



## Construction in Essential Services exempt from ABCC Building Code

### The Turnbull Government has backed down from demanding Essential Services infrastructure be covered by the ABCC Building Code.

Employment Minister Cash has revised the code to exempt any building related to essential services.

For the ASU this includes work engaged by members in the energy, water and local government essential services.

The Australian Building and Construction Commissioner must now grant an exemption from the Code if satisfied that:

- the principal business of the building contractor or building industry participant involves performing work for the provision of essential services related to supply of electricity, natural gas, water, waste water, or telecommunications; and
- the principal building work of the building contractor or building industry participant involves performing work for the provision of essential services infrastructure.

This followed a concerted campaign by members of the ASU in the Energy industry and has a direct impact on negotiations for the new South Australian Power Networks (SAPN).

The Building and Construction Industry (Improving Productivity) Act 2016 contains a relatively broad definition of 'building work' and the ASU is familiar with its meaning.

It is important to note that under the Code, building work does not include:

- transporting or supplying goods to be used in building work, directly to building sites (including any resources platform) where that work is being or may be performed; or
- the off-site prefabrication of made-to-order components to form part of any building, structure or works unless that work is performed on an auxiliary or holding site that is separate from the primary construction site or sites.

ABCC/Building Code related bulletins can be viewed [here](#). ASU related submissions can be viewed [here](#).

### More information

If you need further advice on what constitutes building work please contact Robert Potter, Assistant National Secretary 02 9283 9280.

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