

Queensland



SEWERAGE AND WATER SUPPLY ACT 1949

**Reprinted as in force on 23 April 2002
(includes amendments up to Act No. 34 of 2000)**

Reprint No. 2A

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LAST REPRINT BEFORE REPEAL
See 2002 Act No. 77 s 147

Information about this reprint

This Act is reprinted as at 23 April 2002. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



SEWERAGE AND WATER SUPPLY ACT 1949

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SEWERAGE AND WATER SUPPLY ACT 1949

[as amended by all amendments that commenced on or before 23 April 2002]

**An Act to make provision about sewerage, sanitary conveniences,
stormwater drainage and water supply**

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the *Sewerage and Water Supply Act 1949*.

2 Definitions

In this Act—

“approved form” see section 29.¹

“board” means the board constituted under part 3.

“interim licence” means an interim licence in force under part 3.²

“licence” means a licence (other than an interim licence) in force under part 3.

“Standard Sewerage Law” means the regulations in force under section 3.

“Standard Water Supply Law” means the regulations in force under section 4.

1 Section 29 (Approval of forms)

2 Part 3 (Constitution of the plumbers and drainers examination and licensing board)

PART 2—STANDARD SEWERAGE LAW AND STANDARD WATER SUPPLY LAW

3 Standard Sewerage Law

(1) A regulation may make provision with respect to sewerage, sanitary conveniences and stormwater drainage.

(2) The Standard Sewerage Law—

- (a) applies to the areas of all local governments; and
- (b) is to be administered by local governments.

(3) Without limiting subsection (1), the Standard Sewerage Law may provide for—

- (a) the powers of inspectors to enter premises and inspect works with which the Standard Sewerage Law is concerned; and
- (b) the performance of works by, or on behalf of, local governments and the recovery of reasonable costs for the works; and
- (c) the creation of offences and prescribing penalties of not more than 165 penalty units for the offences.

4 Standard Water Supply Law

(1) A regulation may make provision with respect to water supply.

(2) The Standard Water Supply Law—

- (a) applies to the areas of all local governments; and
- (b) is to be administered by local governments.

(3) Without limiting subsection (1), the Standard Water Supply Law may provide for—

- (a) the powers of inspectors to enter premises and inspect works with which the Standard Water Supply Law is concerned; and
- (b) the performance of works by, or on behalf of, local governments and the recovery of reasonable costs for the works; and
- (c) the creation of offences and prescribing penalties of not more than 165 penalty units for the offences.

PART 3—CONSTITUTION OF THE PLUMBERS AND DRAINERS EXAMINATION AND LICENSING BOARD

5 Constitution of the board

For the purposes of this Act there shall be constituted a board to be called the Plumbers and Drainers Examination and Licensing Board.

6 Members

(1) Subject to the provisions of subsection (2), the board shall consist of—

- (a) a representative of the department that deals with matters arising under the *Building Act 1975* nominated in that behalf by the Minister for the time being administering that department;
- (b) a representative of the department that deals with matters arising under the *Training and Employment Act 2000*;
- (c) a representative of the department that deals with matters arising under the *Health Act 1937*;
- (d) a representative of local governments nominated by the Local Government Association of Queensland (Incorporated);
- (e) a representative of the Master Plumbers' Association of Queensland nominated in that behalf by that association;
- (f) a representative of the Communications, Electrical and Plumbing Union, Plumbing Division, Queensland Branch, nominated in that behalf by that branch of that union.

(2) Subject to subsection (1), each member of the board shall be appointed by the Governor in Council, and shall be appointed for such time as the Governor in Council shall deem fit and proper, but so that the provisions of this section (including this subsection) shall apply so as not to limit the power of the Governor in Council to appoint temporarily another person in the place of any deceased, sick, or absent member or to fill any vacancy in the office of such member.

