

# Construction Occupations (Licensing) (Fees) Determination 2026

## Disallowable instrument DI2026-165

made under the

**Construction Occupations (Licensing) Act 2004, s 127 (Determination of fees)**

## EXPLANATORY STATEMENT

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This explanatory statement relates to the *Construction Occupations (Licensing) (Fees) Determination 2026* as presented to the Legislative Assembly (the *Assembly*). It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly. The statement must be read in conjunction with the instrument. It is not, and is not meant to be, a comprehensive description of the instrument.

Section 127 of the *Construction Occupations (Licensing) 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 2026-27 financial year.

The regulatory fees in the determination which applied in the 2025-26 financial year, have been increased by 3.25% for the 2026-27 financial year based on the wage price index (*WPI*) as per Government policy, plus an additional 0.35% as per the decision in the 2023-24 Budget, for a total increase of 3.60%.

As per decisions in the 2026-27 Budget, this instrument:

- decreases the fee for builder licence applications. Prior to 1 July 2026 this fee recovered costs associated with facilitating an examination as part of the builder licence application process. From 1 July 2026, the Canberra Institute of Technology will facilitate the examination and receive fees directly. This decrease removes the examination component of the fee.
- decreases the fee for reapplication of Class A, B and C builder licences. The reapplication fee for these licenses was higher than other construction occupations and originally introduced to recover costs associated with a mandatory exam before reissuing a licence, which is no longer required. This decrease reflects actual costs to deliver this service and provides applicants with a more consistent and equitable licensing process.

- increases the fee for the appointment of a nominee. Nominee appointment processes in the ACT require corporations or partnerships to formally appoint licensed individuals as nominees responsible for supervising construction work. This increase reflects actual costs to deliver this service.
- introduces new fees for applications to remove or amend license conditions for construction occupations licenses. The fee is 50% of the relevant application fee. Prior to the introduction of these new fees, applications to remove or amend license conditions were charged at the same rate as a new licence application. These new lower fees reflect the actual costs to deliver this service.

The instrument commences on 1 July 2026.

This instrument revokes the *Construction Occupations (Licensing) (Fees) Determination 2025* (DI2025-166).

The determination under section 127 of the Act is a disallowable instrument and must be presented to the Assembly not later than 6 sitting days after its notification day, pursuant to section 64 of the *Legislation Act 2001* (the **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 Legal Affairs (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.