

TASMANIA

**RESIDENTIAL BUILDING WORK CONTRACTS
AND DISPUTE RESOLUTION REGULATIONS 2026**

STATUTORY RULES 2026, No. 85

CONTENTS

1. Short title
 2. Commencement
 3. Interpretation
 4. Buildings that are not residential buildings
 5. Structures, fixtures and fittings that are part of residential buildings
 6. Set amount in relation to deposits
 7. Infringement notice offences and penalties
- Schedule 1 – Infringement notices

RESIDENTIAL BUILDING WORK CONTRACTS AND DISPUTE RESOLUTION REGULATIONS 2026

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Residential Building Work Contracts and Dispute Resolution Act 2016*.

Dated 26 October 2026.

CAROLINE WELLS
Governor

By Her Excellency's Command,

K. J. VINCENT
Minister for Housing and Planning

1. Short title

These regulations may be cited as the
*Residential Building Work Contracts and
Dispute Resolution Regulations 2026*.

2. Commencement

These regulations take effect on
2 November 2026.

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

r. 3

3. Interpretation

In these regulations –

Act means the *Residential Building Work Contracts and Dispute Resolution Act 2016*.

4. Buildings that are not residential buildings

(1) For section 5(2)(i) of the Act, the following buildings are prescribed:

- (a) a building comprised of at least 3 residences situated directly one above the other;
- (b) a building designed as a residence for more than 12 persons who are not relatives of one another.

(2) In this regulation –

relative, of a person, means a person who –

- (a) is married to, or is in a significant relationship with, the first person, within the meaning of the *Relationships Act 2003*; or
- (b) is in a family relationship with the first person, within the meaning of that Act, including as a step-parent or step-child, or as a foster parent or foster child, of the first person; or

- (c) is a child of the spouse of a parent of the first person; or
- (d) is an aunt, uncle, niece or nephew of the first person; or
- (e) has a grandparent in common with the first person; or
- (f) is a parent or sibling of the spouse of the first person; or
- (g) is in a caring relationship with the first person, within the meaning of that Act; or
- (h) is of Aboriginal or Torres Strait Islander descent and is related to the first person according to kinship rules.

5. Structures, fixtures and fittings that are part of residential buildings

For section 5(4)(b) of the Act, the following things are prescribed:

- (a) electric vehicle chargers;
- (b) home batteries and inverters;
- (c) rooftop wind turbines;
- (d) satellite dishes;
- (e) solar panels.

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

r. 6

6. Set amount in relation to deposits

For paragraph (a) of the definition of *set amount* in section 41(1) of the Act, the set amount of \$50 000 is prescribed.

7. Infringement notice offences and penalties

For section 79 of the Act –

- (a) an offence against a provision of the Act specified in Schedule 1 is prescribed to be an infringement offence; and
- (b) the prescribed penalty payable under an infringement notice for that offence is the penalty specified opposite the relevant provision in that Schedule.

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

sch. 1

SCHEDULE 1 – INFRINGEMENT NOTICES

Regulation 7

Item	Provision	Description	Penalty for body corporate (penalty units)	Penalty for individual (penalty units)
1.	Section 13	Fail to ensure contract in written form	8	3
2.	Section 14(1)	Fail to ensure contract contains required matters	8	3
3.	Section 16	Fail to give owner copy of contract and consumer guide as required	20	10
4.	Section 17(1)	Fail to ensure variations put into written form	3	1
5.	Section 17(5)	Work performed before variation document signed	3	1
6.	Section 18(1)	Fail to ensure variation document complies with formal requirements	3	1
7.	Section 19	Fail to ensure variation document signed	3	1
8.	Section 20(1)	Fail to give owner copy of variation document	10	5
9.	Section 21(2)	Fail to ensure written consent of building surveyor attached to variation document and that work not performed until attached	3	1

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

sch. 1

Item	Provision	Description	Penalty for body corporate (penalty units)	Penalty for individual (penalty units)
10.	Section 21(3)	Fail to ensure authorisation obtained or amended, that copy attached to variation document and that work not performed until attached	3	1
11.	Section 39(1)	Fail to give owner copy of consumer guide before entering into contract	3	1
12.	Section 40(1)	Fail to give owner commencement notice	3	1
13.	Section 41(2)	Demand or receive deposit exceeding certain amount	20	10
14.	Section 42(2)	Demand or receive amount other than deposit or progress payment	20	10
15.	Section 43(1)	Fail to give notice of practical completion to owner and person to whom certificate of likely compliance to be given	3	1
16.	Section 44(2)	Fail to give owner defects document	8	3
17.	Section 44(3)	Fail to take all reasonable steps to correct minor defect or minor omission	8	3

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 28 October 2026.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe certain buildings not to be residential buildings for the purposes of the *Residential Building Work Contracts and Dispute Resolution Act 2016*; and
- (b) prescribe certain structures, fixtures and fittings that form part of, or are used for, a residential building; and
- (c) set an amount for the purposes of calculating the maximum deposit that may be demanded or received under a residential building work contract; and
- (d) prescribe certain offences as offences for which an infringement notice may be issued; and
- (e) are made consequent on the repeal of the *Residential Building Work Contracts and Dispute Resolution Regulations 2016*

*Residential Building Work Contracts and Dispute Resolution
Regulations 2026
Statutory Rules 2026, No. 85*

under section 11 of the *Subordinate
Legislation Act 1992*.