



Queensland

# Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019

## Subordinate Legislation 2019 No. 252

made under the

*Building Industry Fairness (Security of Payment) Act 2017*  
*Queensland Building and Construction Commission Act 1991*

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title .....	3
2	Commencement .....	3
<b>Part 2</b>	<b>Amendment of Building Industry Fairness (Security of Payment) Regulation 2018</b>	
3	Regulation amended .....	3
4	Replacement of pt 7, hdg (Transitional provisions for Building Industry Fairness (Security of Payment) and Other Legislation Amendment Regulation 2018) .....	3
5	Amendment of s 40 (Definition for part) .....	4
6	Insertion of new pt 7, div 2 .....	4
	Division 2 Transitional provision for Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019	
	47 Application fees for particular adjudication applications	4
7	Amendment of sch 2 (Fees) .....	5
<b>Part 3</b>	<b>Amendment of Queensland Building and Construction Commission Regulation 2018</b>	
8	Regulation amended .....	6
9	Insertion of new pt 9A .....	6

Contents

---

	Part 9A	Transitional provision for Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019	
	76	Refund of licence fees paid for particular contractor's licences	6
10		Amendment of pt 9A, hdg (Transitional provision for Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019) . . . . .	7
11		Amendment of sch 1 (Work that is not building work) . . . . .	7
12		Amendment of sch 2 (Classes of licences and licence requirements)	8
13		Amendment of sch 2 (Classes of licences and licence requirements)	10
14		Amendment of sch 6 (Terms of cover for statutory insurance scheme)	
		. . . . .	11
15		Amendment of sch 7 (Fees) . . . . .	12

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019*.

### 2 Commencement

- (1) Part 2, other than sections 4 to 6 and 7(2), is taken to have commenced on 17 December 2018.
- (2) Sections 4 to 6 and 7(2) are taken to have commenced on 1 July 2019.
- (3) Sections 10 and 13 commence on 1 January 2020, immediately after the commencement of the *Queensland Building and Construction Commission (Mechanical Services Licences) and Other Legislation Amendment Regulation 2019*, section 16.

## Part 2 Amendment of Building Industry Fairness (Security of Payment) Regulation 2018

### 3 Regulation amended

This part amends the *Building Industry Fairness (Security of Payment) Regulation 2018*.

### 4 Replacement of pt 7, hdg (Transitional provisions for Building Industry Fairness (Security of Payment) and Other Legislation Amendment Regulation 2018)

Part 7, heading—  
*omit, insert—*



- (b) the claimant paid the fee for the application stated in previous schedule 2, item 1; and
  - (c) the amending regulation increased the application fee for the application.
- (2) The claimant is taken to have paid the increased application fee for the adjudication application.
- (3) In this section—

*amending regulation* means the *Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019*.

*previous schedule 2, item 1* means schedule 2, item 1 as in force from time to time before its amendment by the amending regulation.

*relevant period* means the period starting on 1 July 2019 and ending on the day the amending regulation is notified.

## 7 Amendment of sch 2 (Fees)

- (1) Schedule 2, item 1(h), ‘0.7%’—  
*omit, insert—*  
0.07%
- (2) Schedule 2, item 1(g) and (h), ‘\$1,065,600’—  
*omit, insert—*  
\$1,089,576



- (iii) the restoration of a relevant contractor's licence for 1 year under section 39 of the Act; and
- (b) paid the commission a licence fee for the licence.
- (2) The commission must refund the licence fee to the individual.
- (3) In this section—

*relevant contractor's licence* means a contractor's licence to which any of categories 3 to 7 applies.

*relevant period* means the period starting on 1 September 2018 and ending on the commencement.

**10 Amendment of pt 9A, hdg (Transitional provision for Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019)**

Part 9A, heading—

*omit, insert—*

**Division 3 Transitional provision for Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2019**

**11 Amendment of sch 1 (Work that is not building work)**

Schedule 1—

*insert—*

## 54 Installation of fire collars

- (1) Installation of a fire collar by a licensed electrical worker that is incidental to electrical work performed by the licensed electrical worker under the *Electrical Safety Act 2002*.
- (2) Installation of a fire collar that is incidental to electrical work performed under the *Electrical Safety Act 2002* as part of a business or undertaking conducted by a licensed electrical contractor under that Act.
- (3) Installation of a fire collar by a registered cabling provider that is incidental to cabling work performed by the registered cabling provider under the *Telecommunications Act 1997* (Cwlth).
- (4) In this section—

*licensed electrical contractor* see the *Electrical Safety Act 2002*, schedule 2.

*licensed electrical worker* see the *Electrical Safety Act 2002*, schedule 2.

*registered cabling provider* see the *Telecommunications Cabling Provider Rules 2014* (Cwlth), section 3.1(6).

