



Australian Capital Territory

Building Regulations 1972 No 8

made under the

Building Act 1972

Republication No 6

Republication date: 5 February 2002

Last amendment made by SL 2001 No 40

Amendments incorporated to 2 October 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Building Regulations 1972*, made under the *Building Act 1972* as in force on 1 February 2002. It includes any amendment, repeal or expiry affecting the republished law to 1 February 2002 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This does not include republication amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
2 October 2001



Australian Capital Territory

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Amendments incorporated to
2 October 2001



Australian Capital Territory

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1 Name of regulations

These regulations are the *Building Regulations 1972*.

2 Dictionary

The dictionary at the end of these regulations is part of these regulations.

Note 1 The dictionary at the end of these regulations defines certain words and expressions used in these regulations, and includes references (*signpost definitions*) to other words and expressions defined elsewhere in these regulations or in other legislation, the building code or the Australian standards.

For example, the signpost definition '*registered construction practitioner*—see the *Construction Practitioners Registration Act 1998*, section 3.' means that the expression 'registered construction practitioner' is defined in section 3 of that Act and the definition applies to these regulations.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see *Legislation Act 2001*, s 155 and s 156 (1)).

2A Notes

A note included in these regulations is explanatory and is not part of these regulations.

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes

3 Specialist building work

- (1) For the purposes of the definition of specialist building work in the Act, section 5, the following building work is prescribed:
 - (a) the installation of a swimming pool;
 - (b) the erection of a prefabricated building;

- (c) the installation of a mechanical ventilation system in a building, the modification of the structure of a mechanical ventilation system installed in a building or the removal from a building of a mechanical ventilation system that has been installed in it;
 - (d) building work that involves the handling of asbestos or the disturbance of loose asbestos;
 - (e) the demolition of a building;
 - (f) the erection of an outbuilding.
- (2) For the purposes of subregulation (1) (d), the handling of asbestos does not include the handling of stable asbestos cement sheeting that forms part of a residential building.

4 Prescribed buildings

- (1) For the purposes of the Act, section 6AA, each of the following buildings is a prescribed building:
- (a) a fence or wall that—
 - (i) does not exceed 1.8m in height; and
 - (ii) does not form an integral part of an enclosure for a swimming pool;
 - (b) a retaining wall the top of which does not exceed 1.2m above the lower ground level;
 - (c) a carport or, subject to subregulation (2), a pergola—
 - (i) the plan area of which does not exceed 25m²; and
 - (ii) the height of which does not exceed 3m; and
 - (iii) the distance between any 2 adjacent supports of which does not exceed 4m; and

- (iv) where it is attached to an approved building—that does not project above the line of any adjacent guttering on that building;
 - (d) a shed, gazebo, greenhouse or similar structure the roof area of which does not exceed 10 m²;
 - (e) an external timber deck the height of the floor level of which does not exceed 1m above ground level;
 - (f) an antenna or aerial not exceeding 5m in height;
 - (g) a swimming pool the capacity of which does not exceed 10 m³ and designed to be assembled and installed above ground level;
 - (h) an internal alteration to an approved building the effect of which does not alter the classification of the building;
 - (j) an outdoor ornamental pond the depth of which does not exceed 300mm;
 - (k) a barbeque, letterbox, or other structure, having a plan area not exceeding 2m² and which is not more than 1.8m high;
 - (m) a water tank—
 - (i) having a capacity not exceeding 17kL; and
 - (ii) the top of which is not more than 2.4m above ground level; and
 - (iii) that is not connected to the water supply of the Electricity and Water Authority.
- (2) Subregulation (1) (c) (i) applies to a roofed pergola.
- (3) Subregulation (1) does not apply if—
- (a) the building work in respect of the prescribed building affects—
 - (i) the structural sufficiency, soundness or stability of part of any approved building; or

- (ii) a fire-rated wall, ceiling or floor;
 - (iii) any ventilation or air-handling system, fire protection system or other mechanical service; or
 - (iv) any fire-escape, emergency lift, stairway, exit or passageway to an exit; or
- (b) the building proposed to be built adversely affects the provision of natural light or ventilation to any approved building.

