

Queensland



Queensland Building Services Authority Act 1991

QUEENSLAND BUILDING SERVICES AUTHORITY REGULATION 1992

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(includes amendments up to No. 445 of 1997)**

Reprint No. 5B

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Information about this reprint

This regulation is reprinted as at 10 February 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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QUEENSLAND BUILDING SERVICES AUTHORITY REGULATION 1992

[as amended by all amendments that commenced on or before 10 February 1998]

Short title

1. This regulation may be cited as the *Queensland Building Services Authority Regulation 1992*.

Commencement

2. This regulation commences on 1 July 1992.

Definitions

3.(1) In this regulation—

“**ANTA**” means the Australian National Training Authority established under the ANTA Act.

“**ANTA Act**” means the *Australian National Training Authority Act 1992* (Cwlth).

“**approved assessor**” means a person endorsed by Construction Training Queensland to assess, against the draft construction standards (levels 4–6), the competency of persons to carry out the scope of work relevant to a general building or house building licence.

“**approved authority**”, for a class of licence, means—

- (a) a State college; or
- (b) a person registered as a national building and construction industry skills assessor, for the class of licence, on the national register of assessors.

“**approved managerial qualification**”, for an individual applying for a contractor’s licence, is the successful completion by the individual of—

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- (a) a course of management for licensed contractors at a State college; or
- (b) the course in business management for the housing industry conducted by the Housing Industry Association; or
- (c) the subjects offered by the Queensland Master Builders' Association in the following areas—
 - (i) basic estimating;
 - (ii) debt recovery;
 - (iii) commercial contract administration;
 - (iv) site supervision of domestic sites;
 - (v) accounting and bookkeeping for builders and subcontractors;or
- (d) a management course approved by the Authority under section 4C.

“commission” means the Vocational Education, Training and Employment Commission established under the VETE Act.

“community organisation” means an organisation formed to promote the interests of a particular community or community group.

“Construction Training Australia” means National Building and Construction Industry Training Council Limited (trading as Construction Training Australia), being an industry training advisory body within the meaning of the ANTA Act.¹

“Construction Training Queensland” means Construction Industry Training Council (Queensland) Inc. (using the business name Construction Training Queensland), being an industry training advisory body recognised by the commission for the VETE Act.

“draft construction standards (level 4)” means—

¹ The *Australian National Training Authority Act 1992* (Cwlth), section 4(1) defines **“industry training advisory body”** as follows—

‘**“industry training advisory body”** means an organisation or body declared by the Ministerial Council to be an industry training advisory body for the purposes of the Statement;’.

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- (a) the document prepared by Construction Training Australia; and
- (b) designated as construction standards level 4 (third draft), (Sept 1997).

“draft construction standards (level 5)” means—

- (a) the document prepared by Construction Training Australia; and
- (b) designated as construction standards level 5 (third draft), (Sept 1997).

“draft construction standards (level 6)” means—

- (a) the document prepared by Construction Training Australia; and
- (b) designated as construction standards level 6 (third draft), (Sept 1997).

“former Act” means the *Builders’ Registration and Home-owners’ Protection Act 1979*.

“major defect”, in relation to building work, means a defect—

- (a) that could result in water penetration of a building; or
- (b) that could adversely affect the health or safety of occupants of a building; or
- (c) that adversely affects the structural adequacy of a building.

“minor defect”, in relation to building work, means any defect that is not a major defect.

“multiple dwelling” means a building comprising 2 or more residential units.

“national competency standards” means a document—

- (a) designated as national competency standards; and
- (b) endorsed by ANTA for the Statement.

“national register of assessors” means the register of national building and construction industry skills assessors administered by—

- (a) Construction Training Australia; and
- (b) for Queensland—Construction Training Queensland.

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“required competency”, for a class of licence, means the competency, assessed against relevant national competency standards, to carry out the scope of work relevant to the class of licence.

“required competency (general building)” means the competency, assessed against the draft construction standards (levels 4–6), to carry out the scope of work relevant to a general building licence.

“required competency (house building)” means the competency, assessed against the draft construction standards (level 4), to carry out the scope of work relevant to a house building licence

“residential construction work endorsement” means an endorsement on a licence signifying that the licensee may enter into contracts with consumers to carry out residential construction work covered by the statutory insurance scheme.

“residential unit” means a part of a building designed for separate occupation as a residence.

“State college” see section 4 of the VETE Act.²

“Statement” see section 4(1) of the ANTA Act.³

“subcontractor’s licence” means a contractor’s licence granted subject to the condition that the licensee may only carry out or supervise building work for other licensees.

“VETE Act” means the *Vocational Education, Training and Employment Act 1991*.

(2) For the purpose of determining the number of storeys of a building, the lowest storey is not to be counted if it consists solely of a car park.

² *Vocational Education, Training and Employment Act 1991*, section 4—

“State college” means—

- (a) any State college or other means of technical and further education; and
- (b) any State senior college continued or established under this Act.

³ *Australian National Training Authority Act 1992* (Cwlth), section 4(1)—

“Statement” means the statement (a copy of which is set out in the Schedule) entitled “A National Vocational Education and Training System” agreed on by the Commonwealth and the States and published on 21 July 1992.

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Work excluded from the ambit of the definition “building work”—Act, s 4(1)

3A.(1) The following work is excluded from the ambit of the definition “building work”—

- (a) anything mentioned in paragraphs (a) to (f) of the definition “building work” if it is for a farm building;
- (b) work of a value of less than \$500, unless the work is within the scope of Schedule 2, Part 7, 9, 10, 26, 27, 28 or 29;
- (c) the giving of free advice by an organisation the membership of which is drawn wholly or predominantly from the building industry;
- (d) design work performed, or supervisory services provided, by an architect in the architect’s professional practice;
- (e) design work performed, or supervisory services provided, by an engineer in the engineer’s professional practice;
- (f) survey work performed by a licensed surveyor in the surveyor’s professional practice;
- (g) work performed by the State or an instrumentality or agency of the State (as distinct from work performed for the State or an instrumentality or agency of the State by an independent contractor);
- (h) work performed by a local government (as distinct from work performed for a local government by an independent contractor);
- (i) work performed by a charitable or community organisation for its own use, if the Authority agrees that the work can reasonably be excluded from the definition “building work”, given the qualifications and experience of persons who will supervise the work;
- (j) the construction, extension, repair or replacement of a water reticulation system, sewerage system or stormwater drain, outside the boundaries of private property;
- (k) the construction, maintenance or repair of a road under the *Land Act 1962*;

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- (l) the construction, maintenance or repair of a bridge (other than a bridge on land in private ownership);
- (m) the construction, maintenance or repair of railway tracks, signals or associated structures (unless the structures are buildings for residential purposes, or are storage or service facilities);
- (n) the construction, maintenance or repair of airport runways, taxiways and aprons;
- (o) the construction, maintenance or repair of harbours, wharfs and other maritime structures (unless the structures are buildings for residential purposes, or are storage or service facilities);
- (p) electrical work under the *Electricity Act 1976*;
- (q) the construction, maintenance or repair of a dam;
- (r) the construction, maintenance or repair of communications installations performed for a public company or other public body engaged in radio or television broadcasting or in some other form of communications business or undertaking;
- (s) the erection of scaffolding;
- (t) the installation of manufacturing equipment or equipment for hoisting, conveying or transporting materials or products (including primary produce), but excluding the installation of fixed structures providing shelter for the equipment;
- (u) construction work in mining;
- (v) hanging of curtains or blinds, or laying of carpets or vinyl, cork or parquet flooring;
- (w) work consisting of monumental masonry, sculpture, or the erection or construction of statues, fountains or other works of art (other than work affecting the structure of a building);
- (x) work consisting of earthmoving and excavating;
- (y) work performed personally by the owner of the land on which the work is performed if—
 - (i) the value of the work is less than \$6 000; or
 - (ii) an approval of a local government for the performance of the

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work is not required under the Standard Building Law.

