



New South Wales

Fair Trading and Building Legislation Amendment Bill 2026

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2026



New South Wales

Fair Trading and Building Legislation Amendment Bill 2026

Act No , 2026

An Act to amend various Acts administered by the Minister for Better Regulation and Fair Trading and related Acts; and for related purposes.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Fair Trading and Building Legislation Amendment Act 2026*.

2 Commencement

This Act commences as follows—

- (a) for Schedules 2, 5[1] and [3], 14[2]–[5], 16[4] and [5], 17[7], 18 and 19—on the date of assent to this Act,
- (b) otherwise—on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Building and Construction Industry Security of Payment Act 1999 No 46

[1] Section 4 Definitions

Omit section 4(1), definition of *business day*. Insert in alphabetical order—

working day means a day other than—

- (a) a Saturday, Sunday or public holiday, or
- (b) 27, 28, 29, 30 or 31 December.

[2] Sections 11(1A)(a), (1B)(a) and (1C)(b), 14(4)(b)(ii), 16(1)(b)(ii), 17(2) and (3), 20(1), 21(3)(a), 23(1), definition of “relevant date”, paragraph (a), 26(1)(a) and (3), 26A(5), 26B(3)(d) and (5), 26D(3) and 27(1) and (2)

Omit “business days” wherever occurring. Insert instead “working days”.

Schedule 2 Amendment of Building and Development Certifiers Act 2018 No 63

Section 45A

Insert after section 45—

45A Disciplinary action against former registered certifier

Disciplinary action under this part may be taken against a person who is or was a registered certifier even if the person is no longer a registered certifier when the action is taken.

Schedule 3 Amendment of Charitable Fundraising Act 1991 No 69

Section 19A Suspension or cancellation of authority

Insert after section 19A(1)(f)—

- (f1) the authority was granted, renewed or restored in error,

Schedule 4 Amendment of Community Gaming Act 2018 No 60

Section 11 Authorities to conduct gaming activities

Insert after section 11(7)(c)—

- (c1) the authority was granted, renewed or restored in error,
- (c2) the authority was granted, renewed or restored because of a misrepresentation made by the holder,
- (c3) a fee for the authority has not been paid, including if a fee is withdrawn after being paid,

Schedule 5 Amendment of Community Land Management Act 2021 No 7

[1] Section 90 Interest, discounts on contributions and payment plans

Omit “at a general meeting” from section 90(3).

[2] Section 207 Civil penalties for contravention of orders

Insert after section 207(2)—

(3A) The pecuniary penalty is payable to—

- (a) the applicant for the original order, or
- (b) another person the Tribunal orders.

[3] Section 233 Regulations

Insert after section 233(2)(j)—

- (j1) the redaction of items to be made available for inspection under section 172,

Schedule 6 Amendment of Conveyancers Licensing Act 2003 No 3

[1] Section 3 Definitions

Insert in alphabetical order—

cancelled licence, for Part 2, Division 4—see section 18A.

former licensee, for Part 2, Division 4—see section 18A.

[2] Section 10 Disqualified persons

Insert after section 10(1)(p1)—

(p2) is a disqualified person within the meaning of the *Legal Profession Uniform Law (NSW)*, or

[3] Section 15A

Insert after section 15—

15A Variation of licence conditions

- (1) The Secretary may amend a licence by written order (a *variation order*) given to the licensee.
- (2) A variation order may—
 - (a) vary conditions of the licence, or
 - (b) add conditions to the licence, or
 - (c) omit conditions of the licence.
- (3) A variation order may be made—
 - (a) on application by a licensee, or
 - (b) as the Secretary thinks fit.
- (4) A variation order takes effect—
 - (a) 7 days after the order is given to the licensee, or
 - (b) on a later date specified in the order.
- (5) This section does not apply to a special condition imposed under section 15.

[4] Part 2, Division 4

Insert after Division 3—

Division 4 Cancellation of licences

18A Definitions

In this division—

cancelled licence means a licence cancelled under section 18B.

former licensee, for a cancelled licence, means the person who held the licence.