5 Applications for owner-builder licences

For the purposes of the Act, section 23A (2) (d), the following information is prescribed:

- (a) the full name of the applicant;
- (b) an address to which correspondence to the applicant may be sent;
- (c) a telephone number at which the applicant may be contacted;
- (d) if the applicant has either—
 - (i) been granted an endorsement in a building permit under the Act, section 39 (1) as in effect immediately before the commencement of this subparagraph; or
 - (ii) held an owner-builder licence;

during the 5 years immediately preceding the application—the details of that permit or licence, including the location and nature of the work permitted under the permit or licence.

6 Qualifications for certifiers

- (1) For the purposes of the Act, section 30 (1), a registered construction practitioner who is registered in the category of a principal building surveyor in accordance with the *Construction Practitioners*

Registration Regulations 1998 is qualified to be appointed as a certifier in relation to any building work.

- (2) For the purposes of the Act, section 30 (1), a registered construction practitioner who is registered in the category of a building surveyor in accordance with the *Construction Practitioners Registration Regulations 1998* is qualified to be appointed as a certifier in relation to a building—
- (a) consisting of not more than 3 storeys; and
 - (b) with a floor area not exceeding 2 000m².

7 Applications—copies of plans

For the purposes of the Act, section 33A (3) (c), the prescribed number of copies of the plans is 3.

8 Applications—general requirements

For the purposes of the Act, section 33A (3) (d), the following are prescribed requirements in relation to all applications:

- (a) an application shall contain an estimate of the cost of the building work calculated in accordance with a method determined by the building controller;
- (b) where building work is proposed to be carried out at or near a street or place that is open to or used by the public—an application shall contain particulars of the precautions proposed to be taken to protect the safety of persons using that street or place during the period in which the building work is to be carried out;
- (c) an application shall contain a waste management plan unless the application is in relation to building work that solely involves—
 - (i) the erection of a building; or
 - (ii) the alteration of a class 1, class 2 or class 10a building;

-
- (d) an application shall specify the area of the parcel of land.

9 Applications—erection or alteration of buildings

- (1) For the purposes of the Act, section 33A (3) (d), the following are prescribed requirements in relation to an application in relation to building work that involves the erection or alteration of a building:
- (a) the application shall specify the class of the building, as provided by the building code, according to the intended use of the building as proposed to be erected or altered, as the case requires;
 - (b) the application shall specify, in accordance with the classification provided by the building code, the type of construction of the building as proposed to be erected or altered, as the case requires;
 - (c) where an application relates to the erection or alteration of a class 1 or class 10a building, the application shall set out, in accordance with the classification provided by the building code, the site classification of the parcel of land;
 - (d) where an application relates to the alteration of a building—the application shall specify—
 - (i) the class and type of construction of the existing building classified as provided by the building code according to occupancy; and
 - (ii) the materials used in the existing building;
 - (e) the application shall specify the number of storeys of the building as proposed to be erected or altered;
 - (f) the application shall specify the number of new dwellings (if any) created by the building work;
 - (g) the application shall specify the floor area of the proposed building or proposed new part of the building, as the case requires;

- (h) the application shall specify the materials to be used in the frame, floor, walls and roof of the proposed building or proposed new part of the building, as the case requires;
 - (j) where it is proposed that an alternative solution be used to comply with a performance requirement of the building code—the application shall specify—
 - (i) the performance requirement; and
 - (ii) the alternative solution; and
 - (iii) each assessment method used to show that the alternative solution complies with the performance requirement;
 - (k) where the building code does not specify a standard of work in relation to any part of the proposed building work and it is intended to carry out that part of the proposed building work in accordance with a standard of work specified in another document—the application shall specify—
 - (i) the nature of the proposed building work; and
 - (ii) the title of the document; and
 - (iii) each assessment method used to show that the proposed building work complies with the standard of work specified in the document.
- (2) In this regulation:

assessment method—see the building code.

performance requirement—see the building code.

10 Applications—removal or demolition of buildings

For the purposes of the Act, section 33A (3) (d), the following are prescribed requirements in relation to an application in relation to building work that involves the removal or demolition of a building:

- (a) the application shall contain details of the methods to be employed in the execution of the building work including a

work plan specified or set out in Australian Standard 2601 as in effect on the day on which this paragraph commences;

- (b) the application shall specify the number of dwellings demolished, if any.