7 Vacancies

If at any time any person has not been nominated in accordance with this Act for appointment as a member of the board or no appointment as a

member of the board is made by reason of any person so nominated signifying to the Minister his or her refusal to act as a member of the board, or in the event of any vacancy occurring otherwise at any time from any cause whatsoever in the office of a member of the board, the Governor in Council may appoint, for such time as the Governor in Council shall deem fit and proper, any person to be a member of the board to represent the interest in the representation of which such nomination or appointment is not made or such vacancy otherwise occurs.

8 Chairperson

(1) The Governor in Council may from time to time appoint a member of the board to be the chairperson of the board.

(2) If at any meeting of the board there is no chairperson, whether by reason of no appointment as chairperson having been made or a vacancy otherwise arising in the office of chairperson or the absence of the chairperson, the members present shall elect one of their number to be chairperson of the meeting.

9 Meetings

(1) Subject to this Act, meetings of the board shall be called, and the board shall meet at such times and places and shall conduct its business in such manner as may be prescribed, or otherwise as it may from time to time determine.

(2) At all meetings of the board any 3 members of the board shall form a quorum.

10 Secretary

(1) The secretary to the board is to be employed under the *Public Service Act 1996*.

(2) The secretary shall have such powers and shall perform such duties pertaining to the business of the board as are from time to time conferred and imposed upon the secretary under this Act, or otherwise as may be directed by the board.

11 Entitlements of board members

(1) The board members are to be paid the fees and allowances that may be approved by the Governor in Council.

(2) A board member is entitled to be reimbursed out-of-pocket expenses that—

- (a) are necessarily incurred by the member in the performance of the functions of the office; and
- (b) are approved by the board.

12 Functions of the board

The board shall have and may exercise and discharge the powers, authorities, duties, and functions conferred and imposed upon the board by or under this Act.

13 Classes of licences

The board shall have power to grant licences of the following classes—

- (a) a plumber's licence;
- (b) a country plumber's licence;
- (c) a water plumber's licence;
- (d) a drainer's licence;
- (e) a restricted plumber's or restricted drainer's licence.

14 Licences

A person is entitled to be granted a licence if the person satisfies the board that the person has the prescribed practical experience and qualifications.

15 Application for licence

(1) Any person desiring a licence under this Act shall make application to the board for such licence.

(2) The applicant shall, if so directed by the board, attend in person before the board.

(3) If the board refuses to grant an application for a licence, the board must refund to the applicant the amount of the application fee paid, less the amount of the cost to the board of processing the application.

16 Duration of licence

A licence remains in force for the period prescribed.

17 Interim licence

(1) Notwithstanding anything contained in this Act the board may grant to any person who has made application for a licence, an interim licence for a period (not exceeding 12 months at any one time) pending such person satisfying the board that he or she is entitled to the granting of a licence.

(2) However, before granting such interim licence, the board may require the applicant to present himself or herself for a trade test or such other tests as the board may require.

18 Limitation on interim licence holders

A person to whom an interim licence is granted by the board shall not enter into a contract (other than a contract of employment) with any person to perform any work which he or she is entitled to perform pursuant to section 19 and shall perform that work only while employed by another person.

19 Scope of licences

(1) The holder of a plumber's licence or interim plumber's licence shall be entitled to perform any plumbing work governed by the provisions of the Standard Water Supply Law and the Standard Sewerage Law.

(2) The holder of a country plumber's licence or interim country plumber's licence may perform plumbing work—

(a) under the Standard Water Supply Law; and

(b) for septic tank installations—under the Standard Sewerage Law.

(3) However, the holder of a licence mentioned in subsection (2) may not perform plumbing work under the Standard Sewerage Law for septic tank installations in—

- (a) the area of the City of Brisbane; or
- (b) a local government area that is a city or town if the whole or a part of the area is a sewerage area within the meaning of the Standard Sewerage Law; or
- (c) a part of a local government area that is a shire if the part is a sewerage area within the meaning of the Standard Sewerage Law.

(4) The holder of a water plumber's licence or interim water plumber's licence shall be entitled to perform any plumbing work governed by the provisions of the Standard Water Supply Law, and, with respect to work governed by the provisions of the Standard Sewerage Law, any plumbing work relating to the provision of water supply to the fittings and fixtures therein mentioned.

