



ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

No. 19 of 1971

An Act to amend the Builders Licensing Act, 1967.

[Assented to 8th April, 1971]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Builders Licensing Act Amendment Act, 1971". Short titles.

(2) The Builders Licensing Act, 1967, as amended by this Act, may be cited as the "Builders Licensing Act, 1967-1971".

(3) The Builders Licensing Act, 1967, is hereinafter referred to as "the principal Act".

2. Section 5 of the principal Act is amended by striking out from subsection (6) the passage "Public Service Act, 1936-1967" and inserting in lieu thereof the passage "Public Service Act, 1967, as amended". Amendment of principal Act, s. 5—
The Board.

3. Section 11 of the principal Act is amended by striking out from subsection (1) the passage "Public Service Act, 1936-1967" and inserting in lieu thereof the passage "Public Service Act, 1967, as amended". Amendment of principal Act, s. 11—
Secretary and officers of the Board.

4. Section 14 of the principal Act is amended—

(a) by striking out from subsection (2) the passage "one month" and inserting in lieu thereof the passage "two months";

and

Amendment of principal Act, s. 14—
Licences generally.

(b) by inserting after subsection (3) the following subsection:—

(3a) Where an application for the renewal of a licence has been made in conformity with the provisions of this Act, and the application has not been determined at the date of the expiration of the licence, the licence shall, by virtue of this subsection, continue in operation until the application is determined.

Amendment of
principal Act,
s. 15—
General
builder's
licence.

5. Section 15 of the principal Act is amended by inserting after subsection (4) the following subsection:—

(4a) Where the Board is, upon application by or on behalf of a body corporate or partnership, satisfied that any building work carried out by the body corporate or partnership during a period allowed by the Board will be carried out under the personal supervision and control of the holder of an appropriate licence under this Act, it may order that the provisions of subsection (4) of this section shall not apply during that period in respect of the body corporate or partnership, and the order shall have effect according to its terms.

(4b) A general builder's licence subject to endorsement under section 16a of this Act shall, in the case of an application for a licence by a body corporate, be sufficient for the purposes of paragraph (c) of subsection (3) of this section.

Amendment of
principal Act,
s. 16—
Restricted
builder's
licence.

6. Section 16 of the principal Act is amended—

(a) by striking out the word “and” immediately preceding subparagraph (ii) of paragraph (c) of subsection (2) and inserting in lieu thereof the word “or”;

and

(b) by inserting after subsection (4) the following subsection:—

(5) Where the Board is, upon application by or on behalf of a body corporate or partnership, satisfied that any building work carried out by the body corporate or partnership during a period allowed by the Board will be carried out under the personal supervision and control of the holder of an appropriate licence under this Act, it may order that the provisions of subsection (4) of this section shall not apply during that period in respect of the body corporate or partnership, and the order shall have effect according to its terms.

(6) A licence subject to endorsement under section 16a of this Act shall, in the case of an application for a licence by a body corporate, be sufficient for the purposes of paragraph (c) of subsection (3) of this section.

7. The following section is enacted and inserted in the principal Act immediately after section 16 thereof:—

Enactment of
s. 16a of
principal Act—

16a. (1) The Board may grant a licence subject to the endorsement “(MANAGER)”.

Licences may
be granted
subject to
endorsement.

(2) Where a licence is granted subject to the endorsement referred to in subsection (1) of this section, the licence shall not be effective otherwise than for the purposes of building work carried out by a body corporate—

(a) that holds an appropriate licence in respect of the building work under this Act;

and

(b) of which the holder of the licence is a director or member of the board of management, or, if the body corporate has been incorporated outside the State, the manager or agent in this State.

(3) Where an application is made for a licence subject to endorsement under this section, the applicant shall not be required to furnish the Board with information relating to his financial position.

8. Section 23 of the principal Act is amended by inserting after the word “Board” the passage “or any person acting in the affairs of the Board”.

Amendment of
principal Act,
s. 23—
Illegal
divulging of
information.

In the name and on behalf of Her Majesty, I hereby assent
to this Bill.

J. W. HARRISON, Governor.