

Attachment 2 Suite of main regulatory tools

| Stage in construction process | VBA | Council/MBS | PBS/RBS | CAV/DBDRV/VCAT/ Domestic Building Only |
|-------------------------------|---|---|--|---|
| Pre-construction | <ul style="list-style-type: none"> • Registration • Certificate of consent (owner builders) • Building permit number (coming) | | <ul style="list-style-type: none"> • Building permit (BP) | <ul style="list-style-type: none"> • Legal requirements for major domestic building contract • Implied warranties |
| During construction | <ul style="list-style-type: none"> • Direction to fix to builder • Undertakings • s. 16 offences (building without or other than in accordance with BP) • s. 234E orders (for cost of remedial building work)* • Discipline (including immediate suspension) • s.205M directions to MBS or PBS • Building notice/ order but only if declared MBS | <ul style="list-style-type: none"> • Building notice/order to owner* • s.16 offences • s.234E orders | <ul style="list-style-type: none"> • Direction to fix to builder • Building notice/order to owner • Specification of Essential Safety Measure in OP | <ul style="list-style-type: none"> • Mandatory conciliation • Dispute resolution order (DRO) • VCAT orders |
| Post Occupancy Permit ((OP) | Same as for during construction except for direction to fix | Same as for during construction | Building notice/order | Same as for during construction |
| | | | | |

Insurance is an additional regulatory tool/consumer protection measure. For domestic building we insure the building against builder insolvency. In other instances, we require the building practitioner (building surveyor/inspector, engineer, draftsman) to insure themselves against any civil liability for breach of professional duty of care.