(5) The holder of a drainer's licence or interim drainer's licence shall be entitled to perform any drainage work governed by the provisions of the Standard Sewerage Law.

20 Restricted plumber's or drainer's licence

(1) The holder of a restricted plumber's or drainer's licence (a "**restricted licence**") may carry out plumbing or drainage work decided by the board in accordance with conditions decided by the board.

(2) The work that may be carried out under a restricted licence, and the conditions of the licence, must be stated in the licence.

(3) The board may issue a restricted licence only if satisfied the applicant for the licence has the necessary knowledge and skills to be issued a licence.

21 Offences by persons not holding appropriate licences etc.

(1) A person must not perform work regulated by the Standard Sewerage Law or Standard Water Supply Law unless the person holds a licence or interim licence that entitles the person to perform the work.

Maximum penalty—165 penalty units.

(2) The provisions of subsection (1) do not apply to—

- (a) a person executing any work consisting merely of the excavation or backfilling of trenches or any other work of an unskilled nature; or

- (b) an apprentice, as defined by the *Training and Employment Act 2000*, who performs any work under the direct supervision of a person holding a licence or interim licence which entitles such licence holder under this Act to perform that work; or
- (c) a person who performs work on house drainage under the direct supervision of a person holding a drainer's licence.

22 Cancellation and suspension of licences etc.

(1) If at any time the board considers that the holder of any licence or interim licence—

- (a) has been guilty of an offence against any provision of the Standard Sewerage Law or Standard Water Supply Law; or
- (b) has failed to comply with the reasonable instruction issued by an engineer or an inspector of a local government in pursuance of the Standard Sewerage Law or Standard Water Supply Law; or
- (c) is guilty of gross misconduct or negligence in the conduct of work performed by the holder by virtue of his or her licence or interim licence; or
- (d) is not entitled to be the holder of that licence or, as the case may be, interim licence or of a licence or, as the case may be, interim licence of the class to which the licence or interim licence held by the holder belongs; or
- (e) has obtained that licence or, as the case may be, interim licence by any false statement or misrepresentation, or, by any other means whatsoever, has not properly obtained that licence or, as the case may be, interim licence; or
- (f) should, for any other reason, be called upon to show cause why his or her licence or interim licence should not be cancelled or suspended;

the board may call upon that holder to show cause why his or her licence or interim licence should not be cancelled or suspended, and, whether cause is shown or not, after inquiry, investigation, or hearing, the board may by order—

- (g) reprimand or caution the holder; or
- (h) suspend his or her licence or interim licence for such period as it thinks fit; or

- (i) cancel such licence or interim licence;

or may make such other order as the board deems necessary or desirable in the circumstances.

(2) The board shall, in conducting such inquiry, investigation, or hearing, have all the powers, authorities, and protection of a commission under the *Commissions of Inquiry Act 1950*.

(3) While an order of suspension of a licence or interim licence remains in force the person concerned shall be deemed not to hold a licence or interim licence as such, but forthwith on the expiry of such order his or her rights and privileges as a holder of a licence or, as the case may be, interim licence shall be revived as from the date of such expiry.

(4) Any person whose licence or interim licence has been so cancelled or suspended may, within 1 month of the board's decision being conveyed to the person, appeal to the Minister.

(5) The Minister, on such appeal, may hear and determine the matter, or the Minister may, before determining the matter, refer such matter to any 1 or more persons for the purpose of inquiring into and investigating such matter and furnishing to the Minister a report thereon.

(6) The Minister or the person or persons to whom the matter of the appeal is referred as aforesaid shall have the same powers, authorities and protection as the board has in conducting an inquiry, investigation or hearing under the provisions of this section.

(7) After hearing the matter, or upon the receipt of the said report, the Minister may, in the Minister's absolute discretion, dismiss or allow the appeal or substitute therefor such other decision as the Minister thinks just and proper in the circumstances.

