
c2020-077A
GOVT--Government

LEGISLATIVE COUNCIL

Design and Building Practitioners Bill 2019

Second print

Proposed amendments

No. 1 **Commencement**

Page 2, clause 2, line 6. Omit all words on that line. Insert instead—

- (1) This Act commences on the date of assent to this Act, except as provided by subsections (2) and (3).
- (2) Part 2, Division 1 of Part 2A and Parts 4–8 and clauses 2–4 of Schedule 1 commence on 1 July 2021.
- (3) Division 2 of Part 2A commences on a day or days to be appointed by proclamation.

No. 2 **Submission of regulated designs**

Page 8. Insert after line 39—

14A Provision of relevant documents to Secretary

- (1) A building practitioner who does building work must ensure that the relevant documents for the building work are provided to the Secretary no later than 90 days after the occupation certificate is issued for the building or part of the building to which the building work relates.
Maximum penalty—300 penalty units (in the case of a body corporate) or 100 penalty units (in any other case).
- (2) The regulations may make provision with respect to the manner and form in which a relevant document is to be provided to the Secretary.
- (3) Without limiting subsection (2), a regulation made under that subsection may require relevant documents to be lodged electronically through an internet site or an application established by or on behalf of the Department.
- (4) In this section—
relevant document means—
 - (a) each regulated design for which a design compliance declaration has been provided that reflects the building work that was carried out, and
 - (b) any other documents (including designs) that relate to the building work and are prescribed by the regulations.

No. 3 **Notice of application for occupation certificate**

Page 8, clause 15. Insert after line 44—

- (1A) A person must, after making an application for an occupation certificate for a building to which building work relates, give written notice to each registered building practitioner who did the building work of the making of the application.

No. 4 **Notice of application for occupation certificate**

Page 9, clause 15(2), line 1. Omit “The notice must be given within the period”. Insert instead “The notices under subsections (1) and (1A) must be given within the periods”.

No. 5 **Correcting clause heading**

Page 13, clause 26, line 26. Omit “**certificates**”. Insert instead “**declarations**”.

No. 6 **False representations**

Page 21, clause 51, lines 12–19. Omit all words on those lines. Insert instead—

A person must not falsely represent that the person or any other person—

- (a) can do anything that is only able to be done by a person who is registered under this Act, or
- (b) is a registered practitioner or is registered in a particular class as a registered practitioner.

No. 7 **Powers of authorised officers**

Page 30, clause 77(2)(k), line 37. Omit “building work”. Insert instead “a building or structure or part of a building or structure”.