

Building Regulation News Update

Building Regulation News Update 0408
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DRAFT DISABILITY (ACCESS TO PREMISES – BUILDINGS) STANDARDS

Purpose

The purpose of this News Update is to advise that the Federal Government has tabled draft **Disability (Access to Premises – Buildings) Standards 2009** in the House of Representatives. The Government proposes that it will be referred to the Committee on Legal and Constitutional Affairs for consultations and to report to Parliament in the first half of 2009.

Background

The *Disability Discrimination Act 1992* (DDA) currently contains a broadly-stated obligation to provide non-discriminatory access to premises that are accessible to the public or a section of the public. The obligation in the Act is enforced by individual complaints of discrimination. In practice, this has resulted in a lack of clarity and a low level of improvement in access to premises. The Draft Disability (Access to Premises – Buildings) Standard 2009 is to ensure that people with disability have improved access to a wide range of public buildings. The Premises Standards has been developed in the same style and structure as the BCA so that there is consistency between the two. The building industry will now have confidence that if they design and construct buildings according to the requirements of the revised BCA they are also complying with the Premises Standards and the DDA on those matters covered by the Premises Standards. An important point to note is that the Premises Standards will only apply to new buildings and new work (renovations) on existing buildings. An existing building not undergoing any new work will still be subject to the current complaints mechanisms of the law.

The Draft Disability (Access to Premises – Buildings) Standards 2009 is the primary document that will eventually form the Premises Standards. It has been developed over eight years of consultation between representatives from the disability sector, design and building sectors, building surveyors, property owners and all levels of government. Once the Premises Standards have been finalised corresponding changes will be made to the BCA and adopted by State and Territory Governments in their building laws.

For more information:

The Federal Government wishes to provide an opportunity for final comments on the draft before moving to complete the Standards. All documents on the proposed Premises Standards (including the Premises Standard, Guidelines and a Regulatory Impact Statement) which were tabled in Parliament on 2 December 2008 are now available on the Attorney General's Department website at: <http://www.ag.gov.au/premisesstandards>

The joint Ministerial media release of Attorney General Robert McClelland and Parliamentary Secretary for Disabilities and Children's Services Bill Shorten can be found at this link:
<http://minister.innovation.gov.au/Carr/Pages/BETTERACCESSTOPREMISESFORPERSONSWITHADISABILITY.aspx>