINTS,
RECTIFICATION ORDERS AND ASSOCIATED MATTERS—
continued

(7) In addition to or instead of making a rectification order, the tribunal may make any orders that it could make under section 12I or 30, as if the complainant and respondent in relation to the application for the order were a consumer and a respondent in a building claim. Such orders are subject to section, 32 and are enforceable under Division 4 of Part 4.

(8) An order may not be made under subsection (7) unless the tribunal is satisfied that the complainant has had an opportunity to give evidence orally or in writing and to present appropriate arguments.

(9) The regulations may make provision for or with respect to the manner of making, hearing, determining and otherwise dealing with applications for rectification orders and for the procedure to be adopted with respect to rectification orders after they have been made.

(10) Subject to this section and the provisions of any such regulations, the procedures relating to rectification orders and applications for such orders is generally to conform to the requirements of this Act regarding consumer claims and orders made in relation to consumer claims.

(11) In this section, “**complainant**”, in relation to an application for a rectification order, means the person who made a complaint to the BSC in connection with the work to which the rectification order relates.

(11) Schedule 3 (**Savings and transitional provisions**):

- (a) At the end of clause 1A (1), insert “Building Services Corporation (Amendment) Act 1994, but only as regards the amendments made to this Act.”.
- (b) After clause 13, insert:

**PART 4—BUILDING SERVICES CORPORATION
(AMENDMENT) ACT 1994**

Meaning of “amending Act”

14. In this Part, “**amending Act**” means the Building Services Corporation (Amendment) Act 1994.

**SCHEDULE 1—AMENDMENTS RELATING TO COMPLAINTS,
RECTIFICATION ORDERS AND ASSOCIATED MATTERS—
*continued***

Building dispute referees

15. The amendment made by the amending Act to section 4A does not affect any person's nomination as a building dispute referee made before the commencement of the amendment.

SCHEDULE 2—AMENDMENTS RELATING TO DISCIPLINE

(Sec. 3)

(1) Section 51 (**Improper conduct: generally**):

In section 51 (3, omit "Corporation", insert instead "Commercial Tribunal".

(2) Section 53 (**Improper conduct: nominated supervisors**):

From section 53 (3), omit "Corporation", insert instead "Commercial Tribunal".

(3) Section 54 (**Improper conduct: members of partnerships or officers of corporations**):

From section 54 (3), omit "Corporation", insert instead "Commercial Tribunal".

(4) Section 55 (**Complaints about holders of licences or certificates**):

After section 55 (2), insert:

(3) A complaint may be made under this section about the holder of a licence or certificate even though one or more complaints previously received by the Corporation and involving the holder have been resolved.

(5) Section 64:

Omit the section, insert instead:

Content of show cause notice

64. A show cause notice must state the grounds on which the respondent is required to show cause.

Building Services Corporation (Amendment) Act 1994 No. 54

SCHEDULE 2—AMENDMENTS RELATING TO DISCIPLINE—
continued

(6) Sections 65–73:

Omit the sections, insert instead:

Definition

65. In this Division:

“**hearing**” means the hearing of a show cause action by the Commercial Tribunal.

Jurisdiction of Commercial Tribunal

66. The Commercial Tribunal has jurisdiction to hear and determine show cause actions.

(7) Section 74 (**Determination after hearing**):

Omit “Corporation” where firstly occurring, insert instead “Commercial Tribunal”.

(8) Section 75 (**Double jeopardy**):

Omit “Corporation”, insert instead “Commercial Tribunal”.

(9) Section 76:

Omit the section, insert instead:

Costs of hearing

76. The power of the Commercial Tribunal to award costs under the Commercial Tribunal Act 1984 extends to empowering it to award costs in, or in relation to, a hearing.

(10) Section 77 (**When determination becomes effective**):

(a) Omit section 77 (1), insert instead:

(1) A determination of the Commercial Tribunal following a hearing, other than a determination to take no further action, has no effect until notice of the determination is served on the respondent, or a later time allowed by the Commercial Tribunal.

(b) From section 77 (2), omit “Corporation” where firstly occurring, insert instead “Commercial Tribunal”.