(2) The Authority's agreement under subsection (1)(i) cannot be given so as to exclude from the ambit of the definition "building work" work that would otherwise be residential construction work.

Licensed builder—Act, s 4(1)

3B. A person is a licensed builder under this regulation if the person is the holder of a contractor's licence for general building or house building.

Definitions that apply for the purposes of the Act—Act, s 4(1)

4. For the purposes of the Act—

"farm building" means a building other than a home that—

- (a) is constructed on land used wholly or primarily for agricultural or pastoral purposes; and
- (b) is used or intended to be used for agricultural or pastoral purposes; and
- (c) has a completed value of not more than \$25 000.

"major domestic building work" means domestic building work of a value exceeding \$3 000.

"residential construction work" means major domestic building work—

- (a) consisting of the construction of a home or a roofed building on the site of a home (other than a home or building that is a multiple dwelling of more than 3 storeys); or
- (b) consisting of an alteration or addition to such a home or building affecting—
 - (i) its structure; or
 - (ii) its external fabric or weatherproofing; or
 - (iii) water supply, sewerage or drainage; or
 - (iv) internal fixtures;

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if the work is performed by a building contractor other than as subcontractor.

Financial requirements included in Board's policies

4A.(1) The Board may set out in its policies the financial requirements that apply to an applicant for a contractor's licence.

(2) The Board must keep copies of the part of its policies containing the financial requirements available for inspection by any person, during office hours on business days, at—

- (a) the Authority's head office; and
- (b) each regional office of the Authority.

Financial requirements to be reasonable

4B.(1) The financial requirements must be reasonable having regard to—

- (a) the class of the licence; and
- (b) the value of building work authorised to be undertaken by the licence; and
- (ba) any conditions to which the licence is subject; and
- (c) any other relevant matter.

(2) The requirements may include 1 or more of the following—

- (a) that the applicant must have net realisable assets of a specified amount;
- (b) that the applicant must give a bank guarantee of a specified amount;
- (c) that the applicant must have a current professional indemnity insurance policy of a specified amount;
- (d) if the applicant is a company—that the directors of the company must give a guarantee in a specified form and of a specified amount;
- (e) if the applicant is a company that is a subsidiary of another

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company—that the other company must give a guarantee in a specified form and of a specified amount.

Approval of management courses

4C.(1) The Authority may approve a management course for the purpose of paragraph (d) of the definition “approved managerial qualification” in section 3(1).

(2) The Authority may approve a course only if it is satisfied an individual successfully completing the course would acquire management skills similar to those acquired by an individual successfully completing another course or the subjects mentioned in the definition.

Committees—Act, s 14(2)

5.(1) A committee appointed by the Board or the Minister under section 14 of the Act is to have a constitution determined by the Board.

(2) A constitution determined by the Board under this section must—

- (a) assign a name to the committee; and
- (b) provide for the membership of the committee; and
- (c) state the purposes for which the committee is established; and
- (d) provide for the way meetings of the committee are to be convened and the frequency of meetings; and
- (e) provide for the quorum of the committee and who is to preside at its meetings; and
- (f) provide that the committee is to reach decisions by majority vote of the members voting or in some other way set out in the constitution; and
- (g) require the committee to report to the Board at intervals stated in the constitution.

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Classes of licence—Act, s 30(2)

6.(1) Licences are divided into classes in accordance with Schedule 2.

(2) Further licence classes may be established by determination of the Authority in relation to classes of building work specified in the determination.

(3) Subject to subsection (4), a contractor's licence or supervisor's licence may be issued for any class of licence.

(4) A subcontractor's licence may not be issued for a general building licence or house building licence.

Requirements for contractor's licence—Act, s 31

7.(1) An individual applying for a contractor's licence must—

- (a) have the qualifications and experience set out in Schedule 2 for the relevant class of licence; and
- (b) satisfy the financial requirements set out in the Board's policies for the relevant class of licence.

(2) A company applying for a contractor's licence must satisfy the financial requirements set out in the Board's policies for the relevant class of licence.

(3) However, subsection (2) does not apply to a company if the Authority is satisfied the company's sole object is to conduct training for persons to undertake building work.

Approval of alternative qualifications and experience for design/drafting licences

7A.(1) The Authority may approve the qualifications and experience required to be held by an individual who—

- (a) applies for a licence of a class mentioned in Part 26, 27, 28 or 29 of Schedule 2; and
- (b) does not have the qualifications and experience specified for the licence in section 3(a) of the relevant Part.

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(2) The Authority may approve qualifications and experience only if the Authority is satisfied, having regard to the matters mentioned in subsection (3), that the qualifications and experience are sufficient to enable the applicant to carry out competently the type of work to which the licence relates.

(3) The matters are—

- (a) the applicant's relevant technical and managerial qualifications; and
- (b) any training the applicant is currently undergoing to attain relevant technical or managerial qualifications; and
- (c) the applicant's experience in the industry relating to designing and drafting or another related industry, and in particular—
 - (i) the length of the experience; and
 - (ii) how recently the experience was gained; and
 - (iii) whether the applicant was an employee or self-employed; and
 - (iv) whether the applicant worked part-time or full-time; and
 - (v) the types of plans, specifications and other documents the applicant has prepared; and
 - (vi) the types of building work for which the plans, specifications and other documents were prepared; and
 - (vii) any relevant work, other than designing or drafting, the applicant has performed; and
- (d) whether the applicant belongs to any relevant professional industry associations; and
- (e) whether the applicant holds any other relevant licences; and
- (f) any other relevant matter.

Requirements for supervisor's licence—Act, s 32

8. An applicant for a supervisor's licence must have the same

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qualifications and experience as are required of an individual who applies for a contractor's licence of the corresponding class.

Application for a licence—Act, s 33

9.(1) An application for a licence under the Act—

- (a) must be in writing in a form approved by the Authority; and
- (b) must contain the information indicated by the form; and
- (c) must be accompanied by such documentary evidence of the applicant's identity, qualifications and experience and, in the case of an application for a contractor's licence, the applicant's financial position as the Authority may require; and
- (d) must be accompanied by a statutory declaration verifying the information contained in the application and the documents supplied by the applicant; and
- (e) must be accompanied by the application fee and the annual fee specified in Schedule 1.

(1A) Subsection (1)(e) does not apply to an application—

- (a) if the Authority is satisfied on reasonable grounds that payment of the fees by the applicant would cause, or would be likely to cause, the applicant to suffer undue financial hardship; or
- (b) if—
 - (i) the applicant is a company; and
 - (ii) the Authority is satisfied the company's sole object is to conduct training for persons to undertake building work; or
- (c) if—
 - (i) the applicant is making an application for a supervisor's licence for the purpose of being a company's nominated supervisor; and
 - (ii) the company has not had a nominated supervisor previously; and
 - (iii) the supervisor's licence is not of a class corresponding to a

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contractor's licence of class 1 or 2.

