

EXPLANATORY MEMORANDUM

Building Regulations (Amendment)


Section 14 of the Building Act 1972 (the Act) provides that only persons who hold a Builder's Licence Class D may carry out specialist building work.

"Specialist building work" is defined in section 5 of the Act as meaning any prescribed building work. Regulation 15 of the Building Regulations, at paragraph (1)(d), prescribes building work that involves the handling of asbestos or the disturbance of loose asbestos as specialist building work.

The Code of Practice for the Safe Removal of Asbestos published by the National Occupational Health and Safety Commission sets out a process for the removal of unweathered asbestos cement sheeting which presents a very low risk to the health of the public or the worker involved in the removal. These procedures will be followed by all licensed builders in removing asbestos cement sheeting that is in a stable condition from residential buildings once the Building Regulations (Amendment) commences which will be upon the day of notification in the Gazette.

The Building Regulations (Amendment) is made under the general regulation making power in section 67 of the Act and amends regulation 15 of the Building Regulations to exclude asbestos cement sheeting that is part of a residential building and is in a stable condition from the definition of specialist building work.

The effect of the amendment is that all licensed builders - not merely those who hold a Builder's Licence Class D - will be able to remove such material.



Minister for Finance and Urban Services