(8) The decision of the Minister shall be final and binding on the board and the appellant, and shall be deemed to be the final decision of the board.

(9) When under this Act a licence or interim licence is cancelled or suspended, then the person to whom that licence or interim licence was granted shall, upon request by a notice in writing served upon the person, deliver forthwith to the board that cancelled or suspended licence or interim licence.

Maximum penalty—4 penalty units.

PART 4—PROHIBITED SUBSTANCES AND TRADE WASTE

23 Prohibition on discharge of prohibited substances and trade waste

(1) In this section—

“prohibited substance” means a substance prescribed under the Standard Sewerage Law as a prohibited substance for this section.

“stormwater drainage” means a drain, channel, pipe, chamber, structure, outfall or other work used to receive, store, transport or treat stormwater.

“trade waste” means water-borne waste from business, trade or manufacturing premises, other than—

- (a) waste that is a prohibited substance; and
- (b) human waste; and
- (c) stormwater.

(2) A person must not discharge a prohibited substance into stormwater drainage.

Maximum penalty—1 000 penalty units.

(3) A person must not discharge trade waste into stormwater drainage.

Maximum penalty—1 000 penalty units.

(4) This section is to be administered by local governments for their areas.

PART 5—LEGAL PROCEEDINGS

24 Indictable and summary offences

(1) An offence against section 23³ is an indictable offence.

(2) Any other offence against this Act is a summary offence.

3 Section 23 (Prohibition on discharge of prohibited substances and trade waste)

25 Proceedings for indictable offences

(1) A proceeding for an indictable offence against this Act may be taken, at the election of the prosecution—

- (a) by way of summary proceedings under the *Justices Act 1886*; or
- (b) on indictment.

(2) A magistrate must not hear an indictable offence summarily if—

- (a) the defendant asks at the start of the hearing that the charge be prosecuted on indictment; or
- (b) the magistrate considers that the charge should be prosecuted on indictment.

(3) If subsection (2) applies—

- (a) the magistrate must proceed by way of an examination of witnesses for an indictable offence; and
- (b) a plea of the person charged at the start of the proceeding must be disregarded; and
- (c) evidence brought in the proceeding before the magistrate decided to act under subsection (2) is taken to be evidence in the proceeding for the committal of the person for trial or sentence; and
- (d) before committing the person for trial or sentence, the magistrate must make a statement to the person as required by the *Justices Act 1886*, section 104(2)(b).

(4) The maximum penalty that may be summarily imposed for an indictable offence is 165 penalty units.

26 Limitation on who may summarily hear indictable offence proceedings

(1) A proceeding must be before a magistrate if it is a proceeding—

- (a) for the summary conviction of a person on a charge for an indictable offence; or
- (b) for an examination of witnesses for a charge for an indictable offence.

(2) However, if a proceeding for an indictable offence is brought before a justice who is not a magistrate, jurisdiction is limited to taking or making

a procedural action or order within the meaning of the *Justices of the Peace and Commissioners for Declarations Act 1991*.

27 Limitation on time for starting summary proceedings

A proceeding for an offence against this Act by way of summary proceeding under the *Justices Act 1886* must start—

- (a) within 1 year after the commission of the offence; or
- (b) within 1 year after the offence comes to the complainant's knowledge, but within 2 years after the commission of the offence.

PART 6—GENERAL

28 Obtaining licence or interim licence by misrepresentation etc.

(1) A person must not obtain or attempt to obtain a licence or an interim licence by a false statement or misrepresentation.

Maximum penalty—4 penalty units.

(2) A person shall not use any licence or interim licence which has been cancelled or suspended under this Act.

Maximum penalty—4 penalty units.

29 Approval of forms

The chief executive may approve forms for use under this Act.

30 Regulation making power

(1) The Governor in Council may make regulations under this Act.

