

## BUILDING ACT

### COMPLAINT HANDLING SYSTEM INFORMATION SHEET FOR BUILDING PRACTITIONERS

#### GENERAL

The Northern Territory Government's recent reforms to the *Building Act* have put in place a system for dealing with complaints regarding building practitioners. The Director of Building Control ('Director') has responsibility pursuant to the *Building Act* for the investigation of complaints, and taking appropriate action against building practitioners.

This information sheet is provided to assist building practitioners understand their obligations with regards to the complaint handling system.

#### TYPES OF COMPLAINTS DEALT WITH BY DIRECTOR OF BUILDING CONTROL

The Director takes seriously all complaints about building practitioners. A person may complain to the Director about a building practitioner on one or more of the following grounds:

- (a) the practitioner has committed an offence against the *Building Act* or the Building Regulations;
- (b) the practitioner has carried out work in a negligent or incompetent manner;
- (c) the practitioner is otherwise guilty of professional misconduct.

#### COMPLAINTS AND YOU

If the Director receives a complaint, it will be assessed to determine whether the complaint contains sufficient particulars. If the Director is satisfied that there are sufficient particulars, the Director will notify you in writing; provide you with a copy of the complaint and invite you to respond in writing to the matters raised in the complaint by a given date.

If you provide a response, the Director will then re-assess the complaint and decide to either dismiss the complaint pursuant to section 28 of the *Building Act*; or order an investigation pursuant to section 30 of the *Building Act*. Should you fail respond to the Directors invitation to provide a response; a full investigation will be ordered into the complaint pursuant to section 30 of the *Building Act*.

Be aware of your obligations in accordance with the *Building Act*. It is important to understand that you are required to provide documentation and/or answer any question truthfully if the Director requests you to do so. If you fail to answer any question or provide documents as requested then the Director may take action against you which may include prosecution and/or referral to the Practitioners Board for Inquiry. The *Building Act* provides for heavy penalties if a breach is dealt with by a Court; and/or possible cancellation of your registration as a building practitioner if you are dealt with by an Inquiry Board.

#### GUIDE TO COMPLAINTS HANDLING SYSTEM



The following flow-chart is a guide to the complaints handling system operated by the Director.

