

1994—No. 178

CONSTRUCTION SAFETY ACT 1912—REGULATION

(Relating to registration of amusement devices)

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.

KERRY CHIKAROVSKI, M.P.,
Minister for Industrial Relations and Employment.

Commencement

1. This Regulation commences on 1 July 1994.

Amendments

2. The Construction Safety Regulations 1950 are amended:
 - (a) by inserting in Regulation 157A (1) in alphabetical order the following definitions:

“**Authority**” means the Workcover Authority constituted under the Workcover Administration Act 1989.

“**Coin-operated device**” means any device, other than a cable transit device, which is operated by inserting a coin or coins.
 - (b) by omitting from Regulations 157A (1) and (3) and 157B (1) (b), (2), (4), (5) (b), (6) (b), (7) and (8) the words “Chef Inspector” wherever occurring and by inserting instead the word “Authority”;
 - (c) by omitting from Regulation 157B (2A) (a) (i) the words “other than a cable transit device” and by inserting instead the words “(including a coin-operated device but not a cable transit device)”;

- (d) by omitting Regulation 157B (2A) (b) (i) and by inserting instead the following sub-subparagraph:
 - (i) a device other than a cable transit device or a coin-operated device—\$75; or
- (e) by inserting at the end of Regulation 157B (2A) (b) (ii) the following word and sub-subparagraph:
 - ; or
 - (iii) a coin-operated device—\$20.
- (f) by omitting from Regulations 157B (5) (a), (7) (b) (i) and (8) the word “he” and inserting instead the word “it”;
- (g) by omitting from Regulation 157B (5) (b) (iii) the word “his” and inserting instead the words “the Authority’s”;
- (h) by omitting from Regulation 157B (5) (b) (iv) the word “he” and inserting instead the words “the Authority”;
- (i) by omitting Regulation 157B (6) (a) and by inserting instead the following paragraph:
 - (6) (a) Subject to this Regulation, a certificate issued in respect of a device (other than a coin-operated device or cable transit device) remains in force for a period of 1 year from when it was issued and a certificate issued in respect of a coin-operated device or a cable transit device remains in force for a period of 2 years from when it was issued. A certificate may, from time to time, be renewed for the same period for which it was issued.
- (j) by omitting Regulation 157B (6A) (i) and by inserting instead the following subparagraph:
 - (i) a device (other than a cable transit device or a coin-operated device)—\$50; or
- (k) by inserting after Regulation 157B (6A) (ii) the following word and subparagraph:
 - ; or
 - (iii) a coin-operated device—\$20.
- (l) by omitting from Regulation 157B (7) (b) (i) the words “the period of two years” and by inserting instead “the relevant period”.
- (m) by inserting after Regulation 157B (7) the following paragraphs:
 - (7A) As soon as practicable after a certificate becomes lost, stolen, defaced, mutilated or destroyed, the person to whom the certificate was issued must notify the Authority in writing.

(7B) The Authority may, on payment of the prescribed fee, issue a replacement certificate to the person to whom the certificate was issued.

(7C) For the purposes of paragraph (7B) the prescribed fee for a replacement certificate is in respect of

- (i) a device (other than a cable transit device or a coin-operated device)—\$50; or
 - (ii) a cable transit device being:
 - (a) a chair lift, gondola lift, cabin lift or the like—\$50; or
 - (b) a T-bar lift, J-bar lift, platterlift or the like—\$50; or
 - (c) a rope tow or the like—\$50; or
 - (iii) a coin-operated device—\$20.
- (n) by omitting Regulation 157B (13) and (13A).
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EXPLANATORY NOTE

The objects of this Regulation are to:

- replace references to the Chief Inspector in provisions dealing with the registration of amusement devices with references to the WorkCover Authority; and
- increase application fees for registration certificates in respect of amusement devices; and
- provide for payment of fees for the issue of replacement certificates; and
- include coin-operated devices as a separate class of amusement devices registered under the Construction Safety Regulations 1950.

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