

Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

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24/524

Mr Peter Cain MLA

Chair

Standing Committee on Legal Affairs (Legislative Scrutiny Role)

ACT Legislative Assembly

scrutiny@parliament.act.gov.au

Dear Mr Cain

I write in response to comments made by the Standing Committee on Legal Affairs (Legislative Scrutiny Role) (the Committee) in its *Scrutiny Report 2* in relation to the *Building and Construction Legislation Amendment Bill 2025* (the Bill).

I thank the Committee for its comment relating to the Bill. The Committee's comment requesting a response is addressed below.

Incorporation of instruments and displacement of section 47(6) of the *Legislation Act 2001*

I note the comments made by the Committee about the difference the Bill takes to the treatment of Australian Standards and other instruments that may be incorporated, adopted or applied in a regulation. The challenges related to providing public access to Australian Standards due to copyright issues are well recognised.

In August 2023, Standards Australia launched the Reader Room platform, which provides free read-only access to over 2,500 Australian Standards for non-commercial purposes. This initiative is designed to enhance public accessibility to these essential documents. Furthermore, Standards Australia has implemented a new public commenting platform to facilitate stakeholder feedback on draft standards, thereby promoting greater transparency and engagement. For commercial and business use, Australian Standards may be purchased at www.standards.org.au.



Public access remains complicated by entities such as the National Library no longer providing public access to all current standards. Building Ministers at the national level continue to collaborate and explore opportunities to improve the accessibility of standards to professionals in the building and construction sector who rely on these standards to perform their regulated functions.

It is also important to note the context in which and by whom any Australian Standards would need to be accessed. The standards in question will apply to construction professionals who are required to regularly work to these standards and maintain ongoing knowledge of them. Therefore, any standards likely to be incorporated, applied, or adopted in a regulation would be familiar to these professionals.

I trust that this response addresses the Committee's comments in relation to the Bill.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Steel', with a stylized, cursive script.

Chris Steel MLA

Treasurer

27 February 2025