

1997

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

BUILDING ACT 1972

BUILDING REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

Circulated by authority of the Minister for the Environment, Land and Planning
Mr Gary Humphries MLA

Building Regulations (Amendment)

Background

The Building (Amendment) Bill 1997 proposes to amend the *Building Act 1972* (the Act) to repeal the provision that refunds of fees be specified in regulations. As a consequence of the repeal of sub-section 64(4) of the Act, Regulation 12 of the *Building Regulations* which refers specifically to the refund of out of date building permit fees, is to be repealed as well.

The amendment to the Act will enable refunds of fees to be granted by instrument without the need for the *Building Regulations* to be amended.

Under the present legislation Regulation 12 of the *Building Regulations* specifies the calculation of the refund amount for a building permit fee.

The repealing of the requirement for refunds for fees to be specified in regulations will see the expedition of refund arrangements and remove the requirement for the cumbersome process of amending regulations on a regular basis to reflect new refund levels.

The refund of application fees will now become an administrative process, in line with the approach followed under other legislation, and provide a more flexible and timely method of implementing refund policy.