11 Applications—asbestos removal requirements

- (1) For the purposes of the Act, section 33A (3) (d), where an application in relation to building work involves the removal of stable asbestos cement sheeting from a residential building, the application shall contain a statement describing the method proposed to be used to remove the sheeting from the building.
- (2) For the purposes of the Act, section 33A (3) (d), the following are prescribed requirements in relation to an application in relation to building work that involves the removal of asbestos, other than stable asbestos cement sheeting, from a residential building:
 - (a) the application shall contain a statement describing—
 - (i) the method proposed to be used to remove the asbestos; and
 - (ii) the approximate quantity and type of asbestos to be removed; and
 - (iii) the equipment to be used to remove the asbestos, including any personal protective equipment;
 - (b) the application shall include a program for monitoring airborne asbestos, prepared in accordance with the building code.

12 Plans—general requirements

- (1) For the purposes of the Act, section 34 (1) (c), the following are prescribed requirements in relation to plans to accompany all applications:

- (a) the plans, other than existing plans, shall be drawn in accordance with Australian Standard 1100 as in effect on the day on which this paragraph commences;
- (b) the plans shall show any area marked on a certificate of title or deposited plan as an easement;
- (c) the plans shall show any point of connection of a pipe on the parcel of land to—
 - (i) the sewerage system; and
 - (ii) the water main; and
 - (iii) the stormwater system;and, if a point of connection is proposed to be altered during the building work, the plans shall show the proposed alteration;
- (d) the plans shall show the proposed surface stormwater drainage on the parcel of land as at the completion of the proposed building work;
- (e) the plans shall include a site plan on a scale of not less than 1:200 showing the block, section, boundaries and dimensions of the parcel of land.

(2) In this regulation:

easement—see the Act, section 42S.

stormwater system has the same meaning as in the *Environment Protection Act 1997*.

the sewerage system—see Australian Standard 3500 as in effect on 1 March 1999.

water main—see Australian Standard 3500 as in effect on 1 March 1999.

13 Plans—erection or alteration of buildings

- (1) For the purposes of the Act, section 34 (1) (c), the following are prescribed requirements in relation to plans to accompany an application in relation to building work that involves the erection or alteration of a building:
- (a) any section shown on the plans shall be on a scale of not less than 1:100;
 - (b) any detail shown on the plans shall be on a scale of not less than 1:50;
 - (c) the plans shall specify the dimensions of all parts, including the footings, of the proposed building or proposed new part of the building, as the case requires;
 - (d) unless the application relates solely to the erection of a new building, the plans shall—
 - (i) include the most recent existing plans, including any amendments made to the plans during the building work to which the plans relate; and
 - (ii) show the existing building and the proposed alterations on the same plan in such a way that the existing building and the proposed new part of the building are clearly distinguishable;
 - (e) the plans shall show floor plans, sections and elevations (including existing and finished ground levels) to scale and structural details of the proposed building or proposed new part of the building, as the case requires;
 - (f) where any part of the building that is proposed to be erected or altered is designed to be used as a class 5, class 6, class 7, class 8 or class 9 building—the plans shall specify the maximum live load for that part;

- (g) the plans shall specify the construction and materials to be used in the proposed building or in the proposed new part of the building, as the case requires;
 - (h) the plans shall show the location of any stormwater downpipe on the proposed building or on the proposed new part of the building, as the case requires.
- (2) In this regulation:
- detail*—see Australian Standard HB 50 as in effect on the day on which this regulation commences.
- section*—see Australian Standard HB 50 as in effect on the day on which this regulation commences.

14 Plans—asbestos removal requirements

- (1) Where an application is for the approval of building work that involves the removal of stable asbestos cement sheeting, it is a requirement for the purposes of the Act, section 34 (1) (c), that the accompanying plans show the location of that sheeting.
- (2) For the purposes of the Act, section 34 (1) (c), the following are prescribed requirements in relation to the plans to accompany an application in relation to building work that involves the removal of asbestos, other than stable asbestos cement sheeting, from a residential building:
 - (a) the plans shall show the location of any asbestos that is to be removed during the building work;
 - (b) the plans shall show the boundary of the area in which the persons removing the asbestos will be working;
 - (c) the plans shall show any place on the parcel of land where asbestos that has been removed from the building is to be stored;

- (d) the plans shall show the location of any decontamination facility, air filter and air supply equipment proposed to be used during the building work on the parcel of land.
- (3) In this regulation:
- air filter*—see the building code.
 - air supply equipment*—see the building code.
 - decontamination facility*—see the building code.

