

31 October 2025

The Secretary
Legislation Scrutiny Committee
Legislative Assembly of the Northern Territory
GPO Box 3721
DARWIN NT 0801

Email: LSC@nt.gov.au

Dear Sir/Madam

Re: Submission on Building Legislation Amendment (Fidelity Fund) Bill 2025

The Department of Trade, Business and Asian Relations (DTBAR) welcomes the opportunity to provide a submission to the Legislation Scrutiny Committee in relation to the *Building Legislation Amendment (Fidelity Fund) Bill 2025* (Serial 45) (the Bill).

DTBAR has carriage of the licensing of Building Practitioners in the Northern Territory and provides administrative support to the Building Practitioners Board (the Board). DTBAR acknowledges the importance of the proposed amendments in strengthening the governance and operational transparency of fidelity fund schemes and offers the following comments for consideration.

Role of the Building Practitioners Board

The Building Practitioners Board is established under section 12 of the *Building Act 1993* as an independent statutory authority. Among its functions, the Board is responsible for conducting inquiries into the work and conduct of building practitioners and, where appropriate, taking disciplinary action.

Disciplinary or remedial action can only be taken following a formal request for inquiry from the Director of Building Control, Building Advisory Services within the Department of Lands, Planning and Environment. Upon receipt of such a request or notice, an Inquiry Board is convened, comprising three members selected by the Chairperson of the Board. The inquiry process must be completed and a determination made before any disciplinary action can be taken. The Board's powers following an inquiry include suspending or cancelling the licence of a Building Practitioner.

The Board can also take disciplinary action, including suspension or cancellation, without holding an inquiry where a Practitioner has breached a direction of the Commissioner of Residential Building Disputes. Such disciplinary actions may give rise to a claim against the fidelity fund.

General support for the Bill

It is noted that the Bill seeks to introduce administrative efficiencies aimed at enhancing transparency and accountability in the operation of approved fidelity fund schemes. These proposed measures are consistent with DTBAR's commitment to consumer protection and sound regulatory governance.

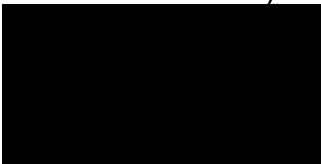
DTBAR supports the Bill and its objectives, particularly insofar as they strengthen integrity of the fidelity fund framework.

Further detail recommended

The proposed powers of the Minister to seek information *relating to the operation and management* of the scheme are very broad. To support business confidence in the scheme, these powers would benefit from more detail, including to ensure that the confidentiality of commercially sensitive information vested in the scheme by members is upheld.

Should the Committee require further information or clarification, DTBAR would be pleased to assist.

Yours sincerely



Hayley Richards
Chief Executive Officer