

Australian Capital Territory

# Building (Fees) Determination 2022

Disallowable instrument DI2022–119

made under the

**Building Act 2004, s 150 (Determination of fees)**

## EXPLANATORY STATEMENT

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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 2022-23 financial year.

Under section 28 of the Act, the building levy has been increased from 1.17% (class 1 and 2) and 1.07% (other classes) to 1.25% (class 1 and 2) and 1.14% (other classes) of total cost of works. This increase boosts resources for the Territory to address ongoing building quality matters and to respond to the increasing volume in the construction sector.

All fees in the determination, which applied in the 2021-22 financial years, have been increased by 3.25% for the 2022-23 financial year, based on the wage price index as per government's advice.

The instrument commences on 1 July 2022.

This instrument revokes the *Building (Fees) Determination 2021* (DI2021-73).

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* (Legislation Act).

### 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.