

Australian Capital Territory

Building (General) Amendment Regulation 2019 (No 1)

Subordinate Law SL2019-17

The Australian Capital Territory Executive makes the following regulation under the [Building Act 2004](http://www.legislation.act.gov.au/a/2004-11).

Dated 27 June 2019.

Gordon Ramsay

Minister

Chris Steel

Minister



Australian Capital Territory

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[Building Act 2004](http://www.legislation.act.gov.au/a/2004-11" \o "A2004-11)

1 Name of regulation

This regulation is the *Building (General) Amendment Regulation 2019 (No 1)*.

2 Commencement

This regulation commences on 1 October 2019.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Building (General) Regulation 2008](http://www.legislation.act.gov.au/sl/2008-3).

4 New sections 38A and 38B

insert

38A Required documents for residential building work contract—Act, s 89D

(1) A document determined by the Minister is prescribed.

(2) A determination is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14).

38B Prohibited conditions—Act, s 89E

(1) This section applies to a residential building work contract for—

(a) a new class 1 building; or

(b) an alteration to, or demolition of, an existing class 1 or class 2 building; or

(c) a class 10 building that provides structural support, or is a structurally integral adjunct, to a new class 1 building or an existing class 1 or class 2 building.

(2) However, this section does not apply to a residential building work contract entered into before the commencement of this section.

(3) A condition in a residential building work contract that allows a person, other than the owner of the land where the work is to be carried out under the contract, to do any of the following is prescribed as a prohibited condition:

(a) to appoint or revoke the appointment of an eligible entity as a certifier for the work;

(b) to act as the agent of the owner in dealing with a certifier appointed for the work.

5 Dictionary, note 3

insert

 owner-builder

 residential building work contract

Endnotes

1 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 28 June 2019.

2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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