15 Consultation and consent

- (1) The requirements for the purposes of the Act, section 34 (1) (d), are that the following consultations take place or consents or approvals be obtained:
- (a) any consent or approval required under a law of the Territory in relation to the proposed building work;
 - (b) where the building work is, or forms part of, a development requiring approval under the Land Act, pt 6.2—approval of the development;
 - (c) where the approval referred to in paragraph (b) contains conditions precedent to the commencement of building work—compliance with those conditions;
 - (d) where the parcel of land is in a Designated Area—approval under the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth), section 12;
 - (e) where the building work involves the erection or alteration of a lift—a permit under the *Scaffolding and Lifts Regulations 1950*, regulation 17;
 - (f) consultation with ACTEW Corporation Limited in relation to—

- (i) the demolition of any building to which electricity, water or sewerage services are supplied or to which an electricity or water meter is connected; and
 - (ii) any encroachment of the proposed building or proposed new part of the building, as the case requires, onto an easement; and
 - (iii) the disposal of any non-domestic waste into the sewerage system;
- (g) consultation with the fire commissioner and the chief fire control officer in relation to—
- (i) any use of an alternative solution in relation to a provision of the building code which deals with fire protection; and
 - (ii) any proposed building or proposed new part of a building, as the case requires, with a floor area exceeding 500m² that is not a class 1 or class 10 building;
- (h) consultation with the chief executive in relation to—
- (i) where the building work may involve the removal of asbestos—the relevant procedures; and
 - (ii) procedures to be used in the demolition of any building of class 2, class 3, class 4, class 5, class 6, class 7, class 8 or class 9; and
 - (iii) any waste management plan provided in the application;
- (i) where it is proposed that the new building or new part of the building is to be used for the sale or supply of liquor—consultation with the registrar of liquor licences in relation to occupancy loading and kitchen, bar and toilet facilities;
- (j) consultation with the chief health officer in relation to the application of any health law to the proposed new building or new part of the building, as the case requires;

- (k) consultation with the environment management authority—
 - (i) where it is proposed that the new building or new part of the building, as the case requires, is to be used to conduct a class A or class B activity; or
 - (ii) where an accredited code of practice is applicable to an activity intended to be carried out in the new building or new part of the building, as the case requires.
- (2) It is sufficient compliance with the obligation to consult under subregulation (1) (f), (g), (h), (i), (j) or (k) if—
 - (a) notification of the details of an application for a building approval is given to the person with whom consultation is to take place; and
 - (b) 10 working days have elapsed since it has been given.
- (3) In this regulation:

accredited code of practice means a code accredited under the *Environment Protection Act 1997*, section 31 (1).

chief inspector—see the *Scaffolding and Lifts Act 1912*, dictionary.

class A activity means an activity listed in the *Environment Protection Act 1997*, schedule 1 clause 2.

class B activity means an activity listed in the *Environment Protection Act 1997*, schedule 1 clause 3.

designated area—see in the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth).

environment management authority means the Environment Management Authority under the *Environment Protection Act 1997*.

health law means a law of the Territory that has as 1 of its objects or purposes the protection of public health.

working days means a day other than a Saturday or Sunday or another day that is a public holiday in the Territory.

16 Stages of building work

- (1) For the purposes of the Act, section 38A (1), the prescribed stages of building work are—
 - (a) completion of—
 - (i) excavation; and
 - (ii) placement of formwork; and
 - (iii) placement of steel reinforcing;
for the footings but before any concrete for the footings is poured; and
 - (b) completion of the structural framework and, in the case of a class 1 or class 10 building, before the placement of any internal lining; and
 - (c) completion of placement of formwork, and placement of steel reinforcing, for—
 - (i) in the case of a class 1 or class 10 building—any reinforced concrete member; and
 - (ii) in any other case—any reinforced concrete member specified by the certifier in the relevant building approval;
but before any concrete for the member is poured; and
 - (d) completion of the building work approved in the relevant building approval.
- (2) In this regulation:
class 10, in relation to a building—see the building code.

