

**AUSTRALIAN CAPITAL TERRITORY**

**BUILDING ACT 1972**

**PUBLICATION OF BUILDING CODE  
AND THE  
AUSTRALIAN CAPITAL TERRITORY APPENDIX**

**INSTRUMENT NO 182 OF 2001**

**EXPLANATORY STATEMENT**

The Building Act 1972 (the Act) relates to the erection, alteration and demolition of buildings. Section 24 of the Act allows the Minister to prepare and publish a Building Code for the technical requirements and standards of buildings. The Minister may adopt the provisions of the Building Code of Australia (BCA) with modifications specified in the instrument of adoption and cause an ACT Appendix to the BCA to be prepared and published.

Subsection 24 (3) of the Act states that the document of adoption is a disallowable instrument for the purposes of the *Subordinate Laws Act 1989*.

The BCA is prepared and published by the Australian Building Codes Board, a co-operative organisation of building regulatory authorities established by agreement between the Commonwealth Government and each State and Territory. It provides fully performance-based minimum standards for building.

An ACT Appendix has been prepared in response to community needs and in consultation with building industry organisations. It provides technical requirements for topics not covered by the BCA, such as the removal of asbestos materials, control of litter on building sites, waste facilities, energy efficiency in buildings and swimming pool safety.

The previous version of the BCA was formally adopted as the Building Code in an instrument dated 14 December 2000, published as Instrument No 379 of 2000 and notified in Gazette No. 2 of 11 January 2001. It included Amendments 1 to 8 to the 1996 edition of the Building Code of Australia.

The present instrument revokes the adoption of the previous BCA and adopts the provisions of the 1996 edition of the BCA including Amendments 1 to 9.

The majority of the changes for Amendment 9 are new amendments to referenced Australian Standards. Other changes include:

- amendment to require all window testing to comply with the standard
- increase in toilet pans for females patrons in single auditorium theatres and cinemas
- amendment of water installation systems to control legionella

The ACT Appendix has been amended to update the references.