18B Cancellation of licences

- (1) The Secretary may cancel a licence by written order (a *cancellation order*) given to a licensee.
- (2) The Secretary may make a cancellation order if satisfied—

- (a) the licence was granted, renewed or restored because of a misrepresentation made by the licensee, or
 - (b) the licence was granted, renewed or restored in error, or
 - (c) an application fee under this Act required in connection with the licence has not been paid, including if a fee is withdrawn after being paid.
- (3) A cancellation order takes effect on—
 - (a) the day the order is given to the licensee, or
 - (b) a later date specified in the order.

18C Restoration of cancelled licences

- (1) The Secretary may restore a cancelled licence by written order (a *restoration order*) given to the former licensee.
- (2) The Secretary may make a restoration order if satisfied the cancelled licence should be restored.
- (3) A restoration order may be made—
 - (a) on application by a former licensee, or
 - (b) as the Secretary thinks fit.
- (4) A restoration order takes effect on—
 - (a) the day the order is given to the former licensee, or
 - (b) a later date specified in the order.

[5] Section 133 Disciplinary action

Insert “, either permanently or for a specified period” after “business” in section 133(1)(i).

Schedule 7 Amendment of Design and Building Practitioners Act 2020 No 7

Section 107 Regulations

Omit section 107(5) and (5A). Insert instead—

- (5) The regulations may exempt persons or works from the provisions of this Act.

Schedule 8 Amendment of Fair Trading Act 1987 No 68

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

cancelled licence, for Part 5—see section 59.

former licensee, for Part 5—see section 59.

licensee, for Part 5—see section 59.

[2] Section 59 Definitions

Insert in alphabetical order—

cancelled licence means a licence cancelled under section 60EB.

former licensee, for a cancelled licence, means the person who held the licence.

licensee means the holder of a licence.

[3] Part 5, Division 2A

Insert after Division 2—

Division 2A Cancellation of licences

60EB Cancellation of licences

- (1) The Secretary may cancel a licence by written order (a *cancellation order*) given to a licensee.
- (2) The Secretary may make a cancellation order if satisfied—
 - (a) the licence was granted, renewed or restored because of a misrepresentation made by the licensee, or
 - (b) the licence was granted, renewed or restored in error, or
 - (c) an application fee under this Act required in connection with the licence has not been paid, including if a fee is withdrawn after being paid.
- (3) A cancellation order takes effect on—
 - (a) the day the order is given to the licensee, or
 - (b) a later date specified in the order.

60EC Restoration of cancelled licences

- (1) The Secretary may restore a cancelled licence by written order (a *restoration order*) given to the former licensee.
- (2) The Secretary may make a restoration order if satisfied the cancelled licence should be restored.
- (3) A restoration order may be made—
 - (a) on application by a former licensee, or
 - (b) as the Secretary thinks fit.
- (4) A restoration order takes effect on—
 - (a) the day the order is given to the former licensee, or
 - (b) a later date specified in the order.

Schedule 9 Amendment of Home Building Act 1989 No 147

[1] Section 43A

Insert after section 43—

43A Variation, suspension or cancellation because of lack of qualification

- (1) If the holder of an authority is not qualified to hold the authority, the Secretary may give the holder a written notice to—
 - (a) vary the authority, including by removing a category of work described in the authority, or
 - (b) suspend the authority, or
 - (c) cancel the authority.
- (2) For subsection (1), a person is not qualified to hold an authority unless the person—
 - (a) for a contractor licence—has the qualifications and experience, or meets the additional standards or other requirements, required by section 20(2), or
 - (b) for a supervisor or tradesperson certificate—has the qualifications and experience, or meets the additional standards or other requirements, required by section 25(2), or
 - (c) for an owner-builder permit—has the education, training or qualifications required by section 31(2)(d).
- (3) A notice must set out the reasons for the variation, suspension or cancellation.

