

Media Release

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Heavier penalties introduced for reckless builders

The Victorian Building Authority (VBA) now has greater enforcement powers over people who knowingly oversee or carry out building work that is not in accordance with the building permits, the *Building Act (1993)* (the Act) or the building regulations.

One of several amendments to the Act that come into effect today is the inclusion of Indictable Offences which carry heavier penalties aimed at deterring anyone in the business of building from purposely doing the wrong thing. Importantly, these offences also apply to people and businesses managing or arranging building work.

“Under amendments to the Act, those involved in building work who are found guilty of committing an offence by deliberately ignoring the law will face a penalty of fines, and Courts also have the power to impose a prison sentence,” said VBA CEO, Prue Digby.

These new offences carry maximum fines of up to \$93,276 and a potential maximum of five years’ imprisonment for a person; and maximum fines of up to \$466,380 for a body corporate.

Other amendments to the Act and the building regulations that come into effect today are:

- People in partnerships that undertake building work are now liable as builders, meaning that if the partnership is guilty of an offence, each member of the partnership may also be liable, even if they are not a builder themselves.
- Conflict of interest provisions are now extended from Private Building Surveyors to include Municipal Building Surveyors acting outside their municipal area.

From 1 July 2018, or sooner if proclaimed, new provisions in the Act will also allow a body corporate or company to register as a building practitioner with the VBA. Companies already engaged in building work may be held to be registered subject to meeting certain criteria when the new corporate registration scheme comes into effect.

“As the authority responsible for implementing these changes, the VBA will use these powers judiciously and continue to work closely with the people we regulate to ensure they’re aware of how these changes affect their business, and that they are compliant with the new regulations.”

Further information on the changes that have come into effect can be found on the VBA website vba.vic.gov.au.

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