(2) An applicant or, if the applicant is a company, an officer of the company must, at the request of the Authority—

- (a) attend an interview with an officer of the Authority to answer questions and provide information relevant to the application; and
- (b) provide the Authority with any further evidence it reasonably requires to decide the application.

(3) If the applicant (or the officer) fails, without reasonable excuse, to attend an interview or provide evidence required under this section, the Authority may reject the application on that ground.

Renewal of licence—Act, ss 37 and 38

11.(1) The Authority must, in accordance with the Board's policies, send to every licensee a licence renewal notice before the date on which the licence is due to expire.

(2) The licence renewal notice—

- (a) must state the date on which the licence renewal falls due; and
- (b) must state the annual licence fee and the time for payment.

(3) The licence fee prescribed by Schedule 1 must be paid on or before 4.30 p.m. on the last day of the month in which the licence is due to expire or at such earlier time as the renewal notice may require.

(3A) However, the licence fee is not required to be paid—

- (a) if the Authority is satisfied on reasonable grounds that payment of the fee by the applicant would cause, or would be likely to cause, the applicant to suffer undue financial hardship; or
- (b) if—
 - (i) the applicant is a company; and
 - (ii) the Authority is satisfied the company's sole object is to conduct training for persons to undertake building work.

(4) For the purposes of section 38(2) of the Act, the appropriate fee for terminating a suspension imposed under that section is a fee equivalent to

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the licence fee prescribed by Schedule 1 plus the application fee prescribed by that Schedule.

(5) The Authority may, for any reason it considers appropriate, remit or reduce the fee mentioned in subsection (4).

Register—Act, s 39(2)(d)

12. The register must contain particulars of—

- (a) the value of all residential construction work undertaken by each licensee who holds a general building or house building contractor's licence; and
- (b) the number of separate projects involving residential construction work on which the licensee has been engaged.

Owner-builder permits—Act, s 44

13.(1) An application for an owner-builder permit—

- (a) must be in a form approved by the Authority; and
- (b) must be accompanied by the fee prescribed by Schedule 1.

(2) The Authority may, before granting an owner-builder permit, require the applicant to provide such evidence as the Authority considers appropriate of the applicant's identity and ownership of the land on which the domestic building work is to be carried out.

(3) An owner-builder permit permits the holder of the permit, subject to any other relevant law, to carry out domestic building work (other than work related to a multiple dwelling) on land of which the holder is the owner.

(4) An applicant for an owner-builder permit to carry out building work of a value exceeding \$10 000 or, if there are 2 or more joint applicants, at least 1 of them must have completed the relevant course of instruction required by the Board's policies on the issue of owner-builder permits unless exempted by the Authority.

(5) If the applicant mentioned in subsection (4) is a company, at least 1 director of the company must have completed the relevant course of

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instruction required by the Board's policies on the issue of owner-builder permits unless exempted by the Authority.

Warnings—Act, s 47

14.(1) The notice to be given to a prospective purchaser of land under section 47(1) of the Act—

- (a) must state that building work detailed in the notice has been carried out under an owner-builder permit by a person named in the notice; and
- (b) must contain a warning in the following terms—

WARNING—THE BUILDING WORK TO WHICH THIS NOTICE RELATES IS NOT COVERED BY INSURANCE UNDER THE QUEENSLAND BUILDING SERVICES AUTHORITY ACT 1991; and

- (c) must comply with such other requirements as to its form or contents as the Board may impose in its policies.

(2) The notice must be given in duplicate, and the purchaser must sign 1 copy of the notice and return it to the vendor on or before signing the contract.

Signs to be exhibited—Act, s 52

15. A sign that is to be exhibited under section 52 of the Act must conform with the following requirements—

- (a) it must be made of weatherproof materials;
- (b) it must have a surface area of not less than 0.5 m²;
- (c) it must be printed in letters not less than 0.05 m high and placed so as to be easily legible from the nearest street alignment.

Return of licence—Act, s 53

16. A licensee who is required to return a licence or licence certificate (or

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both) to the Authority under section 53 of the Act must do so personally or by certified mail.

Advertisements—Act, s 54

17. The information to be included in an advertisement under section 54 of the Act must—

- (a) if the advertisement consists of or includes written material—be included in an easily legible and reasonably prominent form; and
- (b) if the advertisement consists of or includes spoken words—be no less audible and clear than other spoken material contained in the advertisement.

Notification of nominated supervisor—Act, s 55

18.(1) The notice required by section 55 of the Act must be in writing and must contain the following information—

- (a) the name under which the company is licensed;
- (b) the licence number and class of licence held by the company;
- (c) the full name, address and licence number of the former nominated supervisor;
- (d) the date on which that nominated supervisor ceased to be a nominated supervisor in relation to the company;
- (e) in the case of a change of nominated supervisor—
 - (i) the full name, address and licence number of the new nominated supervisor; and
 - (ii) the date on which the new nominated supervisor began acting as nominated supervisor of the company.

(2) The notice must be signed by a director of the company or by an officer authorised by the company to give the notice.

(3) A person who ceases to be the nominated supervisor of a company must within 14 days give notice in writing to the Authority stating—

- (a) the date on which the person ceased to be the company's

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nominated supervisor; and

- (b) the reasons for ceasing to be the company's nominated supervisor.

Maximum penalty—10 penalty units.

Partnerships—Act, s 56

19.(1) An advertisement published or to be published in relation to the business carried on, or to be carried on, by a partnership under a licence must state the name under which the licensed contractor is licensed and the licensee's licence number.

(2) The information must—

- (a) if the advertisement consists of or includes written material—be included in an easily legible and reasonably prominent form; and
- (b) if the advertisement consists of or includes spoken words—be no less audible and clear than other spoken material contained in the advertisement.

Non-application of Pt 4 of Act to contracts between consumers and certain licensed contractors

19A. A licensed contractor is of a class prescribed for section 56A of the Act if the contractor—

- (a) holds a licence of 1 of the following classes—
 - (i) residential design/drafting (limited);
 - (ii) residential design/drafting;
 - (iii) building design/drafting (limited);
 - (iv) building design/drafting; and
- (b) enters into the contract mentioned in section 56A(2) of the Act in the capacity of a person who holds a licence of a class mentioned in paragraph (a).

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Contract for major domestic building work—Act, s 58

20.(1) A copy of a contract mentioned in section 58(2)(b) of the Act or a written notice of details of a contract mentioned in section 58(2)(c) of the Act may be given to the appropriate authority as agent for the Authority.

(2) The appropriate authority must send the copy or the written notice to the Authority.

(3) In this section—

“appropriate authority” means—

- (a) the local government in whose area the residential construction work mentioned in section 58(2)(b) or (c) of the Act is to be carried out; or
- (b) a person designated in the Board’s policies as an appropriate authority under this section.

Cost escalation clauses—Act, s 62

21.(1) For the purposes of section 62(1) of the Act, the notice to be given by the building contractor to the consumer must conform with any requirements stated in the Board’s policies.

