

**AUSTRALIAN CAPITAL TERRITORY**

**BUILDING ACT 1972**

**DETERMINATION OF FEES**

**EXPLANATORY STATEMENT  
INSTRUMENT NO. 253 OF 1999**

This determination is made under section 65 of the *Building Act 1972* (the Act) and sets fees for the purposes of section 53AB. Because it determines fees, the document is a disallowable instrument under the *Subordinate Laws Act 1989*.

The effect of the determination is to introduce fees for an application under section 53AB of the Act for a certificate of regularisation. The section was added to the Act by the *Building (Amendment) Act 1999*. A certificate of regularisation authorises the continuing occupation of a building that was constructed by the Commonwealth or ACT Government without requiring approval or a certificate of occupation under section 53 of the Act and has now been sold, or is to be sold. The amount depends on the value of the work and is the same as that determined as payable for a certificate of occupation.

**Application for a certificate of regularisation**

Where the value of work is:

\$0 to \$10,240	\$64.00
\$10,241 to \$20,000	\$64.00 plus 0.625% of the amount in excess of \$10,240
\$20,001 to \$150,000	\$125.00 plus 0.5% of the amount in excess of \$20,000
\$150,001 to \$250,000	\$775.00 plus 0.45% of the amount in excess of \$150,000
\$250,001 to \$500,000	\$1,225.00 plus 0.4% of the amount in excess of \$250,000
\$500,001 to \$1,000,000	\$2,225.00 plus 0.35% of the amount in excess of \$500,000
\$1,000,001 to \$10,000,000	\$3,975.00 plus 0.2% of the amount in excess of \$1,000,000
more than \$10,000,000	\$21,975.00 plus 0.1% of the amount in excess of \$10,000,000