(11) Section 78 (**Return of cancelled, suspended or varied licence or certificate**):

From section 78 (1), omit “or Part 5” wherever occurring.

SCHEDULE 2—AMENDMENTS RELATING TO DISCIPLINE—
continued

(12) Section 79 (**Re-assessment of penalty**):

Omit the section.

(13) Section 80 (**Enforcement of cash penalties and payment of costs**):

In section 80 (1), omit “Corporation” where firstly occurring, insert instead “Commercial Tribunal”.

(14) Section 82 (**Void determinations**):

In section 82, omit “Corporation” wherever occurring, insert instead “Commercial Tribunal”.

(15) Schedule 4 (**Savings and transitional provisions**):

Insert in numerical order:

Show cause actions

23. (1) A show cause action pending at the commencement of Schedule 2 (6) to the amending Act is to be heard and determined by the Commercial Tribunal.

(2) Any hearing being held before the Corporation (or a member or committee of the Corporation) immediately before that Commencement in relation to a show cause action is terminated. The fact that a hearing was being held, or that it is terminated by this clause, does not affect the power of the Commercial Tribunal to hear and determine the show cause action.

Determinations and orders

24. (1) Subject to this clause, a determination or order made by the Corporation under Division 4 of Part 4 is taken to be a determination made by the Commercial Tribunal.

(2) This clause does not affect the right of appeal given by section 85 (c), and for that purpose the determination or order appealed against continues as a determination or order of the Corporation.

(3) If a hearing has been completed but a determination has not been made by the Corporation as at the commencement of Schedule 2 (6) to the amending Act, the Corporation may make a determination as if the amending Act had not been enacted.

Building Services Corporation (Amendment) Act 1994 No. 54

SCHEDULE 2—AMENDMENTS RELATING TO DISCIPLINE—
continued

(4) Sections 76, 77, 79 and 82 apply in relation to a determination made by the Corporation as if the amending Act had not been enacted.

SCHEDULE 3—AMENDMENTS RELATING TO INSURANCE

(Sec. 3)

(1) Section 85 (**Right of appeal**):

At the end of section 85 insert:

; or

- (e) by a person who is deemed to have entered into a house purchaser's agreement under the Builders Licensing Act 1971 and who is aggrieved by any decision of the Corporation, relating to the agreement, in connection with building work to which the agreement relates.

(2) Schedule 4 (**Savings and transitional provisions**):

(a) At the end of clause 15, insert:

(2) This clause has effect subject to clauses 25–29.

(b) Insert in numerical order:

Existing disputes under old insurance agreements, where arbitration proceedings are pending

25. (1) This clause applies where:

- (a) a dispute relates to a house purchaser's agreement under the Builders Licensing Act 1971; and
- (b) the dispute occurred before the commencement of this clause in connection with building work to which the agreement relates (whether the dispute arose before, OR or after 21 March 1990) and the dispute remains unresolved at that commencement; and
- (c) arbitration proceedings relating to the dispute are pending at that commencement.

(2) Section 85 (e) extends to provide the claimant under the agreement with a right of appeal to the Commercial Tribunal in relation to the dispute.

SCHEDULE 3—AMENDMENTS RELATING TO INSURANCE—
continued

(3) Such an appeal may be lodged with the registrar of the Commercial Tribunal within 30 days after the commencement of this clause. This subclause has effect despite section 86 (1).

(4) Where arbitration proceedings are pending under the agreement at the commencement of this clause:

- (a) the Corporation must immediately notify the claimant of the right of appeal; and
- (b) lodging of an appeal has the effect of terminating the arbitration proceedings; and
- (c) the arbitration proceedings are, on termination, taken to have failed, but the claimant is not liable to pay any costs of the Corporation in the arbitration proceedings.

Existing disputes under old insurance agreements, where arbitration proceedings are not pending

26. (1) This clause applies where:

- (a) a dispute relates to a house purchaser's agreement under the Builders Licensing Act 1971; and
- (b) the dispute occurred before the commencement of this clause in connection with building work to which the agreement relates (whether the dispute arose before, on or after 21 March 1990) and the dispute remains unresolved at that commencement; and
- (c) arbitration proceedings relating to the dispute are not pending at that commencement.