(2) A regulation may make provision—

- (a) prescribing, regulating, and controlling the meetings, business, and procedure of the board;

- (b) prescribing the times and places of examinations the appointment of examiners, exemptions from examinations and all other matters relating to the conduct and holding of examinations by the board;
- (c) prescribing, regulating, and controlling the keeping of a register of licences granted under this Act and the making of entries therein, and the manner of giving, furnishing, granting, or keeping notices, applications, licences, interim licences, registers, and other documents in pursuance of this Act;
- (d) prescribing, regulating, and controlling the granting, renewal, refusal to grant or renew, transfer, surrender, cancellation, or suspension of licences or interim licences and appeals against the cancellation or suspension of licences;
- (e) the mode and onus of proof of matters required to be proved under and for the purposes of this Act and for facilitating such proof;
- (f) prescribing fees payable for any licence or interim licence, or a duplicate copy thereof, or for or upon the doing of any act or thing prescribed or carried out or required to be carried out under or pursuant to this Act; prescribing the manner, time, place, and the person by and to whom fees due and payable under this Act shall be paid;
- (g) providing for a penalty not exceeding 1 penalty unit for an offence against any regulation.

31 Reference to Standard Sewerage By-laws 1981 etc.

A reference in an Act or document to the *Standard Sewerage By-laws 1981* or the Standard Sewerage By-laws (however described) is a reference to the Standard Sewerage Law.

Example—

A reference to the Standard Sewerage By-laws as ‘those by-laws’ is a reference to the Standard Sewerage Law.

32 Reference to Standard Water Supply By-laws 1949 etc.

A reference in an Act or document to the *Standard Water Supply By-laws 1949* or the standard Water Supply By-laws (however described) is a reference to the Standard Water Supply Law.

Sewerage and Water Supply Act 1949

Example—

A reference to the Standard Water Supply By-laws is a reference to the Standard Water Supply Law.

33 Sewerage, Water Supply, and Gasfitting Act 1949 references

In an Act or document, a reference to the *Sewerage, Water Supply, and Gasfitting Act 1949* is a reference to this Act.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 23 April 2002. Future amendments of the Sewerage and Water Supply Act 1949 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation

Key	Explanation	Key	Explanation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 58 of 1995	2 February 1996
1A	to Act No. 37 of 1996	14 April 1997
1B	to Act No. 13 of 1998	13 July 1998
1C	to Act No. 34 of 2000	5 October 2000
2	to Act No. 34 of 2000	28 September 2001

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed citations and remade laws	1
Changed names and titles	1
Corrected minor errors	1
Obsolete and redundant provisions	1
Renumbered provisions	1, 2

6 List of legislation

Sewerage and Water Supply Act 1949 13 Geo 6 No. 55 (prev Sewerage, Water Supply, and Gasfitting Act 1949)

date of assent 8 December 1949

commenced 1 January 1950 (proc pubd gaz 24 December 1949 p 2650)

amending legislation—

Sewerage, Water Supply, and Gasfitting Act Amendment Act 1951 15 Geo 6 No. 42

date of assent 22 November 1951

commenced on date of assent

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1960 9 Eliz 2 No. 32

date of assent 12 December 1960

commenced on date of assent

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1967 No. 50

date of assent 22 December 1967

commenced on date of assent

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1974 No. 73

date of assent 1 November 1974

commenced 15 July 1976 (proc pubd gaz 17 July 1976 p 1613)

Sewerage and Water Supply Act Amendment Act 1978 No. 48

date of assent 12 June 1978

commenced 27 July 1978 (proc pubd gaz 29 July 1978 p 1518)

Sewerage and Water Supply Act Amendment Act 1981 No. 81

date of assent 9 November 1981

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced 1 December 1981 (proc pubd gaz 21 November 1981 p 1248)

Sewerage and Water Supply Act Amendment Act 1982 No. 75

date of assent 16 December 1982

ss 1(1), 2 commenced on date of assent (see s 2(1))

remaining provisions commenced 15 January 1983 (proc pubd gaz 15 January 1983 p 189)

