

CLAUSE NOTES

Building Amendment Bill 2026

Clause 1 Short Title

The short title of this bill is the same as the long title.

Clause 2 Commencement

This bill will commence upon receiving Royal Assent and will not require any additional proclamation.

Clause 3 Repeal of Act

One year after the amendments have been incorporated into the Principal Act, this amendment Act is repealed.

Clause 4 Principal Act

All references to “Principal Act” are references to the *Building Act 2016*.

Clause 5 Section 4 Amended (Interpretation)

The definition of *National Construction Code* that appears in the *Building Act 2016* immediately prior to commencement is replaced on commencement with the definition provided in this section.

This new definition provides that the National Construction Code (the Code) can be amended in its application in Tasmania through a regulation. The new definition also provides that if there are no such regulations, the latest code published is the relevant code.

Clause 6 Section 10A inserted

10A. Adoption and amendment of National Construction Code

This section provides the head of power for the Governor to make regulations providing which edition of the National Construction Code is the Code for the purpose of the definition in the *Building Act 2016*.

Clause 7 Section 13 amended (Further modification of National Construction Code in certain circumstances)

These amendments are minor semantic changes to ensure that the provision uses consistent terminology.

Clause 8 Section 14 amended (Provisions of other standards)

Clause 9 Section 283 amended (Determination of application of provision of National Construction Code)

These amendments are minor semantic changes to ensure that the provision uses consistent terminology.

Clause 10 Section 284 amended (Determination of application of access provision of National Construction Code)

This amendment is a semantic change due to the change of definition of National Construction Code.

Clause 11 Section 287 amended (Building Regulations)

This amendment is a semantic change due to the change of definition of National Construction Code.

Clause 12 Section 289 amended (Plumbing Regulations)

This amendment is a semantic change due to the change of definition of National Construction Code.

Clause 13 Section 330A substituted

330A. Further amendment of regulations not prevented

This provision ensures that amended regulations under the bill can still be amended by subsequent regulations.

Part 3 Building Regulations 2016 amended

14 All references to “Principal Regulations” in the Act are references to the *Building Regulations 2016*.

15 This clause inserts a new Regulation 4A which explicitly provides that for the purposes of the *Building Act 2016*, the version of the NCC current as at 29 July 2025 is adopted as the Code.

16 This clause removes subregulation 2 from regulation 82. This subregulation has been removed to avoid duplication. The effect of subregulation 2 is already in effect as a Tasmanian variation to NCC 2022.

