

# **GAS AND ELECTRICITY (PLUMBERS, GASFITTERS AND DRAINERS) AMENDMENT BILL, 1979**

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## **EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Plumbers, Gasfitters and Drainers Bill, 1979.

The objects of this Bill are—

- (a) to remove from the Gas and Electricity Act, 1935, the power of the Governor to make regulations for the licensing of persons to carry out gasfitting work; and
  - (b) to prohibit the carrying out of certain gasfitting work except by persons who are the holders of licences or certificates of registration granted under the proposed Plumbers, Gasfitters and Drainers Act, 1979, in relation to that work or who do so under the immediate supervision of the holder of a licence of a class prescribed in relation to that work.
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THE NATIONAL BUREAU OF STANDARDS AND  
TECHNOLOGICAL SERVICE

TECHNICAL NOTE

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**GAS AND ELECTRICITY (PLUMBERS, GASFITTERS  
AND DRAINERS) AMENDMENT BILL, 1979**

No. , 1979.

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**A BILL FOR**

An Act to amend the Gas and Electricity Act, 1935, consequentially upon the enactment of the Plumbers, Gasfitters and Drainers Act, 1979.

[MR FERGUSON—22 *March*, 1979.]

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the “Gas and Electricity Short title.  
(Plumbers, Gasfitters and Drainers) Amendment Act, 1979”.

**2.** (1) Except as provided by subsection (2), this Act shall Commence-  
commence on the date of assent to this Act. ment.

(2) Section 3 shall commence on the day appointed and  
10 notified under section 2 (3) of the Plumbers, Gasfitters and  
Drainers Act, 1979.

**3.** The Gas and Electricity Act, 1935, is amended— Amendment  
of Act No.  
42, 1935.

(a) by omitting from section 83 (1) the words “A person” Sec. 83.  
and by inserting instead the words “Except as provided (Penalties.)  
15 by section 85 (2A), a person”;

(b) (i) by omitting section 85 (1) (a); Sec. 85.  
(Regula-  
tions.)

(ii) by inserting in section 85 (1) (b) after the word  
20 “apparatus” the words “(including the control of  
persons carrying out or employing others to carry  
out any such work)”;

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

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(iii) by omitting section 85 (2) and by inserting instead the following subsections :—

5 (2) Except as provided by subsection (2A), the regulations may impose a penalty not exceeding \$100 for any breach thereof.

(2A) The regulations may impose a penalty not exceeding \$2,000 for any breach of the regulations for or with respect to—

10 (a) the carrying out of gasfitting work of any class or description otherwise than by a person who—

15 (i) is the holder of a licence or certificate of registration granted under the Plumbers, Gasfitters and Drainers Act, 1979, in relation to which gasfitting work of that class or description is authorised work within the meaning of that Act; or

20 (ii) does so under the immediate supervision of the holder of such a licence; or

25 (b) a person knowingly employing another to carry out gasfitting work of any class or description unless that other person—

30 (i) is the holder of a licence or certificate of registration granted under the Plumbers, Gasfitters and Drainers Act, 1979, in relation to which gasfitting work of that class or description is authorised work within the meaning of that Act; or

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

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(ii) does so under the immediate supervision of the holder of such a licence.

