



Notice of completion: requirements and consequences

This Industry Bulletin is intended to inform registered builders about the importance of giving a notice of completion (form BA7) to the permit authority within the prescribed period of time and to highlight the consequences of not doing so.

It is a requirement under section 33(1) of the *Building Act 2011* (the Building Act) for the responsible person in relation to a building permit, to give a notice of completion to the relevant permit authority within seven days of completion of the works.

In addition to infringement notices of up to \$500 and penalties of up to \$10,000 under the Building Act, failing to give a notice of completion also exposes builders to liability under the provisions of the *Building Services (Complaint Resolution and Administration) Act 2011*. This Act allows any person adversely affected by the carrying out of a regulated building service to make a complaint to the Building Commissioner **within six years of the work being completed**.

The criteria for determining the date of the works being completed is prescribed in regulation 7 of the Building Services (Complaint Resolution and Administration) Regulations 2011. This regulation specifies that the date of completion (for the purposes of making a complaint) is the date the notice of completion is given to the permit authority.

Recently there have been several complaints made to the Building Commissioner about regulated building services for which notices of completion had not been given; not given within the seven day period specified or given several months after completion was achieved.

Builders should be aware that they leave themselves open for a complaint outside of the six year period if a notice of completion is not given on time or at all.

It is important that permit authorities accurately record the date the notice of completion was given.

Other relevant industry bulletins published by the Department of Mines, Industry Regulation and Safety include:

- ▶ [Industry Bulletin 35 - Providing notices of completion for incidental structures](#)
- ▶ [Industry Bulletin 72 – Notice of Completion: inspections and tests](#)
- ▶ [Industry Bulletin 116 – Commerce Regulations Amendment \(Infringement Notices\) Regulations 2019](#)

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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