Sewerage and Water Supply Act Amendment Act 1985 No. 92

date of assent 9 December 1985

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced 8 March 1986 (proc pubd gaz 8 March 1986 pp 932–3)

Acts Amendment and Construction Act 1988 No. 47 s 10 sch 2

date of assent 12 May 1988

commenced on date of assent

Corrective Services (Consequential Amendments) Act 1988 No. 88 s 3 sch 1

date of assent 1 December 1988

commenced 15 December 1988 (see s 2(2) and order pubd gaz 10 December 1988 p 1675)

Statute Law (Miscellaneous Provisions) Act 1989 No. 103 s 3 sch

date of assent 25 October 1989

commenced on date of assent

**Statute Law (Miscellaneous Provisions) Act (No. 2) 1992 No. 68 ss 1–2, 3 sch 1 (as
amd 1995 No. 58 ss 1–2, 5(1) sch 3 (as from 29 November 1995 (see s 2(2))))**

date of assent 7 December 1992

amendment 12 never proclaimed into force and om 1995 No. 58 s 5(1) sch 3

remaining provisions commenced on date of assent (see s 2)

Statute Law (Miscellaneous Provisions) Act 1993 No. 32 s 3 sch 1

date of assent 3 June 1993

commenced on date of assent (see s 2)

Local Government Act 1993 No. 70 s 3 ch 1 pt 1, ch 14 pt 3 sch

date of assent 7 December 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 26 March 1994 (see s 2(5))

Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 76 ss 1–2, 3 sch 1

date of assent 14 December 1993

commenced on date of assent (see s 2)

Statute Law (Minor Amendments) Act 1995 No. 50 ss 1, 3 sch

date of assent 22 November 1995

commenced on date of assent

Environmental Legislation Amendment Act (No. 2) 1995 No. 52 pts 1, 5

date of assent 22 November 1995

ss 1–2 commenced on date of assent

ss 24, 27 commenced 22 November 1996 (1996 SL No. 339)

remaining provisions commenced 2 February 1996 (1996 SL No. 16)

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1 (as amd 1995 Act No. 58 ss 1–2, 4 sch 1)

date of assent 28 November 1995

commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

s 4 sch 1 amendment 11 (automatic commencement under AIA s 15DA(2) deferred to 29 November 1997) (1996 SL No. 340 s 8)

remaining provisions commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

Building and Integrated Planning Amendment Act 1998 No. 13 ss 1, 2(3), 191 sch

date of assent 23 March 1998

ss 1–2 commenced on date of assent

remaining provisions commenced 30 April 1998 (1998 SL No. 55)

Training and Employment Act 2000 No. 23 ss 1, 2(3), 293 sch 2

date of assent 27 June 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 28 September 2000 (2000 SL No. 248)

Water Act 2000 No. 34 ss 1–2, 1145 sch 3

date of assent 13 September 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 19 April 2002 (2002 SL No. 69) (provisions were to commence 13 September 2002 (automatic commencement under AIA s 15DA(2) (2001 SL No. 158 s 2)))

7 List of annotations

Note—

The Principal Act is amended by omitting the word “license” and the word “licenses” wherever either word is used as a noun and substituting in each case the word “licence” or the word “licences” as the case may require.

The Principal Act is amended by omitting the words “technical college” wherever occurring and substituting in each case the words “college of technical and further education”.

This reprint has been renumbered—see table of renumbered provisions in endnote 9.

