

2000

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

**Construction Practitioners Registration
Amendment Bill 2000**

A BILL

FOR

**An Act to amend the *Construction Practitioners Registration
Act 1998***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Construction Practitioners Registration Amendment*
5 *Act 2000*.

35255 (2000/062) (T56/2000)

2 Commencement

This Act commences on a day fixed by the Minister by notice in the Gazette.

5 *Note 1* The provisions of an Act providing for its name and commencement automatically commence on the date of notification of the Act (see *Interpretation Act 1967*, s 10B).

Note 2 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see *Interpretation Act 1967*, s 10C (1)).

10 *Note 3* If a provision has not commenced within 6 months beginning on the date of notification of the Act, it automatically commences on the first day after that period (see *Interpretation Act 1967*, s 10E (2)).

3 Act amended

This Act amends the *Construction Practitioners Registration Act 1998*.

4 Interpretation

Section 3 is amended—

(a) by omitting the heading and substituting the following heading:

“3 Definitions for Act”; and

20 (b) by omitting from subsection (1) “(1) In this Act, unless the contrary intention appears—” and substituting “In this Act.”; and

(c) by omitting subsection (2).

5 Insertion

After section 3 the following section is inserted in Part 1:

“3A When a person is covered by insurance

25 “For this Act, a person is covered by insurance if the person holds insurance in accordance with the regulations.”.

6 Substitution

Section 27 is repealed and the following section substituted:

“27 Limitation of liability for building actions

30 “(1) A building action may not be brought more than 10 years after—

- 5 (a) if a certificate of completion of the relevant building work has been given under paragraph 40 (1) (g) of the *Building Act 1972*—the giving of the certificate; or
- (b) if paragraph (a) does not apply, but the certifier has, in the course or on completion of the building work, inspected it—the day when the last inspection took place; or
- (c) if neither paragraph (a) nor paragraph (b) applies—the day when the relevant building was first occupied or used.
- 10 “(2) If a certifier has given, in relation to the building work, a notice under section 32 of the *Building Act 1972* that his or her appointment as certifier has ceased or been revoked or relinquished, a building action in relation to the relevant building work may not be brought against the certifier more than 10 years after the giving of the notice.
- 15 “(3) Subsections (1) and (2) do not apply to a building action for which another limitation period is prescribed by a Territory law that is less than the limitation period applying to the action under those subsections.
- “(4) In this section:
- building*, in relation to building work that consists of, or includes, the alteration of a building, means the building as altered.”.

Endnote

- 1 Act 1998 No 53 (not republished).