

# CABINET MINUTE

DECISION NO.

BRISBANE, 11 / 2 / 19 86

48029

SUBJECT: proposed Amendments to the Second Schedule to the Inspection of Machinery Act 1951-1982 and the Machinery Inspection and Safety Regulations 1980.

(Submission No. 43293)

Copies Received at 12 00 a.m. 6 / 2 / 19 86 Mr Lester  
p.m.

Copies Made 30

## CIRCULATION DETAILS

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Copy of relevant Submission attached



C O N F I D E N T I A L  
C A B I N E T                      M I N U T E

Copy No. 20

Brisbane, 11th February, 1986

Decision No. 48029

Submission No. 43293

TITLE: Proposed Amendments to the  
Second Schedule to the  
Inspection of Machinery Act  
1951-1982 and the Machinery  
Inspection and Safety Regulation  
1980.

CABINET decided:-

That the approval of the Governor in Council be  
sought for -

- (a) the amendments to Rule 2 and Rule 7 of the Second  
Schedule to the Inspection of Machinery Act 1951-  
1982 as set out in Appendix "B" of the Submission; and
- (b) the amendments to the Machinery Inspection and  
Safety Regulations 1980 as set out in Appendix "C"  
of the Submission

with effect from the first day of March 1986.

CIRCULATION: Department of Employment and Industrial  
Affairs and copy to Minister.  
Department of Transport and copy to Minister.  
All other Ministers for perusal and return.

Certified True Copy



Secretary to Cabinet.





43293

Submission No. \_\_\_\_\_

Copy No. \_\_\_\_\_

21

FOR CABINET

RE: PROPOSED AMENDMENTS TO THE SECOND SCHEDULE TO THE INSPECTION OF  
MACHINERY ACT 1951-1982 AND THE MACHINERY INSPECTION AND SAFETY  
REGULATIONS 1980

1. The Motor Vehicles Safety Act and Other Acts Amendment Act was passed by Parliament on 5 March 1985 and by Proclamation the first day of March 1986 is the day on which the Act shall commence.
2. Upon the commencement of this Act the authority to grant "A" and "B" Grade Motor Mechanic's Certificates will cease to be provided for under the Inspection of Machinery Act 1951-1982 and will be vested in the Commissioner for Transport under Part VA of the Motor Vehicles Safety Act.
3. It is therefore necessary to delete provisions relating to Certificates of Competency for Motor Mechanics from -
  - (i) Rule 2 and Rule 7 of the Second Schedule to the Inspection of Machinery Act 1951-1982; and
  - (ii) the Machinery Inspection and Safety Regulations 1980on and from the first day of March 1986.
4. Section 57(2) of the Inspection of Machinery Act 1951-1982 provides, inter alia -

"The Governor in Council may from time to time by Order in Council published in the Gazette amend the said Second Schedule by revoking, amending, varying, altering or otherwise modifying any of the rules therein set out or by adding to that Schedule any other rules (whether in addition to or substitution for any rules set out therein) and the said Schedule as so amended shall thereupon become for the time being the Second Schedule to this Act and shall have effect accordingly:

Provided that -

- (a) Such an amendment shall not have effect until the expiration of a period of three months next succeeding the publication in the Gazette of a notice of intention to make same and setting out particulars thereof;..... "

- 5. Notice of Intention to amend Rule 2 and Rule 7 of the Second Schedule to the Inspection of Machinery Act was published in the Queensland Government Industrial Gazette dated 6 April 1985.
- 6. Those parts of the Rules it is intended to amend are shown in Appendix "A".
- 7. Draft amendments as follows have been prepared by the Solicitor-General -
  - (i) Amendments to Rule 2 and Rule 7 of the Second Schedule to the Inspection of Machinery Act 1951-1982 (Appendix "B");
  - (ii) Amendments to the Machinery Inspection and Safety Regulations 1980 (Appendix "C").

8. IT IS RECOMMENDED that the approval of the Governor in Council be sought for -

- (i) the amendments to Rule 2 and Rule 7 of the Second Schedule to the Inspection of Machinery Act 1951-1982 as set out in Appendix "B" of this submission; and
- (ii) the amendments to the Machinery Inspection and Safety Regulations 1980 as set out in Appendix "C" of this submission

with effect from the first day of March 1986.

VINCE LESTER  
MINISTER FOR EMPLOYMENT  
AND INDUSTRIAL AFFAIRS

BRISBANE.

6 February 1986.

APPENDIX "A"

INSPECTION OF MACHINERY ACT 1951-1982

THE SECOND SCHEDULE

Rule 2. When Certificate may be granted without examination.

The Board may, without examination but subject otherwise to the provisions of section fifty-six of this Act, grant certificates of competency under this Act as follows, that is to say, to

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) A holder of a certificate as an engineer, or of a certificate corresponding to an engineer's certificate and granted by a recognised authority who shall have had at least twelve months' experience as a motor mechanic in a workshop where motor vehicles are made or repaired - a motor mechanic's certificate of the class deemed appropriate by the Board in his case:

Rule 7. Particulars to be set out in certificates.

- (1) Every certificate, other than a motor mechanic's certificate, and the registration entry relating thereto shall state upon the face thereof the class or classes of engines of which the holder is thereby authorised to take charge.



ORDER IN COUNCIL

At the Executive Building, Brisbane, the  
day of , 1986

Present:

His Excellency the Governor in Council

HIS Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the Inspection of Machinery Act 1951-1982 hereby amends The Second Schedule to the said Act on and from the First day of March, 1986 by -

- (i) in Rule 2, omitting paragraph (e); and
- (ii) in Rule 7, omitting from sub rule 7(1) the words  
"other than a motor mechanic's certificate,"

And the Honourable the Minister for Employment and Industrial Affairs is to give the necessary directions herein accordingly.

Clerk of the Council



INSPECTION OF MACHINERY ACT 1951-1982

AMENDMENT OF REGULATIONS

Department of Employment and  
Industrial Affairs,

Brisbane, , 1986.

HIS Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the Inspection of Machinery Act 1951-1982 has been pleased to make the following regulations.

VINCE LESTER

Minister for Employment  
and Industrial Affairs

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1. Citation. The Machinery Inspection and Safety Regulations 1980 as previously amended are in these regulations referred to as the Principal Regulations.
  2. Commencement. These regulations shall come into operation on the first day of March 1986.
  3. Repeal of regs. 46 and 47. Regulation 46 and regulation 47 of the Principal Regulations are repealed.
  4. Amendment of the First Schedule. The First Schedule to the Principal Regulations is amended by in category F omitting the expressions -
    - "A" Grade Motor Mechanic's Certificate .. .. 18
    - "B" Grade Motor Mechanic's Certificate .. .. 15".
  5. Amendment of The Second Schedule. The Second Schedule to the Principal Regulations is amended by in Form 7 omitting the expressions "A" Grade Motor Mechanic, "B" Grade Motor Mechanic,".