Title amd 1974 No. 73 s 3
 sub 1992 No. 68 s 1; 1993 No. 70 s 1

Short title
s 1 amd 1974 No. 73 s 4

Definitions

prov hdg prev s 2 amd 1992 No. 68 s 2
s 2 om R1 (see RA s 37)
 pres s 2 prov hdg sub 1995 No. 58 s 4 sch 1
 def “**approved from**” ins 1995 No. 57 s 4 sch 1
 def “**Area**” sub 1992 No. 68 ss 3, 4
 om 1993 No. 70 s 2
 def “**By-law**” sub 1992 No. 68 ss 3, 4
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 def “**Gas Company**” om 1974 No. 73 s 6(a)
 def “**interim licence**” amd 1974 No. 73 s 6(b)
 sub 1995 No. 58 s 4 sch 1
 def “**licence**” amd 1974 No. 73 s 6(c); 1981 No. 81 s 3(a)
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 def “**Local Authority**” om 1992 No. 68 s 3
 def “**Minister**” sub 1974 No. 73 s 6(d)
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 def “**Standard By-laws**” sub 1974 No. 73 s 6(e); 1992 No. 68 ss 3, 4
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 def “**Standard Water Supply Law**” ins 1993 No. 70 s 3
 def “**This Act**” om 1992 No. 68 s 3
 def “**Town**” om 1993 No. 70 s 2

PART 2—STANDARD SEWERAGE LAW AND STANDARD WATER SUPPLY LAW**pt hdg** sub 1974 No. 73 s 7; 1989 No. 103 s 3 sch; 1993 No. 70 s 4**Standard Sewerage Law****s 3** prev s 3 amd 1974 No. 73 s 5
om R1 (see RA s 36)
pres s 3 amd 1981 No. 81 s 4
sub 1992 No. 68 s 5; 1993 No. 70 s 4
amd 1995 No. 52 s 20**Standard Water Supply Law****s 4** amd 1974 No. 73 s 8; 1981 No. 81 s 5
sub 1992 No. 68 s 6; 1993 No. 70 s 4
amd 1995 No. 52 s 21**PART 3—CONSTITUTION OF THE PLUMBERS AND DRAINERS EXAMINATION AND LICENSING BOARD****pt hdg** sub 1974 No. 73 s 9; 1989 No. 103 s 3 sch**Constitution of the board****s 5** amd 1967 No. 50 s 2; 1974 No. 73 s 10; 1978 No. 48 s 3; 1981 No. 81 s 6;
1982 No. 75 s 3; 1988 No. 47 s 10 sch 2; 1992 No. 68 ss 7–10; 1993 No. 70
ss 5–6; 1993 No. 76 s 1; 1995 No. 58 s 4 sch 1**Members****s 6** (prev s 5(2)) renum 1995 No. 58 s 4 sch 1
amd 1998 No. 13 s 191 sch; 2000 No. 23 s 293 sch 2**Vacancies****s 7** (prev s 5(3)) renum 1995 No. 58 s 4 sch 1**Chairperson****s 8** (prev s 5(4)) renum 1995 No. 58 s 4 sch 1**Meetings****s 9** (prev s 5(5)) renum 1995 No. 58 s 4 sch 1**Secretary****s 10** prev s 10 amd 1974 No. 73 s 12; 1978 No. 48 s 4
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pres s 10 (prev s 5(6)) renum 1995 No. 58 s 4 sch 1
amd 1996 No. 37 s 147 sch 2**Entitlements of board members****s 11** ins 1993 No. 32 s 1**Classes of licences****s 13** prev s 13 om 1992 No. 68 s 14
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s 14 amd 1974 No. 73 s 13; 1981 No. 81 s 9

sub 1992 No. 68 s 12 (never proclaimed into force and om 1995 No. 58 s 5(1) sch 3); 1995 No. 58 s 4 sch 1

Application for licence

s 15 amd 1995 No. 57 s 4 sch 1; 1998 No. 13 s 191 sch

Duration of licence

s 16 ins 1985 No. 92 s 3
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Interim licence

s 17 amd 1960 9 Eliz 2 No. 32 s 2; 1981 No. 81 s 10

Limitation on interim licence holders

s 18 prev s 18 amd 1978 No. 48 s 7; 1981 No. 81 s 13; 1992 No. 68 ss 19–21;
1993 No. 70 s 11, 12; 1995 No. 52 s 25
om 1995 No. 58 s 4 sch 1
pres s 18 ins 1982 No. 75 s 4
amd 1992 No. 68 s 15; 1998 No. 13 s 191 sch

