

TASMANIA

BUILDING AMENDMENT BILL 2008

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BUILDING AMENDMENT BILL 2008

(Brought in by the Premier, the Honourable David John Bartlett)

A BILL FOR

An Act to amend the *Building Act 2000*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Building Amendment Act 2008*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Building Act 2000** is referred to as the Principal Act.

*No. 100 of 2000

Building Amendment Act 2008
Act No. of

s. 4

4. Section 28 amended (Period of certificate)

Section 28(2) of the Principal Act is amended by inserting after paragraph (a) the following paragraph:

- (ab) the accredited building practitioner does not pay the prescribed annual building practitioner accreditation fee within 60 days after the date it falls due; or

5. Section 71 amended (Consideration of application for building permit)

Section 71(d) of the Principal Act is amended by omitting “in force” and substituting “granted or issued”.

6. Section 163 amended (Building notices)

Section 163 of the Principal Act is amended by inserting after subsection (2) the following subsections:

- (2A) If a building surveyor is of the opinion that any building work for which he or she has been engaged is being carried out on a building in contravention of this Act or the permit, the building surveyor is to issue a building notice to –
 - (a) the owner of the building; or

(b) the builder carrying out the building work.

(2B) A general manager may perform any of the duties of a building surveyor under subsection (2) or (2A) if the building surveyor resigns, dies or becomes incapable, for any reason, of performing those duties.

7. Section 170 amended (Building orders)

Section 170 of the Principal Act is amended as follows:

(a) by omitting subsection (1) and substituting the following subsection:

(1) If a person does not revoke a building notice the person, after the end of the period for making representations, is to serve a building order on the person who was issued with the notice.

(b) by omitting from subsection (3) “building work or other work” second occurring and substituting “work required to be done by the building order”.