## 12 Amendment of sch 2 (Classes of licences and licence requirements)

- (1) Schedule 2, part 18, section 2—  
*insert—*
  - (1A) Installation of fire collars that is incidental to work mentioned in subsection (1).
- (2) Schedule 2, part 18, section 2(1A) to (4)—  
*renumber* as schedule 2, part 18, section 2(2) to (5).
- (3) Schedule 2, part 25, section 2(3)—  
*omit, insert—*

- (3) For the licence class mentioned in section 1(3)—
  - (a) install and maintain gaseous, water mist and reticulated foam proportioning systems and chemical and foam stored pressure systems; and
  - (b) installation of fire collars that is incidental to work mentioned in paragraph (a).
- (4) Schedule 2, part 26, section 2—  
*insert—*
  - (6A) For the licence class mentioned in section 1(4), (5) or (6), installation of fire collars that is incidental to work mentioned in subsection (4), (5) or (6) carried out under the licence class.
- (5) Schedule 2, part 26, section 2(6A) and (7)—  
*renumber* as schedule 2, part 26, section 2(7) and (8).
- (6) Schedule 2, part 30, section 2(2)—  
*omit, insert—*
  - (2) For the licence class mentioned in section 1(2)—
    - (a) install and maintain fire detection, alarm and warning systems, including inputs to, and outputs and controls from, fire alarm systems, fire ventilation controls, and suppression system monitoring and controls but limited to systems and controls with extra low voltage; and
    - (b) installation of fire collars that is incidental to work mentioned in paragraph (a).
- (7) Schedule 2, part 36, section 2—  
*insert—*
  - (1A) Installation of fire collars that is incidental to work mentioned in subsection (1).
- (8) Schedule 2, part 36, section 2(1A) to (3).

*renumber* as schedule 2, part 36, section 2(2) to (4).

- (9) Schedule 2, part 47, section 2—

*insert*—

(1A) Installation of fire collars that is incidental to work mentioned in subsection (1).

- (10) Schedule 2, part 47, section 2(1A) and (2)—

*renumber* as schedule 2, part 47, section 2(2) and (3).

- (11) Schedule 2, part 48, section 2—

*insert*—

(1A) Installation of fire collars that is incidental to work mentioned in subsection (1).

- (12) Schedule 2, part 48, section 2(3), ‘subsection (2)’—

*omit, insert*—

subsection (3)

- (13) Schedule 2, part 48, section 2(1A) to (3)—

*renumber* as schedule 2, part 48, section 2(2) to (4).

### **13 Amendment of sch 2 (Classes of licences and licence requirements)**

- (1) Schedule 2, part 47, section 2—

*insert*—

(1A) Installation of fire collars that is incidental to work mentioned in subsection (1).

- (2) Schedule 2, part 47, section 2(1A) and (2)—

*renumber* as schedule 2, part 47, section 2(2) and (3).

- (3) Schedule 2, part 48, section 2—

*insert*—

(1A) Installation of fire collars that is incidental to work mentioned in subsection (1).

- (4) Schedule 2, part 48, section 2(2), ‘subsection (1)’—  
*omit, insert*—  
subsections (1) and (2)
- (5) Schedule 2, part 48, section 2(1A) to (3)—  
*renumber* as schedule 2, part 48, section 2(2) to (4).
- (6) Schedule 2, part 48A, section 2—  
*insert*—  
(2A) Installation of fire collars that is incidental to work mentioned in subsection (1) or (2).
- (7) Schedule 2, part 48A, section 2(2A) to (4)—  
*renumber* as schedule 2, part 48A, section 2(3) to (5).
- (8) Schedule 2, part 48B, section 2—  
*insert*—  
(2A) Installation of fire collars that is incidental to work mentioned in subsection (1) or (2).
- (9) Schedule 2, part 48B, section 2(4), ‘subsection (3)’—  
*omit, insert*—  
subsection (4)
- (10) Schedule 2, part 48B, section 2(2A) to (6)—  
*renumber* as schedule 2, part 48B, section 2(3) to (7).

**14 Amendment of sch 6 (Terms of cover for statutory insurance scheme)**

Schedule 6, section 48(4)(a)—

*omit, insert*—

- (a) if optional additional cover is in force for the work—
  - (i) if notice of any of the claims was given to the commission under section 71C

of the Act before 13 December 2019—  
\$900,000; or

(ii) otherwise—\$600,000; or

## **15 Amendment of sch 7 (Fees)**

Schedule 7, item 3(a)—

*insert—*

(v) for a licence to which any of categories 3 to 7  
applies

643.15

#### ENDNOTES

- 1 Made by the Governor in Council on 12 December 2019.
- 2 Notified on the Queensland legislation website on 13 December 2019.
- 3 The administering agency is the Department of Housing and Public Works.

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