(2) The claimant under the agreement may, within 12 months after the commencement of this clause, request the Corporation to re-assess the claim.

(3) Section 85 (e) extends to provide the claimant under the agreement with a right of appeal to the Commercial Tribunal in relation to the determination of the Corporation on the request for re-assessment.

(4) Any provisions of the agreement relating to arbitration do not apply to any dispute arising out of the request for re-assessment.

SCHEDULE 3—AMENDMENTS RELATING TO INSURANCE—
continued

New disputes under old insurance agreements

27. (1) This clause applies where:

- (a) a dispute relates to a house purchaser's agreement under the Builders Licensing Act 1971; and
- (b) the dispute occurs after the commencement of this clause in connection with building work to which the agreement relates.

(2) Section 85 (e) operates to provide the claimant under the agreement with a right of appeal to the Commercial Tribunal in relation to the dispute.

(3) Any provisions of the agreement relating to arbitration do not apply to the dispute.

Interest

28. (1) The Commercial Tribunal may order that interest is payable on any amount ordered by the Tribunal to be paid by the Corporation to a claimant referred to in clause 25 or 26, if the Tribunal is satisfied that delay in finalising the matter was attributable to the Corporation.

(2) Interest is payable on such amount or amounts, in respect of such period or periods and at such rate or rates as the Commercial Tribunal thinks appropriate.

Costs

29. (1) Costs cannot be awarded in favour of the Corporation if an appeal referred to in clause 25 or 26 is dismissed.

(2) The Corporation is to pay the appellant's costs on a solicitor-client basis, as determined by the Commercial Tribunal, if such an appeal is successful. If the appeal is successful as to some but not all matters, those costs are payable by the Corporation only to the extent that the Commercial Tribunal determines.

SCHEDULE 4—AMENDMENTS RELATING TO BUILDING SERVICES CORPORATION

(Sec. 3)

(1) Section 104 (**Definitions**):

Omit the section.

(2) Section 107 (**Membership of the Corporation**):

Omit the section.

(3) Section 108 (**Associate members**):

Omit the section.

(4) Section 109:

Omit the section, insert instead:

Management of affairs of the corporation

109. (1) The affairs of the Corporation are to be managed by the General Manager.

(2) Any act, matter or thing done in the name of, or on behalf of, the Corporation by the General Manager, or with the authority of the General Manager, is taken to have been done by the Corporation.

(5) Section 110:

Omit the section, insert instead:

Functions of General Manager

110. The General Manager has such functions as are conferred or imposed on the General Manager by or under this or any other Act.

(6) Section 112 (**Committees**):

Omit section 112 (2).

(7) Section 122 (**Delegation**):

(a) Omit section 122 (2) and (3).

(b) At the end of section 122, insert:

(4) Nothing in this section limits section 109.

SCHEDULE 4—AMENDMENTS RELATING TO BUILDING SERVICES CORPORATION—*continued*

(8) Section 130 (**Proof of certain matters not required**):

Omit paragraphs (a)–(d).

(9) Section 144:

After section 143, insert:

Limitation of liability

144. A matter or thing done by the Corporation, the General Manager or any other person acting under the direction of the Corporation or the General Manager does not, if the matter or thing was done in good faith for the purposes of executing this or any other Act, subject the General Manager or a person so acting personally to any action, liability, claim or demand.

(10) Schedule 1 (**Provisions relating to the members and associate members of the Corporation**):

Omit the Schedule.

(11) Schedule 2 (**Provisions relating to the procedure of the Corporation**):

Omit the Schedule.

(12) Schedule 4 (**Savings and transitional provisions**):

Insert in numerical order:

Members and associate members of Corporation

30. (1) A person who, immediately before the commencement of Schedule 4 (2) to the amending Act held office as a member or associate member of the Corporation ceases to hold that office on that commencement.

(2) The person is not entitled to any compensation or remuneration because of the loss of that office.