(2) For the purposes of section 62(2)(c) of the Act, a cost escalation clause must comply with the following requirements—

- (a) the clause must be limited by condition to cases of delay;
- (b) in the case of delay happening before work starts on the building site—
 - (i) the clause must be limited by condition to a delay of more than 4 weeks for which the building contractor is not responsible; and
 - (ii) the clause must provide for an increase in the contract price in accordance with the following formula—

The contract price increases by—

- (A) the amount of the costs incurred by the building contractor because of the delay; or

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- (B) 0.125% of the contract price for each week, or part of a week, of the delay after 4 weeks;
whichever is the lesser;
- (c) in the case of delay happening after work starts on the building site—
- (i) the clause must be limited by condition to a delay for which the consumer is responsible; and
- (ii) the clause must provide for an increase in the contract price in accordance with the following formula—
- The contract price increases by—
- (A) the amount of the costs incurred by the building contractor because of the delay; or
- (B) 0.05% of the contract price for each day of the delay;
whichever is the lesser.

Progress payments—Act, s 66

22.(1) Section 66 of the Act applies to a contract to carry out major domestic building work where the contract is for the construction of a home, or an addition to a home, or for the construction of a swimming pool.

(2) For the purposes of section 66(2) of the Act, the notice to be given to the consumer must be in writing and must conform with any requirements of the Board's policies.

(3) For the purposes of section 66(2) of the Act, the suggested schedule of instalments is—

- (a) if the contract is for the construction of a home or an addition to a home—

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Stage of work	Maximum percentage of total price
(i) on signing the contract	5%
(ii) completion to base stage	10%
(iii) completion to frame stage	15%
(iv) completion to lockup stage	35%
(v) completion to prepaint stage	20%
(vi) practical completion	15%

(b) if the contract is for the construction of a swimming pool—

Stage of work	Maximum percentage of total price
(i) on signing contract	10%
(ii) completion of shell	45%
(iii) practical completion	45%

but, if the value of the building work is not more than \$25 000, a contractual schedule for the payment of instalments is taken to be in accordance with this section if no payment, or a payment of not more than 20% of the total price, is required before the work starts on the building site (whatever provision is made for the payment of instalments after the start of the work).

(4) For the purposes of the schedules in subsection (3)—

- (a) building work is completed to the base stage when the footings, base walls, piers, columns, concrete slab, or timber bearers, joists or flooring (as the case requires) have been completed ready for the erection of the walls; and
- (b) building work is completed to the frame stage when the building frame is completed and ready for local authority inspection; and
- (c) building work is completed to the lockup stage when the external wall cladding and roof covering is fixed, the flooring laid and the

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- external doors and windows fixed; and
- (d) building work is completed to the prepaint stage when it has been completed except for—
 - (i) painting; and
 - (ii) final electrical fit out; and
 - (iii) laying of floor coverings; and
 - (iv) commissioning; and
 - (v) cleaning and site clearing; and
 - (e) practical completion of building work is reached when the building work has been completed in accordance with the contract and all relevant statutory requirements and inspections have been satisfactorily completed.

Insurance of building work—Act, s 68

23.(1) Subject to subsection (2), the appropriate insurance premium to be paid by a building contractor under section 68(1) of the Act is the amount fixed by Schedule 1.

(2) If the residential construction work relates to a multiple dwelling, the appropriate insurance premium is the amount fixed by Schedule 1 multiplied by the number of residential units to which the work relates.

(3) The insurance premium must be paid to the local authority as agent for the Authority or to some other person nominated as agent of the Authority in the policies of the Board.

Statutory policy of insurance—Act, s 69

24.(1) When a consumer enters into a contract with a licensed contractor whose licence bears a residential construction work endorsement, or a person fraudulently claiming to hold such a licence, to have residential construction work carried out in Queensland, a policy of insurance in the terms set out in the Board's policies comes into force in relation to the building work irrespective of whether the appropriate insurance premium is paid or the certificate of insurance issued.

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(2) A certificate of insurance issued by the Authority under section 69(1) of the Act must set out the terms of the policy.

Insurance information

25. The Authority must, on written application by the owner of land, or a prospective purchaser of land, accompanied by the fee fixed by Schedule 1, inform the applicant—

- (a) whether there is a policy of insurance in force under the Act in relation to building work on the land; and
- (b) if so—whether any claim has been made under the policy and the amount (if any) paid out on the claim.

Notification to Authority—Act, s 86

27. On the filing of an application in the Tribunal, the registrar of the Tribunal must forward a copy of the application to the Authority.

Registrar to send copies of determination to party—Act, s 91

28. The registrar of the Tribunal must, on the application of a party in whose favour a determination has been made by the Tribunal, send 2 sealed copies of the determination to the party.

Noncompliance by licensee—Act, Pt 7

29.(1) The Tribunal may, in a proceeding to which a licensee is a party, order that the licence be suspended or cancelled if the licensee fails to comply with an order of the Tribunal within the time allowed by the Tribunal.

(2) An order under this section operates, of its own force, to suspend or cancel the licence if the licensee fails to comply with the Tribunal's determination within the time allowed by the Tribunal.

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Fees

30. The fees set out in Schedule 1 are the prescribed fees for the purposes mentioned in the Schedule.

Screen search

30A. No fee is payable for a screen search of the particulars in the register about an individual licensee, whether requested over the counter or by telephone.

Transitional provision

31.(5) For the purposes of section 2(8)(a) of the Schedule to the Act, the following days are fixed—

- (a) in relation to the classes of building work described in Parts 3, 4, 7, 10 and 23 of Schedule 2—1 March 1993;
- (b) in relation to the preparation of plans or specifications for the performance of building work—1 April 1994;
- (c) in relation to any other class of building work—1 September 1993.

SCHEDULE 1

FEES

sections 9(1)(e), 11(3)–(4),
13(1)(b), 23(1)–(2), 25 and 30

	\$
1. Licence application fee—	
(a) individual—	
(i) contractor’s licence	106.00
(ii) supervisor’s licence	80.00
(b) company	224.00
2. Annual licence fee—	
(a) general building licence—	
(i) individual—	
(A) contractor’s licence	170.00
(B) supervisor’s licence	127.00
(ii) company	347.00
(b) all other classes of licence—	
(i) individual—	
(A) contractor’s licence	134.00
(B) supervisor’s licence	100.00
(ii) company	271.00
3. Owner-builder permit fee—	
(a) if value of building work to which permit relates is more than \$10 000—	
(i) up to 31 December 1992	120.00
(ii) after 31 December 1992	219.00
(b) if value of building work to which permit relates is not more than \$10 000—	
(i) up to 31 December 1992	50.00
(ii) after 31 December 1992	109.00

SCHEDULE 1 (continued)

4.	Supply of—	
	(a) licence card	5.00
	(b) licence certificate	16.00
5.	Inspection fees—	
	(b) register certificate	21.00
	(c) insurance statement	23.00
6.	Insurance premium—	
	(a) for a licensed contractor whose licence bears an endorsement signifying that the licensee may enter into contracts with consumers to carry out residential construction work covered by the statutory insurance scheme—	
	(i) if the value of the proposed residential construction work is not more than \$10 000 . . .	120.00
	(ii) if the value of the proposed residential construction work is more than \$10 000	287.00
	(b) for any other contractor	nil
7.	Tribunal application fee	200.00

SCHEDULE 2

CLASSES OF LICENCES AND LICENCE REQUIREMENTS

sections 6 and 7

PART 1—GENERAL BUILDING LICENCE

Licence class

1. General building.

Scope of work

2.(1) All classes of building work (other than building work for which a house building licence is required).

