

Australian Capital Territory

Building (Fees) Determination 2017

Disallowable instrument DI2017–148

made under the

Building Act 2004, s 150 (Determination of fees)

EXPLANATORY STATEMENT

Section 150 of the *Building Act 2004* (the *Act*) permits the Minister to determine fees for the purposes of the Act.

The purpose of this instrument is to determine the fees for goods and services under the Act for the 2017-18 financial year.

An amendment to the Building Levy has been made in this instrument. The building levy in the schedule has now amended to be in two parts to better align with work being certified. The levy is now split so that building work in relation to one or more of: a class 1 building, class 1 part of a building, class 2 building, or class 2 part of a building is charged differently to building work that does not include building work in relation to one or more of: a class 1 building, class 1 part of a building, class 2 building, or class 2 part of a building. This levy has been changed as per a 2017-18 Budget Cabinet decision.

The fees in the determination have been increased by 2% for the 2017-18 financial year, based on the wage price index as per government's advice. Administration fees relating to refunds are increased by 2% (the Wage Price Index), as per the government's Fees and Charges Policy and Guidelines. Appropriate rounding has been made in relation to increases.

The instrument commences on 1 July 2017.

This instrument revokes the *Building (Fees) Determination 2016 (No 1)* (DI2016-124).

The determination under section 150 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.