17 Consent or approval on completion of building work

For the purposes of the Act, section 40 (1) (f), the following consents or approvals are prescribed:

- (a) where an approval for building work given under the Land Act is subject to a condition—the approval of the person who gave that condition to the manner in which the condition has been satisfied;
- (b) approval of the installation of any fire appliance in the new building or new part of the building, as the case requires, under the *Fire Brigade Regulations 1958*, regulation 3 (4);
- (c) approval under the *Scaffolding and Lifts Regulations 1950*, regulation 21.

18 Cost of work

For the purposes of the Act, section 58B (c), the prescribed amount is \$5 000.

19 Expiration of warranty

For the purposes of the Act, section 58C (3), the prescribed period is 5 years.

20 Residential building work insurance

- (1) For the purposes of the Act, section 58E (1) (b), the prescribed amount is \$85 000.
- (2) For the purposes of the Act, section 58E (1) (c) and (d), the prescribed period is 5 years.
- (3) For the purposes of the Act, section 58E (1) (j), the prescribed period is 90 days.
- (4) For the purposes of the Act, section 58E (2), the prescribed amount is \$500.
- (5) For the purposes of the Act, section 58E (7) (f), the prescribed amount is \$10 000.

20A Exempt buildings

- (1) The following buildings are exempt from the operation of the Act:
 - (a) bridges;
 - (b) dams;
 - (c) retaining walls which are associated with bridges, dams or roads;
 - (d) temporary buildings, other than dwelling places, erected on the site of the construction of bridges, dams or roads if the buildings are to be removed on completion of the work;
 - (e) stiles;
 - (f) mesh fences less than 3m in height;
 - (g) prefabricated bus shelters;
 - (h) prefabricated playground equipment;
 - (i) signs associated with roads;
 - (j) electricity network distribution equipment;
 - (k) reservoirs
 - (l) aqueducts;
 - (m) water and sewage treatment works;
 - (n) stormwater outfalls.
- (2) Poles and masts are exempt from the operation of the Act if they are the property of—
 - (a) the Territory; or
 - (b) the Commonwealth; or
 - (c) a public authority of the Territory or the Commonwealth; or
 - (d) the provider of an electricity supply or telephone service.

21 Furnishing copies of documents

Copies of plans submitted in accordance with the Act shall not be furnished except in accordance with the instructions of—

- (a) the lessee or the owner of the parcel of land on which the building to which the plans relate is erected; or
- (b) where the plans relate to a unit within the meaning of the *Unit Titles Act 2001*—the proprietor of the unit.

22 Exemptions for photovoltaic panels, solar water heaters and airconditioners

- (1) The Act, parts 3 and 5A do not apply to building work for the installation, alteration or removal of—
 - (a) an externally mounted photovoltaic panel or solar water heater for a class 1 or class 10a building, if the building work—
 - (i) does not involve any alteration that would affect the structural sufficiency or stability of the building; and
 - (ii) complies with the building code; or
 - (b) an externally mounted airconditioning unit for a class 1 or class 10a building, if—
 - (i) the building work does not involve any alteration that would affect the structural sufficiency or stability of the building; and
 - (ii) the building work complies with the building code; and
 - (iii) the unit is not the main source of ventilation—
 - (A) if the unit is installed for a particular room—for that room; or
 - (B) if the unit is installed for a building—for that building.

Note The building code includes standards for load bearing and waterproofing.

- (2) In this regulation:

solar water heater, for a building, means a solar water panel designed to be mounted externally, together with any hot-water tank that holds water heated by the panel.

23 Exemption for certain residential building work

- (1) The Act, section 34 (1) (fa) does not apply to residential building work if, when the approval for the work is given under section 34, the builder is the lessee of the land where the work is to be carried out.

- (2) In this regulation:

builder—see the Act, section 58A.

residential building work—see the Act, section 58A.

24 Evidence of insurance for certain work

- (1) A certifier who gives the building controller documents and papers under the Act, section 40 (1) for residential building work to which regulation 23 applies must give to the building controller with the documents and papers written evidence that—

- (a) a residential building insurance policy has been issued for the work; or
- (b) an approved insurer has issued a certificate that the insurer has insured the work under a residential building insurance policy.

- (2) In this regulation:

residential building work—see the Act, section 58A.

approved insurer—see the Act, section 34 (8).

