

Practice Note

2014-52

Issued April 2014

Payment of Building Permit Levy by Third Party Cheque

This updates the previous Practice Note 2006-52 issued June 2006

1. SUMMARY

The practice of a number of building surveyors to forward a third party client cheque, to meet their obligation to pay amounts received into the Victorian Building Authority Fund (section 205J(c) of the Building Act 1993), has been reviewed.

In some instances the cheque was drawn by the applicant some substantial time before the building permit was issued, and a number of these payments were subsequently dishonoured.

In circumstances where the cheque is received by the building surveyor and is subsequently dishonoured, the building permit becomes void and of no effect.

The legal obligations of building surveyors in the collection and payment of the building permit levy to the Victorian Building Authority Fund are outlined below.

2. RULING

- A building surveyor must not issue a building permit until the levy is paid.

- A payment for levy by cheque is not regarded as received until such time as the cheque is cleared.

Cheques drawn by third parties (clients) will no longer be accepted towards payment of the amount of building permit levy by the relevant building surveyor into the Victorian Building Authority Fund.

If you have a technical enquiry please email: technicalenquiry@vba.vic.gov.au or phone 1300 815 127

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