

Building and Construction Industry Security of Payment Regulation 2008

As at 23 August 2013

1 Name of Regulation

This Regulation is the *Building and Construction Industry Security of Payment Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

This Regulation replaces the *Building and Construction Industry Security of Payment Regulation 2001* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Interpretation

(1) In this Regulation: "**the Act**" means the *Building and Construction Industry Security of Payment Act 1999*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Recognised financial institutions

Each person or body that is a "**body regulated by APRA**", within the meaning of the *Australian Prudential Regulation Authority Act 1998* of the Commonwealth, is prescribed for the purposes of the definition of "**recognised financial institution**" in section 4 of the Act.

5 Exemptions

A person is exempt from the operation of Division 2A of Part 3 of the Act in the person's capacity as a principal contractor (within the meaning of that Division) under a construction contract of a kind referred to in section 7 (2) (b) of the Act.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cl	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments *Building and Construction Industry Security of Payment Regulation 2008 (139)*. GG No 56 of 23.5.2008, p 3953. Date of commencement, 1.9.2008, cl 2. This Regulation has been amended as follows:

2011	(89)	<i>Building and Construction Industry Security of Payment Amendment Regulation 2011</i> . LW 25.2.2011. Date of commencement, 28.2.2011, cl 2.
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Table of amendments

Cl 5	Ins 2011 (89), cl 3.
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