25 Expiry of regs 23-25

- (1) Regulations 23 and 24 and this regulation expire 4 months after the day they commence unless the Minister gives a written direction before the end of the 4 months that they are to expire at a later time stated in the direction.
- (2) A direction is a notifiable instrument.
Note A notifiable instrument must be notified under the *Legislation Act 2001*.
- (3) If the Minister gives a direction, regulations 23 and 24 and this regulation expire at the later time stated in the direction.

Dictionary

(see reg 2)

alternative solution—see the building code, clause A1.1.

class 2, class 3, class 4, class 5, class 6, class 7, class 8 and *class 9*, for a building—see the building code, clause A3.2.

dwelling means a residence.

existing plans, in relation to plans for the alteration or demolition of a building, means approved plans in relation to the existing building on the parcel of land.

registered construction practitioner—see the *Construction Practitioners Registration Act 1998*, section 3.

residential building—see the Act, section 58A.

site plan—see Australian Standard HB 50-1994 as in effect on 1 December 2000.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

| | |
|--|--|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | p = page |
| cl = clause | par = paragraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | prov = provision |
| exp = expires/expired | pt = part |
| Gaz = Gazette | r = rule/subrule |
| hdg = heading | reg = regulation/subregulation |
| ins = inserted/added | renum = renumbered |
| LA = Legislation Act 2001 | reloc = relocated |
| LR = legislation register | R[X] = Republication No |
| LRA = Legislation (Republication) Act 1996 | s = section/subsection |
| mod = modified / modification | sch = schedule |
| No = number | sdiv = subdivision |
| o = order | sub = substituted |
| om = omitted/repealed | SL = Subordinate Law |
| | <u>underlining</u> = whole or part not commenced |

Endnotes

3 Legislation history

3 Legislation history

The *Building Regulations 1972* were originally made under the *Building Ordinance 1972* (now the *Building Act 1972*). The *Building Regulations 1972* were originally the *Building Regulations*. They were renamed by Act 2001 No 11 amdt 3.2.

Before 11 May 1989, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967* s 50, *Subordinate Laws Act 1989* s 6).

Legislation before self-government

Building Regulations SL 1972 No 8

notified 24 August 1972

commenced 1 September 1972

as amended by

Amendments of the Building Regulations SL 1974 No 5

notified 29 March 1974

commenced 29 March 1974

Amendments of the Building Regulations SL 1975 No 3

notified 27 February 1975

commenced 27 February 1975

Amendments of Building Regulations SL 1978 No 2

notified 1 February 1978

commenced 1 February 1978

Amendments of Building Regulations SL 1979 No 18

notified 5 October 1979

commenced 5 October 1979

Regulations to revise the Regulations in force under Ordinances of the ACT SL 1979 No 26

notified 29 November 1979

commenced 29 November 1979

Amendments of Building Regulations SL 1981 No 22

notified 21 October 1981

commenced 21 October 1981

Building Regulations (Amendment) SL 1982 No 34

notified 18 August 1982
commenced 18 August 1982

Building Regulations (Amendment) SL 1983 No 7

notified 24 August 1983
commenced 24 August 1983

Building Regulations (Amendment) SL 1984 No 26

notified 12 December 1984
commenced 12 December 1984

Building Regulations (Amendment) SL 1987 No 11

notified 16 September 1987
commenced 16 September 1987

Building Regulations (Amendment) SL 1988 No 25

notified 9 December 1988
commenced 9 December 1988

Legislation after self-government**Building Regulations (Amendment) SL 1990 No 12**

notified 5 September 1990 (Gaz 1990 No 35)
commenced 5 September 1990

Building Regulations (Amendment) SL 1991 No 23

notified 4 October 1991 (Gaz 1991 No S107)
commenced 4 October 1991

Building Regulations (Amendment) SL 1992 No 33

notified 11 December 1992 (Gaz 1992 No S230)
commenced 9 December 1992 (reg 1 and see Gaz 1992 No S230)

Building Regulations (Amendment) SL 1996 No 3

notified 29 March 1996 (Gaz 1996 No S56)
commenced 29 March 1996 (reg 1)

Building Regulations (Amendment) SL 1997 No 29

notified 27 October 1997 (Gaz 1997 No S323)
commenced 27 October 1997 (reg 1)

