



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*.

Dated 27 June 2019.

GORDON RAMSAY
Minister

CHRIS STEEL
Minister



Australian Capital Territory

Building (General) Amendment Regulation 2019 (No 1)

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made under the

[Building Act 2004](#)

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](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Building (General) Regulation 2008*.

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](#).

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](#) on 28 June 2019.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