(2) The preparation of plans and specifications if the plans and specifications are—

- (a) for the licensee's personal use; or
- (b) for use in building work to be performed by the licensee personally.

Qualifications

3. Either—

- (a) successful completion of any of the following courses—
 - (i) Degree in Construction Management CN31 (QUT);
 - (ii) Associate Diploma of Applied Science (Building) CNJ45 (TAFE);
 - (iii) General Builders Registration CNB29 (TAFE);

SCHEDULE 2 (continued)

- (iv) Associate Diploma of Building 5185 ((TAFE NSW);
 - (v) Building Supervision Advanced Certificate ((TAFE NSW);
 - (vi) degree courses in building (NSW);
 - (vii) equivalent course acceptable to the Authority; or
- (b) until 31 December 1998—
- (i) if there are relevant national competency standards for the class of licence—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence; or
 - (ii) if there are no relevant national competency standards for the class of licence—attainment of recognition of the required competency (general building) from an approved assessor.

Experience requirements

4. Two years practical and supervisory experience in the building industry acceptable to the Authority.

Financial requirements

5. The relevant financial requirements set out in the Board's policies.

SCHEDULE 2 (continued)

PART 2—HOUSE BUILDING LICENCE

Licence class

1. House building.

Scope of work

2.(1) Building work on residential buildings other than multiple dwellings of more than 3 storeys.

(2) All classes of building work if the work is performed as a subcontractor for a person who holds the appropriate licence for the work, other than work for which the person also must be licensed by an entity other than the Authority.

(3) The preparation of plans and specifications if the plans and specifications are—

- (a) for the licensee's personal use; or
- (b) for use in building work to be performed by the licensee personally.

Qualifications

3. Either—

- (a) successful completion of any of the following courses—
 - (i) Degree in Construction Management CN31 (QUT);
 - (ii) Associate Diploma of Applied Science (Building) CNJ45 (TAFE);
 - (iii) House Builders Registration CNB28 (TAFE);
 - (iv) Associate Diploma of Building 5185 ((TAFE NSW);
 - (v) Building Supervision Advanced Certificate ((TAFE NSW);
 - (vi) degree courses in building (NSW);

SCHEDULE 2 (continued)

- (vii) equivalent course acceptable to the Authority; or
- (b) until 31 December 1998—
 - (i) if there are relevant national competency standards for the class of licence—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence; or
 - (ii) if there are no relevant national competency standards for the class of licence—attainment of recognition of the required competency (house building) from an approved assessor.

Experience requirements

4. Two years practical and supervisory experience in the building industry acceptable to the Authority.

Financial requirements

5. The relevant financial requirements set out in the Board's policies.

PART 3—BRICKLAYING LICENCE

Licence class

1. Bricklaying.

Scope of work

2.(1) Bricklaying, including—

- (a) bricklaying, brick cutting, pointing and tuck pointing; and
- (b) firework, kiln and furnace work and parging.

SCHEDULE 2 (continued)

(2) Block laying, including—

- (a) block laying of concrete, masonry, terracotta, plaster, plastic, synthetic and reconstituted material blocks; and
- (b) stone setting.

(3) Paving, including laying of coke slabs, paving bricks, bricks, blocks and tiles in sand.

(4) Ancillary work, including—

- (a) tiling; and
- (b) bagging and setting; and
- (c) cutting openings in brickwork; and
- (d) building in of frames or joinery in brickwork; and
- (e) core or cavity filling of masonry or terracotta blocks or brickwork; and
- (f) minor formwork and centring; and
- (g) remedial masonry repairs; and
- (h) construction of retaining walls; and
- (i) construction of lintels; and
- (j) taking off quantities, site set out and tanking, installation of damp courses and flashings, underpinning associated with brickwork repair, construction of concrete footings and floors.

Technical qualifications

3. Either—

- (a) successful completion of a bricklaying apprenticeship; or
- (b) attainment of recognition as a qualified bricklayer under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the

SCHEDULE 2 (continued)

required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a bricklayer.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 4—CARPENTRY AND JOINERY LICENCE

Licence class

1. Carpentry and joinery.

Scope of work

- 2.(1) Fabrication and erection of frames.
- (2) Cladding of sheet roofs and external walls.
- (3) Repairs to tiled roofs.
- (4) Fabrication, erection and installation of all external and internal joinery.
- (5) Fabrication and installation of fascias and barge boards.
- (6) Internal sheeting.

SCHEDULE 2 (continued)

- (7) Form working.
- (8) Internal fixing out.
- (9) Site set out.
- (10) Taking off quantities.

Technical qualifications

3. Either—

- (a) successful completion of a carpentry and joinery apprenticeship;
or
- (b) attainment of recognition as a qualified carpenter and joiner under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4.** An approved managerial qualification.

Experience requirements

- 5.** Two years practical experience as a carpenter and joiner.

Financial requirements

- 6.** The relevant financial requirements set out in the Board's policies.

SCHEDULE 2 (continued)

PART 5—CONCRETING LICENCE**Licence class**

1. Concreting.

Scope of work

- 2.(1) Minor earthworks.
- (2) Excavation of footings.
- (3) Laying bedding material.
- (4) Installation of waterproof barriers.
- (5) Fixing edge boards and joints.
- (6) Placing and fixing reinforcement to footings, slabs on ground, suspended slabs, walls, columns and stairs.
- (7) Placing, vibrating, levelling and finishing of concrete including all special finishes.
- (8) Curing concrete.
- (9) Repairing concrete.
- (10) Construction of paths, driveways and kerbs.

Technical qualifications

3. Either—
 - (a) successful completion of the concrete worker's traineeship; or
 - (b) attainment of recognition as a qualified concrete worker under the *Vocational Education, Training and Employment Act 1991*, section 82; or
 - (c) until 31 December 1998—attainment of recognition of the

SCHEDULE 2 (continued)

required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a concrete worker.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 6—STEEL FIXING

Licence class

1. Steel fixing.

Scope of work

2.(1) Placement and fixing of reinforcement to footings and ground slabs, including mesh and joint reinforcement.

(2) Placing and fixing reinforcement to suspended slabs, walls, columns and stairs.

Technical qualifications

3. Either—
 - (a) successful completion of the relevant sections of the concrete

SCHEDULE 2 (continued)

worker's traineeship; or

- (b) attainment of recognition as a qualified concrete worker (steel fixing) under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4. An approved managerial qualification.

Experience requirements

- 5. Two years practical experience as a concrete worker.

Financial requirements

- 6. The relevant financial requirements set out in the Board's policies.

PART 7—GAS FITTING

Licence class

- 1. Gas fitting.

Scope of work

- 2. Installation, commissioning, testing and servicing of gas pipe work, containers, appliances, fittings and systems in all premises.

SCHEDULE 2 (continued)

Technical qualifications

3. Possession of a Gas Installers' Licence issued by the Chief Gas Examiner, Department of Resource Industries.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years full-time practical experience as a licensed gasfitter.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 8—PAINTING LICENCE

Licence class

1. Painting.

Scope of work

2.(1) Application of paint or other substance that forms a film when dry for protective, decorative or technical purposes.