Endnotes

3 Legislation history

Building Regulations (Amendment) SL 1998 No 40

notified 4 January 1999 (Gaz 1999 No S2)
commenced 4 January 1999 (reg 1 and see Gaz 1999 No S1)

Building Regulations Amendment SL 2000 No 54

notified 21 December 2000 (Gaz 2000 No 51)
commenced 21 December 2000 (reg 1)

Utilities (Consequential Provisions) Act 2000 No 66 sch 2 pt 1

notified 20 December 2000 (Gaz 2000 No S68)
s 1, s 2 commenced 20 December 2000 (IA s 10B)
sch 2 commences 1 January 2001 (Gaz 2000 No S69 p 3)

Statute Law Amendment Act 2001 No 11 sch 3

notified 29 March 2001 (Gaz 2001 No 13)
commenced 29 March 2001 (s 2)

Unit Titles Consequential Amendments Act 2001 No 17 sch 3

notified 5 April 2001 (Gaz 2001 No 14)
s 1, s 2 commenced 5 April 2001 (IA s 10B)
sch 3 commenced 5 October 2001 (s 2)

Building Regulations Amendment SL 2001 No 21

notified 12 July 2001 (Gaz 2001 No 28)
reg 1 commenced 12 July 2001 (IA s 10B)
remainder (regs 2-6) commenced 1 July 2001 (reg 1)

Legislation (Consequential Amendments) Act 2001 No 44 pt 44 (as am by Act 2001 No 70 sch 1)

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 44 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

Building Regulations Amendment SL 2001 No 40

notified LR 2 October 2001
commenced 2 October 2001 (reg 1)

4 Amendment history

Name of regulations

reg 1 sub 2000 No 54 reg 3; Act 2001 No 11 amdt 3.2

Interpretation

reg 2 am 1978 No 2; 1979 No 18; 1981 No 22; 1983 No 7; 1991 No 23 reg 2
sub 1998 No 40 reg 3; 2001 No 21 reg 3
om Act 2001 No 44 amdt 1.469

Notes

reg 2A ins 2001 No 21 reg 4

Specialist building work

reg 3 (prev reg 15) am 1975 No 3; 1978 No 2
om 1983 No 7
ins 1984 No 26
am 1988 No 25; 1990 No 12; 1998 No 40 reg 6
renum and reloc 1998 No 40 reg 6

Prescribed buildings

reg 4 (prev reg 3) am 1978 No 2
om 1979 No 26
ins 1992 No 33 reg 2
renum 1998 No 40 reg 8

Applications for owner-builder licences

reg 5 (prev reg 3A) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Qualifications for certifiers

reg 6 (prev reg 3B) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Fee for extension of period of approval of plans

reg 6A ins 1979 No 18
om 1983 No 7

Applications—copies of plans

reg 7 orig reg 7 am 1978 No 2; 1979 No 18
om 1983 No 7
(prev reg 3C) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Applications—general requirements

reg 8 orig reg 8 am 1978 No 2; 1979 No 18
om 1983 No 7
(prev reg 3D) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Endnotes

4 Amendment history

Applications—erection or alteration of buildings

reg 9 orig reg 9 am 1974 No 5
sub 1975 No 3
am 1978 No 2
sub 1979 No 18
am 1981 No 22; 1982 No 34
om 1983 No 7
(prev reg 3E) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Applications—removal or demolition of buildings

reg 10 orig reg 10 om 1975 No 3
(prev reg 3F) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Applications—asbestos removal requirements

reg 11 orig reg 11 am 1975 No 3; 1978 No 2
om 1983 No 7
(prev reg 3G) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Plans—general requirements

reg 12 orig reg 12 am 1975 No 3; 1978 No 2; 1983 No 7; 1987 No 11
om 1997 No 29 reg 2
(prev reg 3H) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8
am Act 2000 No 66 sch 2 pt 1

Plans—erection or alteration of buildings

reg 13 orig reg 13 am 1978 No 2
om 1983 No 7
(prev reg 3I) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Plans—asbestos removal requirements

reg 14 orig reg 14 om 1998 No 40 reg 5
(prev reg 3J) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Consultation and consent

reg 15 (prev reg 3K) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8
am Act 2001 No 11 amdts 3.3-3.5
def *chief fire control officer* om R5 LA

