



## AUSTRALIAN CAPITAL TERRITORY

### BUILDING ACT 1972

#### PUBLICATION OF BUILDING CODE AND THE AUSTRALIAN CAPITAL TERRITORY APPENDIX

INSTRUMENT NO. 248 OF 1999

#### EXPLANATORY STATEMENT

The Building Act 1972 (the Act) relates to the erection, alteration and demolition of buildings. Section 24 of the Act allows the Minister to prepare and publish a Building Code for the technical requirements and standards of buildings. The Minister may adopt the provisions of the Building Code of Australia (BCA) with modifications specified in the instrument of adoption and cause an ACT Appendix to the BCA to be prepared and published.

Sub section 24 (3) of the Act states that the document of adoption is a disallowable instrument for the purposes of the *Subordinate Laws Act 1989*.

The BCA is prepared and published by the Australian Building Codes Board, a co-operative organisation of building regulatory authorities established by agreement between the Commonwealth Government and each State and Territory. It provides fully performance-based minimum standards for building.

An ACT Appendix has been prepared in response to community needs and in consultation with building industry organisations. It provides technical requirements for topics not covered by the BCA, such as the removal of asbestos materials, control of litter on building sites, waste facilities, energy efficiency in buildings and swimming pool safety.

The previous version of the BCA was formally adopted as the Building Code in an instrument dated 12 April 1999, published as Instrument No 88 of 1999 and notified in Special Gazette No S25 of 17 May 1999. It included Amendments 1 to 4 to the 1996 edition of the Building Code of Australia.

The present instrument revokes the adoption of the previous BCA and adopts the provisions of the 1996 edition of the BCA including Amendments 1 to 5.

A transitional period is allowed before clause 3.7.1.9 (b) of volume 2 of the Building Code comes into effect. This clause contains a requirement for ductwork for gas-fired central heating in residential buildings to meet a fire resistance test.