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21/10942

Mr Jeremy Hanson CSC MLA

Chair

Standing Committee on Justice and Community Safety

(Legislative Scrutiny Role)

ACT Legislative Assembly

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Dear Mr Hanson

I write in response to the Standing Committee on Justice and Community Safety (the Committee) Scrutiny Report 12 of 1 February 2022. This letter addresses comments made by the Committee on the following two Disallowable Instruments:

- DI2021-253 being the *Construction Occupations (Licensing) (Fees) Determination 2021 (No 2)* made under section 127 of the *Construction Occupations (Licensing) Act 2004*; and
- DI2021-254 being the *Nature Conservation (Fees) Determination 2021 (No 3)* made under section 368 of the *Nature Conservation Act 2014*.

The Committee has sought advice as to the reasons for the fee increases that are provided for by the two instruments mentioned above.

For clarity, neither of the referenced instruments increases previously set fees, it is for this reason fee increases are not addressed in the explanatory statements to the instruments.

For DI2021-253, most fees for the 2021-22 financial year remain the same as in the prior instrument DI2021-74, being the *Construction Occupations (Licensing) (Fees) Determination 2021*, which commenced on 1 July 2021. The explanatory statement for DI2021-74 provides that the increase in fees of 1.75% from the prior financial year is based on the wage price index as per government's advice.

DI2021-253 sets the same fees for the 2021-22 financial year for a range of construction occupational licences, other than for annual licence renewal fees. Reductions apply for licence renewal fees for occupations of Builder (other than Owner-Builder class), Building Surveyor, Building Assessor, Electrician, Gas Appliance Worker, Plumbing Plan Certifier, Works Assessor, Drainer, Gasfitter and Plumber. As outlined in the explanatory statement to DI2021-253, these licence fees are reduced retrospectively by 20% as a COVID-19 support measure from 1 July 2021.

For DI2021-254, the fee increases for the 2021-22 year also remain the same as the prior instrument DI2021-79, being the *Nature Conservation (Fees) Determination 2021 (No 2)*, which commenced on 1 July 2021. The explanatory statement for DI2021-79 provides that the increase in fees of 1.75% from the prior financial years is based on the wage price index as per government's advice.

DI2021-254 sets the same fees for the 2021-22 financial year but waives fees for holders of an annual pass for entry to Tidbinbilla Nature Reserve that expires in 2021 for a period of 3 months. This is to provide for the time when the reserve was closed during the COVID-19 lockdown period when annual pass holders could not access the reserve.

I thank the Committee for its consideration of these two instruments and their engagement on them.

Yours sincerely

Rebecca Vassarotti MLA