(2) Wallpapering.

SCHEDULE 2 (continued)

Technical qualifications

3. Either—

- (a) successful completion of a painting apprenticeship; or
- (b) attainment of recognition as a qualified painter under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4.** An approved managerial qualification.

Experience requirements

- 5.** Two years practical experience as a painter.

Financial requirements

- 6.** The relevant financial requirements set out in the Board's policies.

PART 9—PEST CONTROLLING LICENCE

Licence class

- 1.** Pest Controlling.

Scope of work

- 2.** Pre-slab and perimeter soil treatment of sites.

SCHEDULE 2 (continued)

Technical qualifications

3. Possession of government issued Pest Control Operator's Licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a pest controller.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 10—PLUMBING AND DRAINING LICENCE

Licence class

1. Plumbing and draining.

Scope of work

- 2.(1) Plumbing, pipe fitting, sanitary work, urban irrigation and rainwater tanks.
- (2) Metal roofing.
- (3) Installation of steam, gas and air vacuum equipment.
- (4) Installation of heating and ventilation equipment.

SCHEDULE 2 (continued)

Technical qualifications

3. Possession of a Plumbing and Draining Licence issued by the Plumbers and Drainers Examination and Licensing Board.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a licensed plumber.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 11—WALL AND FLOOR TILING

Licence class

1. Wall and floor tiling.

Scope of work

2.(1) Cutting and fixing of tiles (including ceramic mosaic, marble mosaic, slate, granite and stone) to floors, walls, fireplaces and hearths.

(2) Mosaic work.

(3) Construction of terrazzo floors, steps, risers and stringers.

(4) Installation of similar materials.

SCHEDULE 2 (continued)

Technical qualifications

3. Either—

- (a) successful completion of a wall and floor tiling apprenticeship; or
- (b) attainment of recognition as a qualified wall and floor tiler under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4.** An approved managerial qualification.

Experience requirements

- 5.** Two years practical experience as a wall and floor tiler.

Financial requirements

- 6.** The relevant financial requirements set out in the Board's policies.

PART 12—ROOF TILING LICENCE

Licence class

- 1.** Roof tiling.

Scope of work

- 2.(1)** The cutting and fixing of roof tiles (including tiles of concrete, clay,

SCHEDULE 2 (continued)

metal or similar material, shingles and shakes) to roof and fascia structures.

- (2) Setting out and fixing of battens.
- (3) Bedding, pointing and associated flashing.
- (4) Installation of safety mesh, sarking and antiponding boards.
- (5) Installation of firewall batts and metal straps to battens.
- (6) Installation of skylights.

Technical qualifications

3. Either—

- (a) successful completion of a roof tiling apprenticeship; or
- (b) attainment of recognition as a qualified roof tiler under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a roof tiler.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

SCHEDULE 2 (continued)

PART 13—PLASTERING (SOLID) LICENCE

Licence class

1. Plastering (Solid).

Scope of work

2.(1) Rendering of all building work to vertical and horizontal surfaces applied either manually or mechanically.

(2) Application of exposed aggregate or other finishes of either natural or synthetic material that is trowelled, rolled or applied by brush.

(3) Application of texture work, where the materials used consist of plaster, cement or lightweight aggregates, whether applied by manual or mechanical means.

(4) Application of exterior or interior insulation fire rating or finishing systems.

(5) Application of granolithic finishes to floors, stairs and similar surfaces.

Technical qualifications

3. Either—
 - (a) successful completion of a solid plastering apprenticeship; or
 - (b) attainment of recognition as a qualified solid plasterer under the *Vocational Education, Training and Employment Act 1991*, section 82; or
 - (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

SCHEDULE 2 (continued)

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a solid plasterer.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 14—PLASTERING (DRYWALL) LICENCE

Licence class

1. Plastering (Drywall).

Scope of work

2.(1) The fixing, stopping, setting and scrimming of plaster, fibrous and composite sheet linings, including framing and battening.

(2) The setting out and installation of all wall and ceiling systems, either fixed or demountable, including peripheral and accessory items, but excluding work that is either laid or cast.

Technical qualifications

3. Either—
 - (a) successful completion of a fibrous plastering apprenticeship; or
 - (b) attainment of recognition as a qualified fibrous plasterer under the *Vocational Education, Training and Employment Act 1991*, section 82; or

SCHEDULE 2 (continued)

- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a fibrous plasterer.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 15—CARPENTRY (FORMWORK) LICENCE

Licence class

1. Carpentry (Formwork).

Scope of work

2. The erection and stripping of formwork and falsework for floors, walls, columns, stairs, beams or any concrete work that requires forming.

Technical qualifications

3. Either—
- (a) successful completion of an apprenticeship in formwork carpentry or carpentry and joinery; or

SCHEDULE 2 (continued)

- (b) attainment of recognition as a qualified formwork carpenter or carpenter and joiner under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4. An approved managerial qualification.

Experience requirements

- 5. Two years practical experience as a formwork carpenter.

Financial requirements

- 6. The relevant financial requirements set out in the Board's policies.

PART 16—STONE MASONRY LICENCE

Licence class

- 1. Stone masonry.

Scope of work

- 2. Processing, hoisting, fixing, setting and pointing of natural and artificial stone associated with building work (including terrazzo work).

SCHEDULE 2 (continued)

Technical qualifications

3. Either—

- (a) successful completion of an apprenticeship in stone masonry; or
- (b) attainment of recognition as a qualified stonemason under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4.** An approved managerial qualification.

Experience requirements

- 5.** Two years practical experience as a stone mason.

Financial requirements

- 6.** The relevant financial requirements set out in the Board's policies.

PART 17—METAL FABRICATING LICENCE

Licence class

- 1.** Metal fabricating.

Scope of work

- 2.** The preparation, fabrication and erection of metal components in

SCHEDULE 2 (continued)

building work, including structural steel, windows and doors, handrails and security grilles.

Technical qualifications

3. Either—

- (a) successful completion of an apprenticeship in an engineering trade; or
- (b) attainment of recognition as a qualified engineering tradesperson under the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (c) attainment of recognition as a qualified engineering tradesperson under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (d) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4.** An approved managerial qualification.

Experience requirements

- 5.** Two years practical experience as a metal fabricator.

Financial requirements

- 6.** The relevant financial requirements set out in the Board's policies.

SCHEDULE 2 (continued)

PART 18—STRUCTURAL LANDSCAPING LICENCE

Licence class

1. Structural landscaping.

Scope of work

2.(1) Preparation, fabrication and erection of fences, pergolas, gazebos, retaining walls and ornamental structures.

(2) Minor site preparation and excavation and laying of paving material associated with landscaping.

(3) Construction of artificial landform structures requiring a fabricated internal structure.

Technical qualifications

3. Either—

- (a) satisfactory completion of any training program approved under the *Vocational Education, Training and Employment Act 1991* and nominated in the Board's policies; or
- (b) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Four years full-time practical experience as a structural landscaper.

SCHEDULE 2 (continued)

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 19—SHOP FITTING LICENCE

Licence class

1. Shop fitting.

Scope of work

2. Preparation, fabrication and installation of shop fronts, partitions and other fitments associated with the preparation of premises for use as a shop or office.

