

1991

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

**BUILDING ACT 1972
BUILDING REGULATIONS (AMENDMENT)**

EXPLANATORY MEMORANDUM

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Circulated by Authority of

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Minister for Urban Services

BUILDING REGULATIONS (AMENDMENT)

The Building Regulations (the Principal Regulations), made under section 67 of the *Building Act 1972*, provide for the determination of the cost of building work and prescribe the types of building work included in the definition of "specialist building work". They also prescribe the formal procedures to be followed in respect of applications to carry out building work.

The *Building Act 1972* was amended by the *Building (Amendment) Act (No. 2) 1991* ("the Amendment Act") which provided for the Building Manual to be replaced by the Building Code of Australia (BCA) and the ACT Appendix as the standard for building work in the ACT. The Amendment Act also provided for the abolition of the use of prescribed forms in respect of applications to carry out building work.

As a consequence, the Building Regulations (Amendment) amends the Principal Regulations to omit all references to prescribed forms and to repeal Schedule 1 which details the format and content of the prescribed forms.

The Building Regulations (Amendment) does not have any financial implications.

Details of the Building Regulations (Amendment) are included in the Attachment.

BUILDING REGULATIONS (AMENDMENT)

Regulation 1 states that references to "the Principal Regulations" in the Building Regulations (Amendment) ("the Amendment Regulations") are to be read as references to "the Building Regulations".

Regulation 2 amends regulation 2 of the Principal Regulations by omitting subregulation (4). Subregulation (4) states that a reference to a form by number shall be read as a reference to the form so numbered in Schedule 1. Subregulation (4) is omitted as a consequence of the repeal of Schedule 1, as provided for in regulation 4 of the Amendment Regulations.

Regulation 3 repeals regulations 19, 20, 21 and 22 of the Principal Regulations. Regulations 19, 20, 21 and 22 respectively provide that an application for the grant of a builder's licence, a notification of a change of nominee, an application for approval of plans and an application for a building permit shall be in accordance with the appropriate form as prescribed in Schedule 1 to the Principal Regulations. Regulations 19, 20, 21 and 22 are repealed as a consequence of the repeal of Schedule 1, as provided for in regulation 4 of the Amendment Regulations.

Regulation 4 repeals Schedule 1 to the Principal Regulations. Schedule 1 prescribes the format and content of the forms detailed in regulation 3 above.