[2] Section 114

Omit the section. Insert instead—

114 Building Administration Fund

- (1) A Building Administration Fund (the **Fund**) is established.
- (2) The Fund is established in the Special Deposits Account.
- (3) The Secretary must control and manage the Fund.
- (4) The following must be paid into the Fund—
 - (a) a fee payable under this Act in relation to an authority,
 - (b) a fee payable under building legislation,
 - (c) an amount paid—
 - (i) as a fine or penalty for a contravention of building legislation, or
 - (ii) under a penalty notice issued under building legislation,
 - (d) money received or recouped relating to administration of the Fund,
 - (e) income from investment of the Fund,
 - (f) money directed or authorised to be paid into the Fund under this Act or another Act.
- (5) The following may be paid out of the Fund—
 - (a) money to meet the costs of administering building legislation,
 - (b) money to meet the costs of operating the scheme for resolving building disputes,

- (c) money to assist education or research relating to—
 - (i) consumer-related issues in the building industry, or
 - (ii) the building industry and trades subject to licensing under this Act,
 - (d) money to encourage, by subsidy or otherwise, apprenticeship in the building industry and trades subject to licensing under this Act,
 - (e) money to assist a public purpose connected with the objects of this Act,
 - (f) money required to meet administrative expenses related to the Fund,
 - (g) money directed or authorised to be paid from the Fund under this Act or another Act.
- (6) The Secretary may invest money in the Fund as a GSF agency under the *Government Sector Finance Act 2018*, Part 6.
- (7) In this section—
building legislation means this Act and the following Acts, including instruments made under the Acts—
- (a) the *Building and Development Certifiers Act 2018*,
 - (b) the *Building Products (Safety) Act 2017*,
 - (c) the *Design and Building Practitioners Act 2020*,
 - (d) the *Gas and Electricity (Consumer Safety) Act 2017*,
 - (e) the *Plumbing and Drainage Act 2011*,
 - (f) the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*.

[3] Schedule 4 Savings and transitional provisions

Insert at the end of the schedule, with appropriate part and clause numbering—

Part Provision consequent on enactment of Fair Trading and Building Legislation Amendment Act 2026

Building Administration Fund

- (1) The Building Administration Fund is a continuation of the former Fund.
- (2) All assets, rights and liabilities of the former Fund become the assets, rights and liabilities of the Building Administration Fund.
- (3) In this clause—
former Fund means the Home Building Administration Fund established under section 114 as in force immediately before the substitution of the section by the *Fair Trading and Building Legislation Amendment Act 2026*.

Schedule 10 Amendment of Motor Dealers and Repairers Act 2013 No 107

[1] Section 22A Revocation of licences by Secretary

Omit “not).” from section 22A(1)(b). Insert instead—

not), or

- (c) an application fee under this Act required in connection with the licence has not been paid, including if a fee is withdrawn after being paid.

[2] Section 37 Cancellation of licence

Insert after section 37(1)—

- (1A) The Secretary may cancel a licence if the licence holder is a corporation that has—

- (a) become the subject of a winding up order under the *Corporations Act 2001* of the Commonwealth or has been voluntarily wound up, or
- (b) been deregistered under the *Corporations Act 2001* of the Commonwealth, Chapter 5A.

[3] Section 37(2)

Omit “subsection (1)”. Insert instead “this section”.

[4] Section 39A Members of partnerships or officers of bodies corporate

Omit “the holder of a licence” from section 39A(1).

Insert instead “a licence holder or former licence holder”.

[5] Section 39A(1)

Omit “holder of the licence”. Insert instead “licence holder or former licence holder”.

Schedule 11 Amendment of Paintball Act 2018 No 44

Section 23 Grounds for suspension or cancellation of a permit

Insert after section 23(d)—

- (d1) the permit was granted, renewed or restored because of a misrepresentation made by the holder of a permit,
- (d2) a fee for the permit has not been paid, including if a fee is withdrawn after being paid,

Schedule 12 Amendment of Pawnbrokers and Second-hand Dealers Act 1996 No 13

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

cancelled licence, for Part 5A—see section 37A.

former licensee, for Part 5A—see section 37A.

licensee means the holder of a licence.

[2] Part 5A

Insert after Part 5—

Part 5A Cancellation of licences

37A Definitions

In this part—

cancelled licence means a licence cancelled under section 37B.

former licensee, for a cancelled licence, means the person who held the licence.