Technical qualifications

3. Either—
 - (a) successful completion of a shop fitting apprenticeship or carpentry and joinery apprenticeship; or
 - (b) attainment of recognition as a qualified shop fitter or carpenter and joiner under the *Vocational Education, Training and Employment Act 1991*, section 82; or
 - (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

SCHEDULE 2 (continued)

Experience requirements

5. Two years practical experience as a shop fitter.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 20—GLAZING LICENCE

Licence class

1. Glazing.

Scope of work

2.(1) Preparation, cutting and fixing all glass, acrylic or similar glazing materials.

(2) Preparation, fabrication and installation of all framing support work associated with glazing.

Technical qualifications

3. Either—
 - (a) successful completion of an appropriate traineeship or apprenticeship in the building or engineering trade; or
 - (b) attainment of appropriate recognition under the *Vocational Education, Training and Employment Act 1991*, section 82; or
 - (c) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

SCHEDULE 2 (continued)

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years practical experience as a glazier.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 21—INSULATING LICENCE

Licence class

1. Insulating.

Scope of work

2. Preparation and installation of insulation materials, by physical or mechanical means, for the purpose of acoustic and thermal control.

Technical qualifications

3. Either—
 - (a) satisfactory completion of any training program approved under the *Vocational Education, Training and Employment Act 1991* and nominated in the Board's policies; or
 - (b) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

SCHEDULE 2 (continued)

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Four years full-time experience as an insulation applicator.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

**PART 22—REFRIGERATION, AIRCONDITIONING
AND MECHANICAL SERVICES LICENCE**

Licence class

1. Refrigeration, airconditioning and mechanical services.

Scope of work

2. The manufacture and subsequent installation, installation, commissioning, service, or repair of refrigeration, airconditioning, mechanical ventilation or other air-handling equipment, sheet metal products, mechanical services and components, and all associated pipe reticulation services, including associated controls.

Technical qualifications

3. Either—
 - (a) successful completion of an apprenticeship in sheet metal working or as a refrigeration, airconditioning and engineering tradesperson; or

SCHEDULE 2 (continued)

- (b) attainment of recognition under the *Vocational Education, Training and Employment Act 1991*, section 82; or
- (c) attainment of recognition under the *Tradesmen's Rights Regulation Act 1946* (Cwlth) in the relevant occupational calling; or
- (d) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

- 4. An approved managerial qualification.

Experience requirements

- 5. Two years practical experience in refrigeration, airconditioning and mechanical services.

Financial requirements

- 6. The relevant financial requirements set out in the Board's policies.

**PART 23—SWIMMING POOL CONSTRUCTION
LICENCE**

Licence class

- 1. Swimming pool construction.

SCHEDULE 2 (continued)

Scope of work

2.(1) Earthworks and drainage associated with pool and spa installation and construction.

(2) Placement and fixing of reinforcement.

(3) Formwork to edges to define a swimming or spa pool shape or form not more than 1.5 m above natural ground level.

(4) Placement and finishing of concrete or other materials to provide a shape or form for a swimming or spa pool (including packing, filling and levelling of prefabricated units).

(5) Ancillary pipe work including general filtration, sanitation, water chemistry and basic hydraulics.

(6) Minor landscaping works, including—

(a) tiling; and

(b) paving; and

(c) fencing (as required by statutory requirements).

Technical qualifications

3. Either—

(a) satisfactory completion of any training program approved under the *Vocational Education, Training and Employment Act 1991* and nominated in the Board's policies; or

(b) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

Managerial qualifications

4. An approved managerial qualification.

SCHEDULE 2 (continued)

Experience requirements

5. Two years full-time experience in swimming pool construction.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

**PART 24—WATERPROOFING APPLICATION
LICENCE**

Licence class

1. Waterproofing application.

Scope of work

2. The preparation of surfaces and the application or repair of paintable liquids, sheet and composite membranes, joint sealing and epoxy repair systems, specifically for the purpose of preventing moisture penetration.

Technical qualifications

3. Either—
 - (a) satisfactory completion of any training program approved under the *Vocational Education, Training and Employment Act 1991* and nominated in the Board's policies; or
 - (b) until 31 December 1998—attainment of recognition of the required competency for the class of licence from an approved authority for the class of licence.

SCHEDULE 2 (continued)

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Two years full-time practical experience as a waterproofing applicator.

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

PART 25—SPECIALISED CONTRACTING LICENCE

Licence class

1. Specialised contracting.

Scope of work

2. Such work as the Authority may from time to time direct.

Technical qualifications

3. Such qualifications as the Authority may from time to time direct.

Managerial qualifications

4. An approved managerial qualification.

Experience requirements

5. Such experience as the Authority may consider appropriate.

SCHEDULE 2 (continued)

Financial requirements

6. The relevant financial requirements set out in the Board's policies.

**PART 26—RESIDENTIAL DESIGN/DRAFTING
(LIMITED) LICENCE**

Licence class

1. Residential design/drafting (limited).

Scope of work

2. Preparation of plans and specifications for single unit dwellings and outbuildings.

Qualifications and experience

3. Either—
 - (a) the following qualifications and experience—
 - (i) successful completion of the subjects code numbered ARC101, ARC102, ARC103, ARC104, ARC203, ARC204, ARC302, ARC304, ARC305, ARC401, ARC402, ARC403, ARC404, ARC405 and ARC406 that form part of an Associate Diploma of Applied Science (Architectural Technology);
 - (ii) an approved managerial qualification;
 - (iii) 3 years practical experience in the work mentioned in clause 2 supervised by a person who has, or is entitled to, a residential design/drafting (limited) licence; or

SCHEDULE 2 (continued)

- (b) other qualifications and experience approved by the Authority under section 7A of this regulation.

Financial requirements

4. The relevant financial requirements set out in the Board's policies.

**PART 27—RESIDENTIAL DESIGN/DRAFTING
LICENCE**

Licence class

1. Residential design/drafting.

Scope of work

2. Preparation of plans and specifications for domestic building work to a maximum height of 3 storeys.

Qualifications and experience

3. Either—
- (a) the following qualifications and experience—
 - (i) an Associate Diploma of Applied Science (Architectural Technology);
 - (ii) an approved managerial qualification;
 - (iii) 3 years practical experience in the work mentioned in clause 2 supervised by a person who has, or is entitled to, a residential design/drafting licence; or
 - (b) other qualifications and experience approved by the Authority under section 7A of this regulation.

SCHEDULE 2 (continued)

Financial requirements

4. The relevant financial requirements set out in the Board's policies.

**PART 28—BUILDING DESIGN/DRAFTING
(LIMITED) LICENCE**

Licence class

1. Building design/drafting (limited).

Scope of work

2. Preparation of plans and specifications for building work, other than domestic building work, to a maximum height of 3 storeys.

Qualifications and experience

3. Either—
 - (a) the following qualifications and experience—
 - (i) an Associate Diploma of Applied Science (Architectural Technology);
 - (ii) an approved managerial qualification;
 - (iii) 3 years practical experience in the work mentioned in clause 2 supervised by a person who has, or is entitled to, a building design/drafting (limited) licence; or
 - (b) other qualifications and experience approved by the Authority under section 7A of this regulation.