Scope of licences

prov hdg sub 1978 No. 48 s 6
s 19 amd 1974 No. 73 s 14; 1981 No. 81 s 11; 1993 No. 70 ss 7, 8; 1995 No. 50
s 3 sch; 1995 No. 58 s 4 sch 1

Restricted plumber's or drainer's licence

s 20 prev s 20 sub 1985 No. 92 s 7; 1992 No. 68 s 26; 1993 No. 70 s 14
exp 26 March 1994 (see s 20(2))
pres s 20 ins 1995 No. 50 s 3 sch

Offences by persons not holding appropriate licences etc.

s 21 prev s 21 ins 1993 No. 70 s 14
exp 26 March 1994 (see s 21(2))
pres s 21 sub 1974 No. 73 s 15
amd 1981 No. 81 s 12; 1992 No. 68 ss 16, 17; 1993 No. 70 s 9; 1995 No. 52
s 22; 2000 No. 23 s 293 sch 2

Cancellation and suspension of licences etc.

prov hdg sub 1995 No. 52 s 23
s 22 amd 1951 15 Geo 6 No. 42 s 2; 1974 No. 73 s 16; 1985 No. 92 s 4; 1992
No. 68 s 18; 1993 No. 70 s 10; 1995 No. 52 s 23

PART 4—PROHIBITED SUBSTANCES AND TRADE WASTE

pt hdg ins 1995 No. 52 s 24

Prohibition on discharge of prohibited substances and trade waste

s 23 ins 1995 No. 52 s 24
amd 2000 No. 34 s 1145 sch 3

PART 5—LEGAL PROCEEDINGS

pt hdg ins 1995 No. 52 s 24

Indictable and summary offences

s 24 ins 1995 No. 52 s 24

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- s 25** prev s 25 ins 1995 No. 57 s 4 sch 1 (amd 1995 No. 58 s 4 sch 1)
exp 28 February 1996 (see s 25(3))
pres s 25 ins 1995 No. 52 s 24

Limitation on who may summarily hear indictable offence proceedings

- s 26** prev s 26 ins 1995 No. 52 s 24
om R2 (see RA s 37)
pres s 26 ins 1995 No. 52 s 24

Limitation on time for starting summary proceedings

- s 27** ins 1995 No. 52 s 24

Obtaining licence or interim licence by misrepresentation etc.

- s 28** ins 1951 15 Geo 6 No. 42 s 3
amd 1985 No. 92 s 5; 1988 No. 88 s 3 sch 1; 1992 No. 68 s 22; 1995 No. 52
s 26

Approval of forms

- s 29** ins 1995 No. 57 s 4 sch 1
reloc as s 18B 1995 No. 58 s 4 sch 1

Regulation making power

- prov hdg** sub 1995 No. 58 s 4 sch 1
s 30 amd 1978 No. 48 s 8; 1985 No. 92 s 6; 1992 No. 68 ss 23–25; 1993 No. 70
s 13; 1995 No. 57 s 4 sch 1; 1995 No. 58 s 4 sch 1

Reference to Standard Sewerage By-laws 1981 etc.

- s 31** ins 1993 No. 70 s 14

Reference to Standard Water Supply By-laws 1949 etc.

- s 32** ins 1993 No. 70 s 14

Sewerage, Water Supply, and Gasfitting Act 1949 references

- s 33** ins 1995 No. 57 s 4 sch 1

SCHEDULE I—STANDARD SEWERAGE BY-LAWS

om 1992 No. 68 s 3 sch 1

SCHEDULE II—STANDARD WATER SUPPLY BY-LAWS

amd 1981 No. 81 s 15
om 1992 No. 68 s 3 sch 1

SCHEDULE III—CURRICULUM OF EXAMINATIONS

sub 1981 No. 81 s 16
om 1992 No. 68 s 3 sch 1

SCHEDULE IV—STANDARD GASFITTING BY-LAWS

om 1974 No. 73 s 17

8 Form

Version 1—Penalty Notice—under s 18 of the Act

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9 Table of renumbered provisions

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