37B Cancellation of licences

- (1) The Secretary may cancel a licence by written order (a *cancellation order*) given to a licensee.
- (2) The Secretary may make a cancellation order if satisfied—
 - (a) the licence was granted, renewed or restored because of a misrepresentation made by the licensee, or
 - (b) the licence was granted, renewed or restored in error, or
 - (c) an application fee under this Act required in connection with the licence has not been paid, including if a fee is withdrawn after being paid.
- (3) A cancellation order takes effect on—
 - (a) the day the order is given to the licensee, or
 - (b) a later date specified in the order.

37C Restoration of cancelled licences

- (1) The Secretary may restore a cancelled licence by written order (a *restoration order*) given to the former licensee.
- (2) The Secretary may make a restoration order if satisfied the cancelled licence should be restored.
- (3) A restoration order may be made—
 - (a) on application by a former licensee, or
 - (b) as the Secretary thinks fit.
- (4) A restoration order takes effect on—
 - (a) the day the order is given to the former licensee, or
 - (b) a later date specified in the order.

Schedule 13 Amendment of Property and Stock Agents Act 2002 No 66

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

authorisation, for Part 2, Division 4—see section 27A.

authorisation holder, for Part 2, Division 4—see section 27A.

cancelled authorisation, for Part 2, Division 4—see section 27A.

[2] Section 22A

Insert after section 22—

22A Variation of conditions

- (1) The Secretary may amend a licence or certificate of registration by written order (a *variation order*) given to the licensee or registered person.
- (2) A variation order may—
 - (a) vary conditions specified in the licence or certificate of registration, or
 - (b) add conditions to the licence or certificate of registration, or
 - (c) omit conditions of the licence or certificate of registration.
- (3) A variation order may be made—
 - (a) on application by a licensee or registered person, or
 - (b) as the Secretary thinks fit.
- (4) A variation order takes effect—
 - (a) 7 days after the order is given to the licensee or registered person, or
 - (b) on a later date specified in the order.
- (5) This section does not apply to a condition imposed under section 20(2), 21 or 22.

[3] Section 27 Administrative review by NCAT

Omit “person.” from section 27(b). Insert instead—

person,

- (c) a decision under section 22A to vary, add or omit conditions of a licence or certificate of registration.

[4] Part 2, Division 4

Insert after Division 3—

Division 4 Cancellation of licences and certificates of registration

27A Definitions

In this division—

authorisation means—

- (a) a certificate of registration, or
- (b) a licence.

authorisation holder means—

- (a) for a certificate of registration—the registered person, or
- (b) for a licence—the licensee.

cancelled authorisation means an authorisation cancelled under section 27B.

27B Cancellation of authorisations

- (1) The Secretary may cancel an authorisation by written order (a ***cancellation order***) given to the authorisation holder.
- (2) The Secretary may make a cancellation order if satisfied—
 - (a) the authorisation was granted, renewed or restored because of a misrepresentation made by the authorisation holder, or
 - (b) the authorisation was granted, renewed or restored in error, or
 - (c) an application fee under this Act required in connection with the authorisation has not been paid, including if a fee is withdrawn after being paid, or
 - (d) the authorisation holder is a corporation that has—
 - (i) become the subject of a winding up order under the *Corporations Act 2001* of the Commonwealth or has been voluntarily wound up, or
 - (ii) been deregistered under the *Corporations Act 2001* of the Commonwealth, Chapter 5A.
- (3) A cancellation order takes effect on—
 - (a) the day the order is given to the authorisation holder, or
 - (b) a later date specified in the order.

27C Restoration of cancelled authorisations

- (1) The Secretary may restore a cancelled authorisation by written order (a ***restoration order***) given to the person who held the cancelled authorisation.
- (2) The Secretary may make a restoration order if satisfied the cancelled authorisation should be restored.
- (3) A restoration order may be made—
 - (a) on application by the person who held the cancelled authorisation, or
 - (b) as the Secretary thinks fit.
- (4) A restoration order takes effect on—
 - (a) the day the order is given to the person who held the cancelled authorisation, or
 - (b) a later date specified in the order.

[5] Section 232 Use of Property Services Compensation Fund to assist residential landlords and tenants suffering hardship

Omit the section.

Schedule 14 Amendment of Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020 No 9

[1] Section 6A Levy may be imposed by Secretary

Omit “Home Building Administration Fund” from section 6A(5), definition of *Fund*.

Insert instead “Building Administration Fund”.

