

2006

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Education and Training)

Building and Construction Industry Training Levy Amendment Bill 2006

A Bill for

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

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

1 **1 Name of Act**

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

4 **2 Commencement**

5 This Act commences on the day after its notification day.

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

8 **3 Legislation amended**

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

11 **4 Definitions—pt 3**
12 **Section 15, definition of *exempt work***

13 *substitute*

14 *exempt work* means—

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

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

- 22 (d) building work in relation to a building to which the *Building*
23 *Act 2004* does not apply because of that Act, section 13
24 (Application of Act to buildings and building work); or

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

1 (e) building work in relation to a building to which an exemption
2 under the *Building Act 2004*, section 14 (Temporary
3 exemptions for buildings) applies; or

4 (f) building work to which the *Building Act 2004*, part 3 (Building
5 work) does not apply because of that Act, section 15
6 (Application of pt 3 to building work).

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

10 **5 Section 15, definition of *project owner***

11 *substitute*

12 *project owner*, for work, means—

13 (a) if the work is done on land by or for the owner of the land—the
14 owner; or

15 (b) in any other case—the person on whose behalf the work is
16 done.

17 **6 Section 19**

18 *substitute*

19 **19 Assessment of value of work**

20 (1) The value of work on which levy is payable is—

21 (a) if the work is building work—the value used to work out the
22 fee payable under the Building Act in relation to the issue of
23 the building approval for the work; or

24 (b) in any other case—the value agreed by the authority and the
25 project owner or, if they disagree, the value assessed by a
26 qualified valuer agreed by the authority and the owner.

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

3 **7 Application of training plans**
4 **Section 27 (2)**

- 5 *omit*
6 30 June
7 *substitute*
8 31 October

Endnotes

- 1 **Presentation speech**
 Presentation speech made in the Legislative Assembly on 2006.
- 2 **Notification**
 Notified under the Legislation Act on 2006.
- 3 **Republications of amended laws**
 For the latest republication of amended laws, see www.legislation.act.gov.au.
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