

Australian Building Codes Board

The Commissioner
Productivity Commission
Disability Discrimination Act Inquiry
Locked Bag 2
Collins Street East
Melbourne Vic 8003

Dear Commissioner

I write to you in relation to the draft report, Review of the Disability Discrimination Act 1992 issued on 31 October 2003.

As you would be aware the ABCB made a formal submission and attended a public hearing in Canberra during the inquiry into the Disability Discrimination Act 1992.

I have read your draft report and it is very comprehensive. I believe that the draft report supports the process we are undertaking to develop Disability Standards for Access to Premises (Premises Standard) through the alignment of the Building Code of Australia (BCA).

To ensure the draft report is accurate we offer the following comments for your consideration.

1. The draft report states that the draft Premises Standard is due to come into effect by the end of 2003 (Page 328, 5th paragraph, last sentence). The draft Premises Standard is scheduled to go out for public comment in February 2004 and be sent to Ministers in late 2004. Adoption timing for the Standard and BCA changes will be matters for Ministerial considerations.
2. The draft report states that the Premises Standard will be automatically updated when the BCA is updated (Page 329, Box 12.3, last paragraph, first sentence). Although the BCA will continue to be amended annually it will not be amended in the area of access for people with disabilities unless an amendment is first made to the Premises Standard through Parliamentary processes.
3. The draft report states that the BCA is amended each January and July (Page 329, Box 12.3, last paragraph, second sentence). As of 2004, the BCA will be amended annually each May.

During discussions with you at the hearing I agreed to provide a copy of the draft Regulation Impact Statement on the Premises Standard when available. The draft RIS has been completed and endorsed by the Office of Regulation Review. I have enclosed a copy of the draft RIS with this letter.

I hope that the information provided assists you in finalising the draft report and I welcome any requests for additional information.

Yours sincerely

Ivan Donaldson
Executive Director

30 January 2004