Continuation of legal entity

31. Nothing in the amending Act affects the continuity of the Corporation as continued by clause 4.

SCHEDULE 5—AMENDMENTS RELATING TO HOME
BUILDING ADVISORY COUNCIL

(Sec. 3)

(1) Section 3 (**Definitions**):

In section 3 (1), insert in alphabetical order:

“Advisory Council” means the Home Building Advisory Council established by this Act;

(2) Part 7A:

After Part 7, insert:

**PART 7A—THE HOME BUILDING ADVISORY
COUNCIL**

Establishment of Advisory Council

115A. (1) There is established by this Act a council called the Home Building Advisory Council.

(2) The Advisory Council is independent of the Corporation.

(3) The Advisory Council is to be funded and resourced by the Corporation. The level of funding and resourcing is dependent on the amounts appropriated or available for the purpose, and on directions given by the Minister.

Membership and procedure of Advisory Council

115B. (1) The Advisory Council is to consist of 11 members.

(2) The members of the Advisory Council are:

- (a) a Chairperson appointed by the Minister; and
- (b) 2 members appointed by the Minister after advertisement and having in the opinion of the Minister expertise in the building industry (which may include technical, consumer or academic expertise); and
- (c) 6 members appointed by the Minister after consultation with such peak industry and consumer groups as the Minister considers appropriate; and
- (d) 1 member appointed by the Minister after consultation with the Local Government Association of New South Wales and the Shires Association of New South Wales; and
- (e) the General Manager.

SCHEDULE 5 — AMENDMENTS TO HOME
BUILDING ADVISORY COUNCIL—*continued*

(3) Schedule 28 has effect with respect to the members and procedure of the Advisory Council.

Functions of Advisory Council

115C. The functions of the Advisory Council are to advise the Minister on such consumer-related issues relating to the home building industry as it thinks fit or as are referred to it by the Minister.

Committees

115D. (1) The Advisory Council may establish committees to assist it in connection with the exercise of any of its functions.

(2) It does not matter that any or all of the members of a committee are not members of the Advisory Council, but the appointment of a person who is not a member of the Advisory Council cannot be made without the prior approval of the Minister.

(3) The procedure for the calling of meetings of a committee and for the conduct of business at those meetings is to be as determined by the Advisory Council or (subject to any determination of the Advisory Council) by the committee.

(3) Section 140 (**Regulations**):

At the end of section 140 (2), insert:

(1) the procedure for the calling and holding of meetings of the Advisory Council.

(4) Schedule 2A:

Before Schedule 3, insert:

**SCHEDULE 2A—MEMBERSHIP AND PROCEDURE
OF ADVISORY COUNCIL**

(Sec. 115B)

Definitions

1. In this Schedule:

“**appointed member**” means a member of the Advisory Council, other than the General Manager;

Building Services Corporation (Amendment) Act 1994 No. 54

SCHEDULE 5—AMENDMENTS RELATING TO HOME
BUILDING ADVISORY COUNCIL—*continued*

“**Chairperson**” means the Chairperson of the Advisory Council;

“**member**” means a member of the Advisory Council.

Acting members

2. (1) The Minister may, from time to time, appoint a person to act in the office of an appointed member during the illness or absence of the member. The person, while so acting, has and may exercise all the functions of the appointed member and is taken to be an appointed member.

(2) The Minister may remove any person from any office to which the person was appointed under this clause.

(3) For the purposes of this clause, a vacancy in the office of an appointed member is taken to be an absence from office of the member.

Terms of office

3. Subject to this Schedule, an appointed member holds office for such period not exceeding 5 years as may be specified in the instrument of appointment of the appointed member, but is eligible (if otherwise qualified) for re-appointment.

Allowances

4. A member is entitled to be paid such allowances as the Minister from time to time determines in respect of the member.

Vacancy in office of appointed member

5. (1) The office of an appointed member becomes vacant if the member:

- (a) dies; or
- (b) completes a term of office and is not re-appointed; or
- (c) resigns the office by letter addressed to the Minister; or
- (d) is removed by the Minister from office under this clause; or
- (e) is absent from 3 consecutive meetings of the Advisory Council of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Minister or unless,

SCHEDULE 5—AMENDMENTS RELATING TO HOME
BUILDING ADVISORY COUNCIL—*continued*

before the expiration of 4 weeks after the last of those meetings, the member is excused by the Minister for having been absent from those meetings; or

- (f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit; or
- (g) becomes a mentally incapacitated person; or
- (h) is convicted in New South Wales of an offence which is punishable by penal servitude or imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence which, if committed in New South Wales, would be an offence so punishable.

