

LEGISLATIVE ASSEMBLY

BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021

(Amendment and New Clauses to be moved by Mr Wynne)

1. Clause 2, line 5, omit "50" and insert "49A".

NEW CLAUSES

2. Insert the following New Clause to follow clause 49—

'49A Limitation on time when building action may be brought

- (1) In section 134(2) of the **Building Act 1993**, for "12 years" substitute "15 years".

- (2) For section 134(2)(b) of the **Building Act 1993** substitute—

"(b) the building action has become or becomes prohibited on or after 16 July 2019 but before 1 December 2023 by this section as in force at any time before the commencement of section 49A of the **Building Amendment (Registration and Other Matters) Act 2021**.".

3. Insert the following New Clause to follow clause 52—

'52A New section 284 inserted

After section 283 of the **Building Act 1993** insert—

"284 Transitional and saving provision relating to the Building Amendment (Registration and Other Matters) Act 2021

- (1) Any right to take a cladding building action that expired under section 134(2) as in force immediately before the commencement of section 49A of the amending Act is taken for all purposes never to have expired and continues until it expires under section 134(2) as amended by section 49A of the amending Act.

- (2) In this section—

amending Act means the **Building Amendment (Registration and Other Matters) Act 2021**.".