

Building (Fees) Determination 2025

Disallowable instrument DI2025–164

made under the

Building Act 2004, s 150 (Determination of fees)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Building (Fees) Determination 2025* as presented to the Legislative Assembly. It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the instrument. It is not, and is not meant to be, a comprehensive description of the instrument. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Section 150 of the *Building Act 2004* (the *Act*) permits the Minister to determine fees for the purposes of the Act.

The purpose of this instrument is to determine the fees for goods and services under the Act for the 2025-26 financial year.

The building levy fee in this determination is a percentage applied to the cost of works.

The building levy which applied in the 2024-25 financial year has been increased by 1.54% for the 2025-26 financial year. The building levy is increased from 1.38% to 1.40% of total cost of works for Class 1 and 2 buildings, and from 1.26% to 1.28% of total costs of works for all other building classes.

The increase in the building levy supports the implementation of the ACT Government's commitment to delivering a robust regulatory system for building and construction work and an appropriately resourced regulator to undertake monitoring and compliance activities.

The regulatory fees in the determination which applied in the 2024-25 financial year, have been increased by 3.25% for the 2025-26 financial year based on the wage price index (WPI) as per Government policy, plus an additional 0.35% as per the decision in the 2023-24 Budget, for a total increase of 3.60%.

The instrument commences on 1 July 2025.

This instrument revokes the *Building (Fees) Determination 2024 (No 2)* (DI2024-111).

The determination under section 150 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001* (the **Legislation Act**).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human Rights

The Standing Committee on Legal Affairs (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.