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A message from the

Construction Occupations Registrar



Construction Note: 2025/04

11 September 2025

Construction notes have been developed to raise awareness and educate the building and construction industry about common issues identified on building sites by Access Canberra building inspectors, and best practice approaches to address them. The issues outlined in these notes have been identified through compliance assessment by Access Canberra or following a complaint from owners. Importantly, we welcome your input – if you have come across an issue that needs clarification or, to provide feedback, **email us: cat@act.gov.au**

Certificate of Occupancy and Use: Requirement for nomination at Application of Building Approval under Section 26 2(b) of the Building Act

The Construction Occupations Registrar would like to advise all builders and certifiers of a recent amendment to the *Building Act 2004* (the Act). Under section 26(2)(b), the owner of the parcel of land applying for a building approval must now nominate the kind of Certificate of Occupancy they intend to apply for at the time of lodging the building approval application.

The nomination must specify one of the following certificates of occupancy:

- s69(1)
- 69(2)
- 69(3)

Other nominations may include:

- 71(2)
- 72(2)

To ensure compliance and avoid unnecessary delays or misunderstandings, builders and certifiers should confirm that the owner's Certificate of Occupancy nomination is made prior to the certifier issuing the Commencement Notice.

The Approved Form 'Appointment of a Certifier Application for Building Approval' has been amended to include the kind of Certificate of Occupancy the owner intends to apply for. Clear communication and early coordination among owners, builders, and certifiers will be essential in meeting this new legislative requirement.

You have received this email from the ACT Construction Occupations Registrar as our records indicate you hold a current construction occupation licence to undertake work in the ACT building and construction industry. If you do not hold a current licence, or believe you have received this email in error, please email us at: cwpl@act.gov.au to be removed from future communications or to [unsubscribe](#).

