

1991

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

BUILDING (AMENDMENT) BILL 1991

SUPPLEMENTARY EXPLANATORY MEMORANDUM

**Amendments to be moved on behalf
of the Government**

**Circulated by Authority of the Minister for Finance and Urban
Services**

Craig Duby MLA

BUILDING (AMENDMENT) BILL 1991

Clause 6 of the Building (Amendment) Bill 1991 amends section 9A of the *Building Act 1972* (the Principal Act) to provide inspection procedures for hazardous substances. The Building (Amendment) Bill 1991 is amended to add an additional paragraph 6 (fa). This additional paragraph inserts a new subsection 9A(3A). This subsection provides that a building inspector shall not inspect a building under section 9A unless she or he carries an identity card which bears a photograph of the building inspector. This requirement is to protect the rights of occupiers and owners of buildings.

Clause 7 of the Building (Amendment) Bill 1991 inserts new sections 9B and 9C into the Principal Act.

Proposed new section 9B deals with inspection for *Legionella* bacteria with the consent of the occupier of a building. Proposed new section 9B is amended to add additional subsections 9B(5) and 9B(6). Subsection 9B(5) requires building inspectors to carry an identity card which bears a photograph of the building inspector when inspecting a building under proposed new subsection 9B. Subsection 9B(6) complements subsection 9B(5) by providing that a building inspector who enters premises to perform an inspection is not authorised to remain on the premises if she or he does not produce her or his identity card on request. This requirement is to protect the rights of occupiers and owners of buildings.

Proposed new section 9C deals with inspection of buildings during outbreaks of Legionnaires' disease. Proposed new section 9C is amended to add additional subsections 9C(2A) and 9C(2B). Subsection 9C(2A) requires building inspectors to carry an identity card which bears a photograph of the building inspector when inspecting a building under proposed new subsection 9C. Subsection 9C(2B) complements subsection 9C(2A) by providing that a building inspector who enters premises to perform an inspection is not authorised to remain on the premises if she or he does not produce her or his identity card on request. This requirement is to protect the rights of occupiers and owners of buildings.

The proposed amendments arise from the consideration of the Building (Amendment) Bill 1991 by the Standing Committee on Scrutiny of Bills and Subordinate Legislation.