1. Citation

These regulations are the Building and Construction Industry Training Fund and Levy Collection Amendment Regulations 2018.

2. Commencement

These regulations come into operation as follows —
(a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;
(b) the rest of the regulations — on 1 October 2018.

3. Regulations amended

These regulations amend the Building and Construction Industry Training Fund and Levy Collection Regulations 1991.

4. Regulation 3 amended

(1) In regulation 3(1):
(a) after each of paragraphs (a), (b) and (c) delete “or”;
(b) in paragraph (d) delete “work.” and insert:

  work;

(c) after paragraph (d) insert:

  (e) resources operational work.

(2) In regulation 3(2) insert in alphabetical order:

  *geosequestration process* means a process that is —
  (a) for the injection of carbon dioxide into a natural underground reservoir; and
  (b) associated with a resources operation;

  *residential or commercial facility* means a structure, fixture, works, plant or equipment used or intended to
be used predominantly for or in connection with any of the following —

(a) residential accommodation;
(b) office accommodation;
(c) a kitchen or dining facility;
(d) a recreational facility;
(e) a toilet or ablution facility;
(f) a medical facility;
(g) a laboratory;
(h) a workshop;
(i) a fuel depot;
(j) a warehouse;

resources means any of the following —

(a) minerals as defined in the *Mining Act 1978* section 8(1);
(b) petroleum as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1);
(c) geothermal energy resources as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1);

resources facility means any of the following or a part of any of the following —

(a) a structure, fixture or works for or in connection with a resources operation;
(b) plant or equipment in, on or associated with a structure, fixture or works referred to in paragraph (a);

resources operation means —

(a) an operation to explore or drill for, extract, recover, process, treat or refine resources; or
(b) an operation to handle, store or transport —

(i) resources; or
(ii) products of an operation referred to in paragraph (a);

resources operational work means any of the following work (unless the work is on, results in, or otherwise relates to, a residential or commercial facility) —

(a) work associated with exploration or drilling for resources;
(b) work associated with exploration or drilling for the purposes of a geosequestration process;
(c) work on or resulting in an unsealed haul road or track that is associated with a resources operation;

(d) work on or resulting in a structure that is —
   (i) for the storage, treatment, supply or disposal of non-potable water; and
   (ii) associated with a resources operation;

(e) work on or resulting in a structure that is —
   (i) for the storage of tailings, overburden or waste; and
   (ii) associated with a resources operation;

(f) work for the excavation or back-filling of soil or overburden that is associated with a resources operation;

(g) work for the environmental remediation, restoration or rehabilitation of ground disturbed by a resources operation;

(h) work for the closure or decommissioning of 1 or more resources facilities (including work associated with environmental remediation, restoration or rehabilitation);

(i) work for the repair or maintenance of 1 or more resources facilities;

(j) work for any of the following if the value in aggregate of the work, estimated in accordance with subregulation (3), is $10 million or less —
   (i) the alteration or renovation of 1 or more resources facilities;
   (ii) the replacement of 1 or more resources facilities that have been, are being or are to be closed or decommissioned;
   (iii) the relocation of 1 or more resources facilities;
   (iv) any combination of the activities referred to in subparagraphs (i) to (iii).

(3) In regulation 3(2) in the definition of government work paragraph (b)(ii) delete “authority.” and insert: authority;

(4) After regulation 3(2) insert:

(3) Schedule 2 of the Act applies for the purposes of estimating the value of work referred to in
paragraph (j) of the definition of *resources operational work* in subregulation (2) as if references to construction work were references to that work.

5. **Regulation 3AA deleted**

Delete regulation 3AA.

M. INGLIS, Clerk of the Executive Council.