Stages of building work

reg 16 orig reg 16 am 1975 No 3; 1978 No 2
om 1983 No 7
(prev reg 3L) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8

Consent or approval on completion of building work

reg 17 orig reg 17 am 1975 No 3; 1978 No 2; 1981 No 22
om 1983 No 7
(prev reg 3M) ins 1998 No 40 reg 4
renum 1998 No 40 reg 8
am Act 2001 No 11 amdt 3.6

Cost of work

reg 18 (prev reg 4) sub 1978 No 2
om 1983 No 7
ins 1996 No 3 reg 3
renum 1998 No 40 reg 8

Expiration of warranty

reg 19 orig reg 19 om 1991 No 23 reg 3
(prev reg 5) am 1979 No 26
om 1983 No 7
ins 1996 No 3 reg 3
renum 1998 No 40 reg 8

Residential building work insurance

reg 20 orig reg 20 om 1991 No 23 reg 3
(prev reg 6) am 1974 No 5
sub 1975 No 3
am 1978 No 2; 1979 No 18; 1981 No 22
om 1983 No 7
ins 1996 No 3 reg 3
renum 1998 No 40 reg 8

Exempt buildings

reg 20A ins 2001 No 21 reg 5

Furnishing copies of documents

reg 21 orig reg 21 am 1979 No 18
om 1991 No 23 reg 3
(prev reg 18) am 1974 No 5; 1975 No 3; 1979 No 18
sub 1981 No 22
am 1983 No 7; 1998 No 40 reg 7
renum 1998 No 40 reg 8
am Act 2001 No 17 amdt 3.1

Exemptions for photovoltaic panels, solar water heaters and airconditioners

reg 22 om 1991 No 23 reg 3
ins 2000 No 54 reg 4

Exemption for certain residential building work

reg 23 ins 2001 No 40 reg 3
exp 2 February 2002 (see reg 25 (1))

Endnotes

5 Earlier republications

Evidence of insurance for certain work

reg 24 ins 2001 No 40 reg 3
exp 2 February 2002 (see reg 25 (1))

Expiry of regs 23-25

reg 25 ins 2001 No 40 reg 3
exp 2 February 2002 (see reg 25 (1))

Schedule 1

sch 1 hdg (prev sch hdg) sub 1975 No 3
sch 1 am 1979 No 18; 1984 No 26
om 1991 No 23 reg 4

Schedule 2

sch 2 ins 1975 No 3
sub 1981 No 22
om 1983 No 7

Dictionary

dict ins 2001 No 21 reg 6

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

| Republication No | Amendments to | Republication date |
|------------------|----------------|--------------------|
| 1 | SL 1991 No 23 | 30 September 1991 |
| 2 | SL 1992 No 33 | 30 April 1993 |
| 3 | SL 1996 No 3 | 31 March 1996 |
| 4 | SL 1998 No 40 | 31 July 1999 |
| 5 | Act 2001 No 44 | 12 September 2001 |

6 Renumbered provisions

as made by SL 1998 No 40 reg 8

| previous number | provision heading | renumbered or inserted as |
|-----------------|--|---------------------------|
| reg 3 | Prescribed buildings | reg 4 |
| reg 3A | Applications for owner-builder licences | reg 5 |
| reg 3B | Qualifications for certifiers | reg 6 |
| reg 3C | Applications—copies of plans | reg 7 |
| reg 3D | Applications—general requirements | reg 8 |
| reg 3E | Applications—erection or alteration of buildings | reg 9 |
| reg 3F | Applications—removal or demolition of buildings | reg 10 |
| reg 3G | Applications—asbestos removal requirements | reg 11 |
| reg 3H | Plans—general requirements | reg 12 |
| reg 3I | Plans—erection or alteration of buildings | reg 13 |
| reg 3J | Plans—asbestos removal requirements | reg 14 |
| reg 3K | Consultation and consent | reg 15 |
| reg 3L | Stages of building work | reg 16 |
| reg 3M | Consent or approval on completion of building work | reg 17 |
| reg 4 | Cost of work | reg 18 |
| reg 5 | Expiration of warranty | reg 19 |
| reg 6 | Residential building work insurance | reg 20 |
| reg 18 | Furnishing copies of documents | reg 21 |

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