



Australian Capital Territory

# Building and Construction Industry Training Levy Amendment Act 2006

**A2006-54**

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An Act to amend the *Building and Construction Industry Training Levy Act 1999*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

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J2005-1054

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**1 Name of Act**

This Act is the *Building and Construction Industry Training Levy Amendment Act 2006*.

**2 Commencement**

This Act commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

**3 Legislation amended**

This Act amends the *Building and Construction Industry Training Levy Act 1999*.

**4 Definitions—pt 3  
Section 15, definition of *exempt work***

*substitute*

*exempt work* means—

- (a) work the value of which is not more than \$10 000; or
- (b) work done by a public authority, other than work that has been awarded to the public authority because of a public tendering process; or
- (c) building work in relation to an exempt building under the *Building Act 2004*, section 12 (Exempt buildings); or
- (d) building work in relation to a building to which the *Building Act 2004* does not apply because of that Act, section 13 (Application of Act to buildings and building work); or

*Note* The *Building Regulation 2004*, s 5 prescribes exempt buildings.

*Note* The *Building Regulation 2004*, s 6 prescribes buildings to which the *Building Act 2004* does not apply.

- (e) building work in relation to a building to which an exemption under the *Building Act 2004*, section 14 (Temporary exemptions for buildings) applies; or
- (f) building work to which the *Building Act 2004*, part 3 (Building work) does not apply because of that Act, section 15 (Application of pt 3 to building work).

*Note* The *Building Regulation 2004*, s 7 and s 7A prescribe building work that is exempt from the application of the *Building Act 2004*, pt 3 (and pt 6).

## **5 Section 15, definition of *project owner***

*substitute*

*project owner*, for work, means—

- (a) if the work is done on land by or for the owner of the land—the owner; or
- (b) in any other case—the person on whose behalf the work is done.

## **6 Section 19**

*substitute*

### **19 Assessment of value of work**

- (1) The value of work on which levy is payable is—
  - (a) if the work is building work—the value used to work out the fee payable under the Building Act in relation to the issue of the building approval for the work; or
  - (b) in any other case—the value agreed by the authority and the project owner or, if they disagree, the value assessed by a qualified valuer agreed by the authority and the owner.

- (2) The reasonable cost of the qualified valuer's assessment is payable by the authority and the project owner equally.

**7 Application of training plans  
Section 27 (2)**

*omit*

30 June

*substitute*

31 October

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 21 September 2006.

**2 Notification**

Notified under the Legislation Act on 30 November 2006.

**3 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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I certify that the above is a true copy of the Building and Construction Industry Training Levy Amendment Bill 2006, which was passed by the Legislative Assembly on 23 November 2006.

Clerk of the Legislative Assembly

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