[2] Section 65 Exchange of information

Insert after section 65(1)(e)—

- (e1) the administration of building legislation,
- (e2) the investigation or prosecution of offences against the laws of the State, the Commonwealth, or another State or Territory,

[3] Section 65(2) and (5)

Omit “this Act” wherever occurring. Insert instead “building legislation”.

[4] Section 65(7)

Insert in alphabetical order—

building legislation means this Act and the following Acts, including instruments made under the Acts—

- (a) the *Building and Construction Industry Security of Payment Act 1999*,
- (b) the *Building and Development Certifiers Act 2018*,
- (c) the *Building Products (Safety) Act 2017*,
- (d) the *Design and Building Practitioners Act 2020*,
- (e) the *Gas and Electricity (Consumer Safety) Act 2017*,
- (f) the *Home Building Act 1989*,
- (g) the *Plumbing and Drainage Act 2011*,
- (h) the *Strata Schemes Management Act 2015*,
- (i) the *Swimming Pools Act 1992*.

[5] Section 65(7), definition of “relevant agency”

Insert after paragraph (a1)—

- (a2) the Australian Prudential Regulation Authority,
- (a3) the Australian Securities and Investments Commission,
- (a4) the Australian Taxation Office,

Schedule 15 Amendment of Residential Tenancies Act 2010 No 42

Section 100 Early termination without compensation to landlord

Omit section 100(1)(b1) and (5).

Schedule 16 Amendment of Retirement Villages Act 1999 No 81

[1] Section 18 General inquiry document and disclosure statement concerning retirement village

Omit “prescribed by the regulations” wherever occurring in section 18(2)(a) and (3A)(a).

Insert instead “approved by the Secretary”.

[2] Section 18(3B)

Omit the subsection. Insert instead—

(3B) The regulations may prescribe different information to be contained in general inquiry documents or disclosure statements about—

- (a) different classes of general inquiry documents or disclosure statements, or
- (b) different circumstances in which a document or statement is provided.

[3] Section 18(7)

Insert after section 18(6)—

- (7) For this section, the Secretary approves a form of a general inquiry document or disclosure statement by publishing the form on a NSW Government website.

[4] Section 128 Order of Tribunal

Insert after section 128(2)—

- (3) An order may vary, stay or set aside a previous order made under this Act by the Tribunal.
- (4) An order may apply differently to different residents or groups of residents if an application is an application—
 - (a) to which 2 or more residents of the village are parties, whether the application was made jointly by the residents or by the Residents Committee for the residents, or
 - (b) made by the operator of the village and to which 2 or more residents are the other parties.

[5] Sections 204 and 205

Omit the sections.

Schedule 17 Amendment of Strata Schemes Management Act 2015 No 50

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

building element, for Part 11, Division 3AA—see section 211AA.
building product, for Part 11, Division 3AA—see section 211AA.
decennial insurance, for Part 11, Division 3AA—see section 211AA.
DLI policy, for Part 11, Division 3AA—see section 211AA.
relevant defect, for Part 11, Division 3AA—see section 211AA.
vertical transportation product, for Part 11, Division 3AA—see section 211AA.

[2] Section 147A

Insert after section 147—

147A Enforcement in 2-lot strata scheme

- (1) An owner in a strata scheme comprising 2 lots may do the following—
 - (a) issue a notice under section 146 as if the owner were the owners corporation,
 - (b) make an application to the Tribunal under section 147 as if the owner were the owners corporation.
- (2) This division extends to an owner as if the owner were an owners corporation.
- (3) Section 146(3) does not apply to a notice issued by an owner in accordance with subsection (1)(a).

