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**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING LEVY
AMENDMENT BILL 1999**

EXPLANATORY MEMORANDUM

**Circulated by authority of
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Minister for Education**

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Explanatory Memorandum

Clause 4 the concept of "provisional levy" is being removed to bring the Training Act into line with the Building Act. Under the Building Act, the Building Levy is a once only payment due within 7 days of building approval being granted. Under and overpayments are dealt with in a more straightforward way than by the cumbersome provisional and final levy mechanism.

Clauses 5 & 6 these clauses ensure that the definitions relating to who is responsible for paying the Training Levy, and the method for determining the value of the work are compatible with the Building Act.

Clause 8 the Building Controller is nominated as an agent of the Building and Construction Industry Training Fund Board.

Clause 9 the "value of the work" is now defined as per Clause 6 above.

Clause 10 (Section 19) where there is building work involved, this new Section links the value of work to the relevant reference in the Building Act to ensure uniformity. It also provides a straightforward mechanism for determining the value of the work that is not building work.

Clause 10 (Section 20) This section streamlines the payment and collection of the levy, particularly with reference to the levy for building work.

Clause 10 (Sections 21 and 22) provides for a mechanism of dealing with over or underpayment of the Training Levy.

Clause 11, 13 and 14 removes reference to "provisional levy".

Clause 12 provides a legislative basis for paying refunds if cases of overpayment of the levy.