

Australian Capital Territory

# Construction Occupations (Licensing) (Registrar) Statement of Expectations 2022

Notifiable instrument NI2022-571

made under the

**Construction Occupations (Licensing) Act 2004, s104A (Ministerial statement of expectations)**

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## 1 Name of instrument

This instrument is the *Construction Occupations (Licensing) (Registrar) Statement of Expectations 2022*.

## 2 Commencement

This instrument commences on the day after notification.

## 3 Statement of Expectations

I make the Statement of Expectations as provided in the Schedule

## 4 Consultation

I confirm that the Construction Occupations Registrar has been consulted about the making of this Statement of Expectations in accordance with section 104A (2) of the *Construction Occupations (Licensing) Act 2004*.

Tara Cheyne MLA  
Minister for Business and Better Regulation  
8 November 2022

**Schedule**  
(see s3)

# **Statement of Expectations 2022**

## **Construction Occupations Registrar**

## Overview

This Statement of Expectations is made by me as the Minister for Business and Better Regulation in accordance with section 104A of the *Construction Occupations (Licensing) Act 2004* ('the Act'). It is given to the Construction Occupations Registrar ('the Registrar') appointed under section 103 of the Act and who sits within Access Canberra, part of the Chief Minister, Treasury and Economic Development Directorate.

By establishing the Act, and associated regulations, the government recognises the importance that the regulation and licencing of construction occupations and establishes a clear obligation on the Registrar to hold these regulated entities to the account.

My overarching expectation is for the Registrar to apply these statutory powers to protect homeowners from the significant financial, emotional and physical harm that can arise from poor building quality outcomes, and to instil greater community confidence in the ACT construction sector.

I set my expectations in the context of addressing historical defects, preventing future failure and improving community confidence of the regulator to uphold the standards and laws required in the construction sector through regulation.

## Priority Areas of Focus

In the current environment, my key priority areas of focus for the Registrar are:

### **1. Holding occupational licensees (licensees) to account for poor building quality outcomes by:**

- Responding to building quality complaints promptly;
- Enforcing the rectification of construction defects by the responsible licensee; and
- Using data and intelligence to identify and investigate construction defects.

### **2. Taking appropriate regulatory action to prevent and reduce future building quality issues by:**

- Applying regulatory controls to those licensees, including corporations, who have repeated and/or significant compliance breaches;
- Targeting proactive audit programs to identify potential building quality issues where the risk of harm to the community is greatest;
- Ensuring licensees have the necessary qualifications and experience to establish and hold a construction occupations licence in the ACT;

- Providing assurance of the capacity of licensees to adequately supervise construction activities; and
- Maintain mandatory inspections process for electrical, plumbing and gas installations.

**3. *Improving community confidence in the building and construction industry in the ACT by:***

- Informing the community, industry and key stakeholders of significant regulatory actions when they occur, and the work of the Registrar in preventing building quality issues through compliance auditing and monitoring;
- Regularly engaging with the construction industry and peak industry bodies;
- Using data arising from compliance auditing and industry engagement to provide licensees with information to improve their practice;
- Working closely with policy directorates to ensure policy settings and legislative powers remain adequate and effective; and
- Protecting vulnerable members of the community from poor building quality outcomes.

### **Further Expectations**

I also expect the Registrar to undertake these functions independently, without fear or favour, in accordance with law and in a way that supports the priorities of government. The Registrar will be guided in this by the [Access Canberra Accountability Commitment](#) framework and must also act in accordance with the [Model Litigant Guidelines](#).

In delivering against this Statement of Expectation, I expect the Registrar to:

- regularly report on matters of significance including new and emerging issues;
- operate in a collaborative, accountable and responsive manner across government and with industry, key stakeholders and the community;
- provide timely advice to government on emerging risks and issues;
- raise issues affecting the operation and capacity of the Registrar to achieve these priorities in an effective way; and
- within 6 sitting days after the reporting period, provide me with a report that details actions taken by the Registrar to respond to the Statement of Expectations including reasons why any elements could not be actioned or fulfilled.