[3] Section 211AA Definitions

Insert in alphabetical order in section 211AA(1)—

building product has the same meaning as in the *Building Products (Safety) Act 2017*.

relevant defect means—

- (a) a defect in a building element that—
 - (i) is attributable to a failure to comply with—
 - (A) the performance requirements of the *Building Code of Australia* within the meaning of the *Environmental Planning and Assessment Act 1979*, or
 - (B) the relevant Australian Standards, or
 - (C) the relevant approved plans within the meaning of the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*, and
 - (ii) causes or is likely to cause—
 - (A) damage to the building or part of the building, or
 - (B) a risk of death or serious injury to one or more persons, or
- (b) a defect in a building product or building element that—
 - (i) is attributable to defective design, defective or faulty workmanship or defective materials, and
 - (ii) causes or is likely to cause—

- (A) the inability to inhabit or use the building or part of the building, or
 - (B) the destruction of the building or part of the building, or
 - (C) a threat of collapse of the building or part of the building, or
 - (c) the use of a building product in contravention of the *Building Products (Safety) Act 2017*, or
 - (d) the installation of a vertical transportation product, if the use of the product in the building causes or is likely to cause a risk of death or serious injury to one or more persons, or
 - (e) a defect of a kind prescribed by the regulations.
- vertical transportation product*** means machinery installed in a building and designed to move persons, vehicles or goods and includes the following—
- (a) a lift,
 - (b) an escalator,
 - (c) a moving walkway,
 - (d) parking systems and equipment.

[4] Section 211AA(1), definition of “decennial insurance”

Omit “serious defects” from paragraph (b). Insert instead “relevant defects”.

[5] Section 211AA(1), definition of “serious defect”

Omit the definition.

[6] Section 247A Civil penalties for contravention of orders

Insert after section 247A(2)—

- (2A) A pecuniary penalty is payable to—
 - (a) the applicant for the original order, or
 - (b) another person the Tribunal orders.

[7] Section 271 Regulations

Insert after section 271(2)(o)—

- (o1) the redaction of items to be made available for inspection under section 182,

Schedule 18 Amendment of Strata Schemes Legislation Amendment Act 2025 No 14

- [1] **Schedule 1 Amendment of Strata Schemes Management Act 2015 No 50**
Omit “The regulations may provide for” from Schedule 1[8], proposed section 37(4).
Insert instead “The Secretary may make guidelines about”.
- [2] **Schedule 1[8], proposed section 37(4)(b)**
Omit “training within the period prescribed by the regulations”.
Insert instead “training,”.
- [3] **Schedule 2 Amendment of Community Land Management Act 2021 No 7**
Omit “The regulations may provide for” from Schedule 2[7], proposed section 41(4).
Insert instead “The Secretary may make guidelines about”.
- [4] **Schedule 2[7], proposed section 41(4)(b)**
Omit “training within the period prescribed by the regulations”.
Insert instead “training,”.

Schedule 19 Amendment of Swimming Pools Act 1992 No 49

Section 39

Insert after section 38—

39 Delegation

The Secretary may delegate the exercise of a function of the Secretary under this Act, other than this power of delegation, to—

- (a) a person employed in the Department, or
- (b) a person prescribed by the regulations.

Schedule 20 Amendment of Tow Truck Industry Act 1998 No 111

Part 3, Division 3A

Insert after Division 3—

Division 3A Cancellation of licences and drivers certificates

40B Cancellation of licence or drivers certificate

- (1) The Secretary may cancel a licence or drivers certificate by written order (a ***cancellation order***) given to the licensee or certified driver.
- (2) The Secretary may make a cancellation order if satisfied—
 - (a) the licence or drivers certificate was granted, renewed or restored because of a misrepresentation made by the licensee or certified driver, or
 - (b) the licence or drivers certificate was granted, renewed or restored in error, or
 - (c) an application fee under this Act required in connection with the licence or drivers certificate has not been paid, including if a fee is withdrawn after being paid.
- (3) A cancellation order takes effect on—
 - (a) the day the order is given to the licensee or certified driver, or
 - (b) a later date specified in the order.

40C Restoration of cancelled licence or drivers certificate

- (1) The Secretary may restore a licence or drivers certificate cancelled under section 40B by written order (a ***restoration order***) given to the person who held the cancelled licence or drivers certificate.
- (2) The Secretary may make a restoration order if satisfied the cancelled licence or drivers certificate should be restored.
- (3) A restoration order may be made—
 - (a) on application by the person who held the cancelled licence or drivers certificate, or
 - (b) as the Secretary thinks fit.
- (4) A restoration order takes effect on—
 - (a) the day the order is given to the person who held the cancelled licence or drivers certificate, or
 - (b) a later date specified in the order.