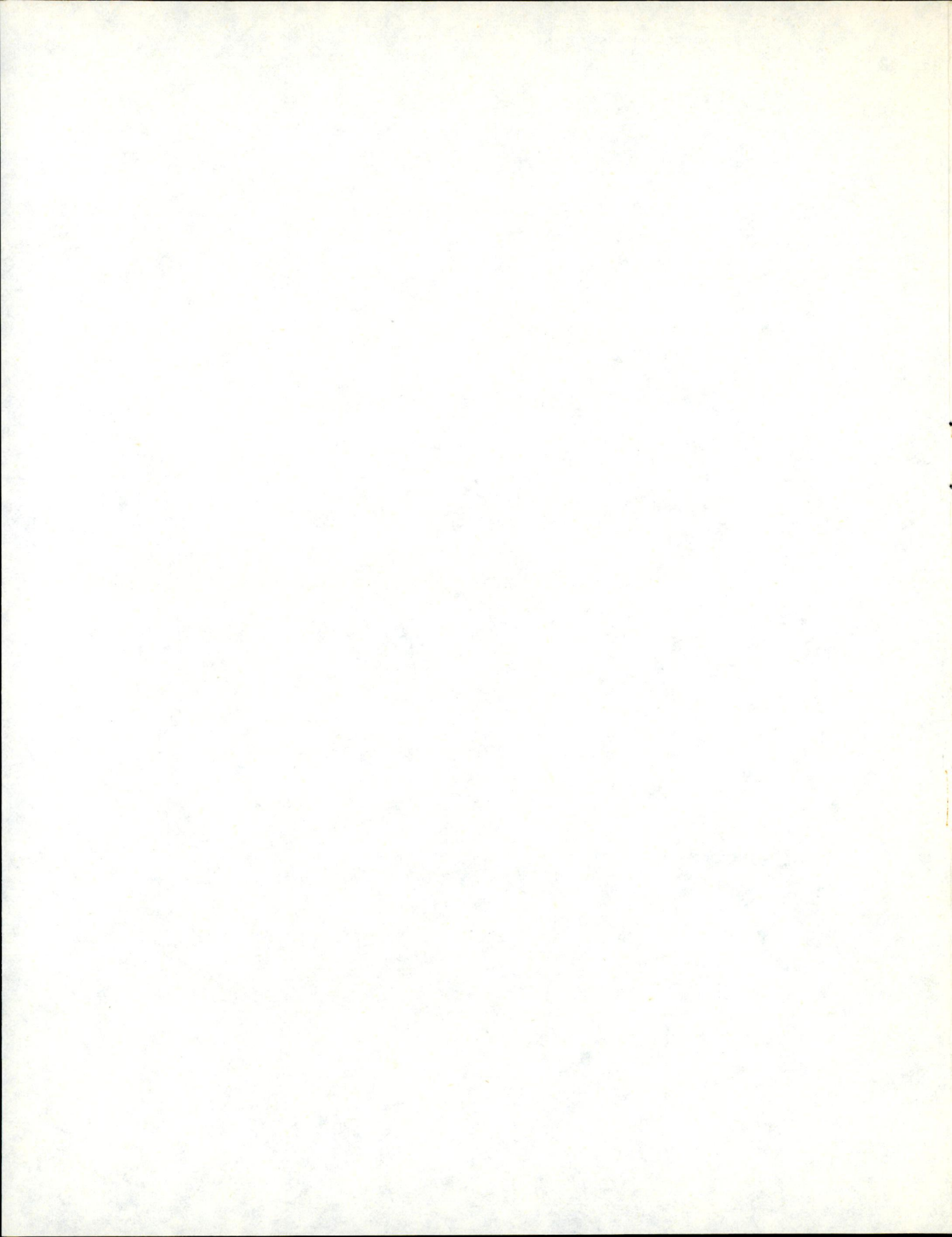
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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979

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**GAS AND ELECTRICITY (PLUMBERS, GASFITTERS  
AND DRAINERS) AMENDMENT ACT, 1979, No. 47**

**New South Wales**



ANNO VICESIMO OCTAVO

**ELIZABETHÆ II REGINÆ**

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**Act No. 47, 1979.**

An Act to amend the Gas and Electricity Act, 1935, consequentially upon the enactment of the Plumbers, Gasfitters and Drainers Act, 1979. [Assented to, 9th May, 1979.]

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title.      **1.** This Act may be cited as the "Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment Act, 1979".

Commence-      **2.** (1) Except as provided by subsection (2), this Act shall  
ment.            commence on the date of assent to this Act.

(2) Section 3 shall commence on the day appointed and notified under section 2 (3) of the Plumbers, Gasfitters and Drainers Act, 1979.

Amendment      **3.** The Gas and Electricity Act, 1935, is amended—  
of Act No.  
42, 1935.

Sec. 83.            (a) by omitting from section 83 (1) the words "A person"  
(Penalties.)        and by inserting instead the words "Except as provided  
by section 85 (2A), a person";

Sec. 85.            (b) (i) by omitting section 85 (1) (a);  
(Regula-            (ii) by inserting in section 85 (1) (b) after the word  
tions.)            "apparatus" the words "(including the control of  
persons carrying out or employing others to carry  
out any such work)";

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

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(iii) by omitting section 85 (2) and by inserting instead the following subsections :—

(2) Except as provided by subsection (2A), the regulations may impose a penalty not exceeding \$100 for any breach thereof.

(2A) The regulations may impose a penalty not exceeding \$2,000 for any breach of the regulations for or with respect to—

(a) the carrying out of gasfitting work of any class or description otherwise than by a person who—

(i) is the holder of a licence or certificate of registration granted under the Plumbers, Gasfitters and Drainers Act, 1979, in relation to which gasfitting work of that class or description is authorised work within the meaning of that Act; or

(ii) does so under the immediate supervision of the holder of such a licence; or

(b) a person knowingly employing another to carry out gasfitting work of any class or description unless that other person—

(i) is the holder of a licence or certificate of registration granted under the Plumbers, Gasfitters and Drainers Act, 1979, in relation to which gasfitting work of that class or description is authorised work within the meaning of that Act; or

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*Gas and Electricity (Plumbers, Gasfitters and Drainers) Amendment.*

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- (ii) does so under the immediate supervision of the holder of such a licence.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 9th May, 1979.*