

TASMANIA

BUILDING AMENDMENT BILL 2026

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BUILDING AMENDMENT BILL 2026

(Brought in by the Minister for Small Business, Trade and Consumer Affairs, the Honourable Guy Barnett)

A BILL FOR

An Act to amend the *Building Act 2016* and consequentially amend regulations made under that Act

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Building Amendment Act 2026*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.

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PART 2 – BUILDING ACT 2016 AMENDED

4. Principal Act

In this Part, the *Building Act 2016** is referred to as the Principal Act.

5. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting the definition of *National Construction Code* and substituting the following definition:

National Construction Code means –

- (a) the edition of the National Construction Code published by the Australian Building Codes Board adopted, in whole or in part, and as amended in its application to Tasmania, by regulations made under section 10A from time to time; or
- (b) if no regulations are made under that section, the latest edition of that code published, including as amended, from time to time.

6. Section 10A inserted

Before section 11 of the Principal Act, the following section is inserted in Part 2:

*No. 25 of 2016

10A. Adoption and amendment of National Construction Code

The Governor may make regulations to –

- (a) adopt, in whole or in part, an edition of the National Construction Code published by the Australian Building Codes Board, as amended from time to time or in force on a specified day, as the National Construction Code for the purposes of this Act; and
- (b) amend the code in its application to Tasmania, including by inserting, omitting or amending a provision.

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

Section 13 of the Principal Act is amended as follows:

- (a) by inserting in subsection (1) “the application of” after “that”;
- (b) by omitting from subsection (1) “altered” and substituting “modified”;
- (c) by inserting in subsection (2) “the application of” after “that”;

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- (d) by omitting from subsection (2) “altered” and substituting “modified”;
- (e) by omitting from subsection (3)(a) “being altered” and substituting “the application of which is modified”;
- (f) by omitting from subsection (3)(b) “; and” and substituting “.”;
- (g) by omitting paragraph (c) from subsection (3).

8. Section 14 amended (Provisions of other standards)

Section 14 of the Principal Act is amended by omitting “that Code” and substituting “that code or regulations made under section 287(4) or 289(4)”.

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

Section 283 of the Principal Act is amended as follows:

- (a) by inserting in subsection (1) “in its application” after “modified”;
- (b) by inserting in subsection (6)(a)(i) “in its application” after “modified”;
- (c) by inserting in subsection (6)(a)(ii) “in application” after “modification”.

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

Section 284(2)(b) of the Principal Act is amended by omitting “or variations”.

11. Section 287 amended (Building Regulations)

Section 287(4) of the Principal Act is amended by omitting “the National Construction Code, any standards, rules, codes and specifications of bodies specified in that Code and any other standards, rules, codes and specifications” and substituting “any standards, codes, rules or specifications”.

12. Section 289 amended (Plumbing Regulations)

Section 289(4) of the Principal Act is amended by omitting “the National Construction Code and any of the standards, rules, codes and specifications of bodies specified in the Code” and substituting “any standards, codes, rules or specifications referred to in the National Construction Code”.

13. Section 330A substituted

Section 330A of the Principal Act is repealed and the following section is substituted:

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Part 2 – Building Act 2016 Amended

330A. Further amendment of regulations not prevented

The amendment of a provision of regulations made under this Act, or any other Act, by an Act amending this Act does not prevent that or any other provision of the regulations from being amended or rescinded by a subsequent regulation.

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Part 3 – Building Regulations 2016 Amended

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PART 3 – BUILDING REGULATIONS 2016 AMENDED

14. Principal Regulations

In this Part, the *Building Regulations 2016** are referred to as the Principal Regulations.

15. Regulation 4A inserted

After regulation 4 of the Principal Regulations, the following regulation is inserted in Part 1:

4A. Adoption of National Construction Code

For the purposes of section 10A of the Act, the edition of the National Construction Code published by the Australian Building Codes Board entitled NCC 2022, and as last amended by NCC 2022 Amendment 2 on 29 July 2025, is adopted.

16. Regulation 82 amended (Access provisions of National Construction Code)

Regulation 82 of the Principal Regulations is amended by omitting subregulation (2).

*S.R. 2016, No. 110