

**PLUMBERS, GASFITTERS AND DRAINERS  
(AMENDMENT) ACT 1987 No. 61**

NEW SOUTH WALES



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**PLUMBERS, GASFITTERS AND DRAINERS (AMENDMENT) ACT  
1987 No. 61**

NEW SOUTH WALES



**Act No. 61, 1987**

An Act to amend the Plumbers, Gasfitters and Drainers Act 1979 as a consequence of the enactment of the Building Services Corporation Act 1987; and for other purposes. [Assented to 3 June 1987]

*Plumbers, Gasfitters and Drainers (Amendment) 1987*

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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 "Plumbers, Gasfitters and Drainers (Amendment) Act 1987".

**Commencement**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the commencement of the Building Services Corporation Act 1987.

**Amendment of Act No. 44, 1979**

3. The Plumbers, Gasfitters and Drainers Act 1979 is amended in the manner set forth in Schedule 1.

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SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE PLUMBERS, GASFITTERS AND  
DRAINERS ACT 1979

(1) Long title—

Omit "to constitute the Plumbers, Gasfitters and Drainers Board and to confer on it functions", insert instead "to confer and impose functions on the Building Services Corporation".

(2) Section 3 (**Arrangement**)—

Omit the section.

(3) Section 4 (**Interpretation**)—

(a) Definition of "Board"—

Omit the definition.

*Plumbers, Gasfitters and Drainers (Amendment) 1987*SCHEDULE 1—*continued*AMENDMENTS TO THE PLUMBERS, GASFITTERS AND  
DRAINERS ACT 1979—*continued*

- (b) Definition of “Chairman”—  
Omit the definition.
- (c) Definition of “Commercial Tribunal”—  
Before the definition of “contractor’s authority”, insert:  
“Commercial Tribunal” means the Commercial Tribunal constituted by the Commercial Tribunal Act 1984;
- (d) Definition of “Corporation”—  
After the definition of “contractor’s authority”, insert:  
“Corporation” means the Building Services Corporation constituted by the Building Services Corporation Act 1987;
- (e) Definition of “District Court”—  
Omit the definition.
- (f) Definition of “member”—  
Omit the definition.
- (4) Part II (**Constitution of the Plumbers, Gasfitters and Drainers Board**)—  
Omit the Part.
- (5) Sections 13–16, 18–20, 20A, 20B, 23, 24, 24B, 25, 25A, 26, 28–36, 40, 40A–40C, 51, 53, 54, 57–60, 62, 64, 64A, 68, 68A, 72, 73—  
Omit “Board” wherever occurring, insert instead “Corporation”.
- (6) Sections 16 (2A), (2B), 26 (2A), (2B), 40 (5), (6)—  
Omit “Board’s” wherever occurring, insert instead “Corporation’s”.
- (7) Section 37 (**Procedure on complaints**)—  
(a) Section 37 (1), (2), (3), (4), (7), (9)—  
Omit “Board” wherever occurring, insert instead “Corporation”.

*Plumbers, Gasfitters and Drainers (Amendment) 1987*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PLUMBERS, GASFITTERS AND  
DRAINERS ACT 1979—*continued*

(b) Section 37 (7)—

Omit “cause an inquiry to be held”, insert instead “hold an inquiry”.

(8) Section 38 (**Inquiries—how held**)—

(a) Section 38 (1), (2)—

Omit the subsections, insert instead:

(1) An inquiry under this Part shall be held as in open court.

(2) If the Corporation delegates to a committee the holding of an inquiry—

(a) it shall appoint to preside at a meeting of the committee held for the purpose of the inquiry a member of the committee who is also a member of the Corporation; or

(b) at such a meeting, the person so appointed has a deliberative vote and, if there is an equality of votes, a second or casting vote.

(b) Section 38 (3)—

Omit the subsection.

(c) Section 38 (4) (b)—

Omit “members” where firstly occurring, insert instead “committee”.

(d) Section 38 (4) (b) (ii)—

Omit “those members”, insert instead “the committee”.

(e) Section 38 (4), (5)—

Omit “Board” wherever occurring, insert instead “Corporation”.

(f) Section 38 (4A), (5)—

Omit “members” wherever occurring, insert instead “committee”.

*Plumbers, Gasfitters and Drainers (Amendment) 1987*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PLUMBERS, GASFITTERS AND  
DRAINERS ACT 1979—*continued*

(9) Section 39 (**Subpoenas**)—

(a) Section 39 (1), (3)—

Omit “Board” wherever occurring, insert instead “Corporation”.

(b) Section 39 (1), (3)—

Omit “members” wherever occurring, insert instead “presiding member”.

(c) Section 39 (1), (3) (a)—

Omit “their”, insert instead “her”.

(10) Section 41 (**Appeals**)—

(a) Omit “Board” wherever occurring, insert instead “Corporation”.

(b) Omit “District Court” wherever occurring, insert instead “Commercial Tribunal”.

(c) Section 41 (6) (a)—

Omit “Board’s”, insert instead “Corporation’s”.

(11) Part VII (**Finance**)—

Omit the Part, insert instead:

**PART VII**

**FINANCE**

**Education Fund**

42. (1) The Corporation shall establish in its books a Plumbers, Gasfitters and Drainers Education Fund consisting of—

(a) the amount in the Plumbers, Gasfitters and Drainers Education and Research Fund established under this Part as in force before the commencement of the Building Services Corporation Act 1987; and

(b) amounts paid into the Fund under section 11 of that Act.

*Plumbers, Gasfitters and Drainers (Amendment) 1987*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PLUMBERS, GASFITTERS AND  
DRAINERS ACT 1979—*continued*

- (2) The Corporation may make payments from the Education Fund towards—
- (a) encouraging, by subsidy or otherwise, apprenticeship in 1 or more of the trades in respect of which a licence may be granted;
  - (b) assisting education or research related to 1 or more of those trades; or
  - (c) assisting any public purpose connected with 1 or more of those trades.
- (12) Sections 52, 61, 63, 65, 66, 67, 69, 70, 71—  
Omit the sections.
- (13) Section 73 (**Regulations**)—  
Section 73 (1) (e)—  
Omit “and the hearing of appeals under Part VI”.
- (14) Schedules 1, 2—  
Omit the Schedules.
- (15) Schedule 3, clause 2 (1), (3)—  
Omit “Board” wherever occurring, insert instead “Corporation”.