(2) The Minister may remove an appointed member from office at any time.

Filling of vacancy in office of appointed member

6. If the office of an appointed member becomes vacant, a person is, subject to this Act, required to be appointed to fill the vacancy.

Disclosure of pecuniary interests

7. (1) A member:

- (a) who has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the Advisory Council; and
- (b) whose interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,

must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Advisory Council.

(2) A disclosure by a member at a meeting of the Advisory Council that the member:

- (a) is a member, or is in the employment, of a specified company or other body; or
- (b) is a partner, or is in the employment, of a specified person; or

SCHEDULE 5—AMENDMENTS RELATING TO HOME
BUILDING ADVISORY COUNCIL— *continued*

(c) has some other specified interest relating to a specified company or other body or to a specified person,

is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under this clause.

(3) Particulars of any disclosure made under this clause must be recorded by the members in a book to be kept for the purpose and that book must be open at all reasonable hours to inspection by any person on payment of the fee determined by the members.

Effect of certain other Acts

8. (1) The Public Sector Management Act 1988 does not apply to or in respect of the appointment of an appointed member. An appointed member is not, as an appointed member, subject to that Act.

(2) If by or under any Act provision is made:

(a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office; or

(b) prohibiting the person from engaging in employment outside the duties of that office,

the provision does not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.

(3) The office of appointed member is for the purposes of any Act taken not to be an office or place of profit under the Crown.

Limitation of liability

9. A matter or thing done by the Advisory Council, a member of the Advisory Council or any person acting under the direction of the Advisory Council or the Chairperson does not, if the matter or thing was done in good faith for the purposes of executing this or any other Act, subject a member or a person so acting personally to any action, liability, claim or demand.

**SCHEDULE 5—AMENDMENTS RELATING TO HOME
BUILDING ADVISORY COUNCIL—*continued***

General procedure

10. The procedure for the calling of meetings of the Advisory Council and the conduct of business at those meetings of the Advisory Council is, subject to this Act and the regulations, to be determined by the Advisory Council.

Quorum

11. The quorum for a meeting of the Advisory Council is a majority of its members for the time being.

Presiding member

12. (1) The Chairperson or, in the absence of the Chairperson (including a person appointed under clause 2 to act in the office of the Chairperson), another member elected to chair the meeting by the members present is to preside at a meeting of the Advisory Council.

(2) The member presiding at any meeting of the Advisory Council has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

Voting

13. A decision supported by a majority of the votes cast at a meeting of the Advisory Council at which a quorum is present is the decision of the Advisory Council,

(5) Schedule 4 (**Savings and transitional provisions**):

Insert in numerical order:

First meeting of Advisory Council

32. The first meeting of the Advisory Council is to be called in such manner as the Minister determines.

SCHEDULE 6—MISCELLANEOUS AMENDMENTS

(Sec. 3)

(1) Section 113 (**General Account**):

After section 113 (2) (a1), insert:

(a2) to the Treasurer for payment into the Consolidated Fund—such amounts as the Treasurer certifies, after consulting the Minister, to be paid by the Corporation

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SCHEDULE 6—MISCELLANEOUS AMENDMENTS—*continued*

in connection with the administration of the Commercial Tribunal Act 1984 and the Consumer Claims Tribunals Act 1987; and

(2) Schedule 4 (**Savings and transitional provisions**):

(a) Before clause 1, insert:

Part 1—General

(b) At the end of clause 2 (l), insert “Building Services Corporation (Amendment) Act 1994, except as regards amendments made to the Consumer Claims Tribunals Act 1987.”.

(c) Before clause 3, insert:

Part 2—Provisions consequent on enactment of this Act

(d) After clause 19, insert:

Part 3—Provisions consequent on enactment of Building Services Corporation (Amendment) Act 1994

Definition

20. In this Part:

“**amending Act**” means the Building Services Corporation (Amendment) Act 1994.

*[Minister’s second reading speech made in—
Legislative Assembly on 4 May 1994
Legislative Council on 21 September 1994]*