SCHEDULE 2 (continued)

Financial requirements

4. The relevant financial requirements set out in the Board's policies.

PART 29—BUILDING DESIGN/DRAFTING LICENCE

Licence class

1. Building design/drafting.

Scope of work

2. Preparation of plans and specifications for building work, to a maximum height of 25m effective height as defined under clause A1.1 of the Building Code of Australia.

Qualifications and experience

3. Either—
 - (a) the following qualifications and experience—
 - (i) a Bachelor of Built Environment (Architecture);
 - (ii) an approved managerial qualification;
 - (iii) 3 years practical experience in the work mentioned in clause 2 supervised by a person who has, or is entitled to, a building design/drafting licence; or
 - (b) other qualifications and experience approved by the Authority under section 7A of this regulation.

Financial requirements

4. The relevant financial requirements set out in the Board's policies.

ENDNOTES

1 **Index to endnotes**

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2 **Date to which amendments incorporated**

This is the reprint date mentioned in section 5(c) of the Reprints Act 1992. Accordingly, this reprint includes all amendments that commenced operation on or before 10 February 1998. Future amendments of the Queensland Building Services Authority Regulation 1992 may be made in accordance with this reprint under section 49 of the Reprints Act 1992.

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3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	1 October 1992
2	to SL No. 25 of 1993	23 April 1993
3	to SL No. 325 of 1993	24 September 1993
4	to SL No. 492 of 1993	17 January 1994
5	to SL No. 308 of 1994	7 September 1994
5A	to SL No. 384 of 1996	9 April 1997

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of Table	Reprint No.
Corrected minor errors	1
Renumbered provisions	3, 4

6 List of legislation

Queensland Building Services Authority Regulation 1992 SL No. 167

made by Governor in Council on 25 June 1992
 pubd gaz 26 June 1992 pp 1595–1649
 ss 1–2 commenced on date of publication
 remaining provisions commenced 1 July 1992 (see s 2)
exp 25 June 2002 (see SIA s 54)

as amended by—

Queensland Building Services Authority Amendment Regulation (No. 1) 1992 SL No. 438

notfd gaz 18 December 1992 pp 1988–96
 commenced on date of notification

Queensland Building Services Authority Amendment Regulation (No. 1) 1993 SL No. 25

notfd gaz 12 February 1993 pp 448–9
 commenced on date of notification

Queensland Building Services Authority Amendment Regulation (No. 2) 1993 SL No. 325

notfd gaz 27 August 1993 pp 1974–7
 commenced on date of notification

Queensland Building Services Authority Amendment Regulation (No. 3) 1993 SL No. 412

notfd gaz 19 November 1993 pp 1402–3
 commenced on date of notification

Queensland Building Services Authority Amendment Regulation (No. 4) 1993 SL No. 492

notfd gaz 17 December 1993 pp 1812–21
 commenced on date of notification

Queensland Building Services Authority Amendment Regulation (No. 1) 1994 SL No. 40

notfd gaz 11 February 1994 pp 436–9
 commenced on date of notification

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**Queensland Building Services Authority Amendment Regulation (No. 2) 1994
SL No. 287**

notfd gaz 5 August 1994 pp 1639–41
commenced on date of notification

**Queensland Building Services Authority Amendment Regulation (No. 3) 1994
SL No. 308**

notfd gaz 19 August 1994 pp 1829–31
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 1994 (see s 2)

**Queensland Building Services Authority Amendment Regulation (No. 1) 1995
SL No. 295**

notfd gaz 27 October 1995 pp 863–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 November 1995 (see s 2)

**Queensland Building Services Authority Amendment Regulation (No. 1) 1996
SL No. 384**

notfd gaz 13 December 1996 pp 1470–2
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1997 (see s 2)

**Queensland Building Services Authority Amendment Regulation (No. 1) 1997
SL No. 263**

notfd gaz 22 August 1997 pp 1910–11
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 1997 (see s 2)

**Queensland Building Services Authority Amendment Regulation (No. 2) 1997
SL No. 445**

notfd gaz 12 December 1997 pp 1631–4
commenced on date of notification

7 List of annotations

Definitions

- prov hdg** sub 1997 SL No. 445 s 3(1)
s 3 def “**ANTA**” ins 1997 SL No. 445 s 3(3)
def “**ANTA Act**” ins 1997 SL No. 445 s 3(3)
def “**approved assessor**” ins 1997 SL No. 445 s 3(3)
def “**approved authority**” ins 1997 SL No. 445 s 3(3)
def “**approved managerial qualification**” ins 1994 SL No. 40 s 3
def “**Building By-laws**” ins 1993 SL No. 25 s 3
om 1994 SL No. 287 s 3
def “**commission**” ins 1997 SL No. 445 s 3(3)
def “**Construction Training Australia**” ins 1997 SL No. 445 s 3(3)
def “**Construction Training Queensland**” ins 1997 SL No. 445 s 3(3)
def “**draft construction standards (level 4)**” ins 1997 SL No. 445 s 3(3)

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- def “**draft construction standards (level 5)**” ins 1997 SL No. 445 s 3(3)
- def “**draft construction standards (level 6)**” ins 1997 SL No. 445 s 3(3)
- def “**national competency standards**” ins 1997 SL No. 445 s 3(3)
- def “**national register of assessors**” ins 1997 SL No. 445 s 3(3)
- def “**published policy**” ins 1993 SL No. 325 s 3
- om 1994 SL No. 287 s 3
- def “**required competency**” ins 1997 SL No. 445 s 3(3)
- def “**required competency (general building)**” ins 1997 SL No. 445 s 3(3)
- def “**required competency (house building)**” ins 1997 SL No. 445 s 3(3)
- def “**State college**” ins 1994 SL No. 40 s 3
- sub 1997 SL No. 445 s 3(2)–(3)
- def “**Statement**” ins 1997 SL No. 445 s 3(3)
- def “**subcontractor’s licence**” ins 1993 SL No. 412 s 3
- def “**VETE Act**” ins 1997 SL No. 445 s 3(3)

Work excluded from the ambit of the definition “building work”—Act, s 4(1)

s 3A ins 1994 SL No. 287 s 4

Licensed builder—Act, s 4(1)

3B ins 1994 SL No. 287 s 4

Definitions that apply for the purposes of the Act—Act, s 4(1)

s 4 def “**exempt building work**” amd 1993 SL No. 25 s 4; 1993 SL No. 412 s 4; 1994 SL No. 40 s 4
om 1994 SL No. 287 s 5

Financial requirements included in Board’s published policy

prov hdg sub 1994 SL No. 287 s 2 sch

s 4A ins 1993 SL No. 325 s 4
amd 1994 SL No. 287 s 2 sch

Financial requirements to be reasonable

s 4B ins 1993 SL No. 325 s 4
amd 1993 SL No. 412 s 5

Approval of management courses

s 4C prev s 4C ins 1993 SL No. 325 s 4
om 1993 SL No. 412 s 6
pres s 4C ins 1994 SL No. 40 s 5

Classes of licence—Act, s 30(2)

s 6 amd 1993 SL No. 412 s 7

Requirements for contractor’s licence—Act, s 31

s 7 sub 1993 SL No. 325 s 5; 1993 SL No. 412 s 8
amd 1994 SL No. 287 s 2 sch

Approval of alternative qualifications and experience for design/drafting licences

- s 7A** prev s 7A ins 1993 SL No. 325 s 5
 om 1993 SL No. 412 s 8
 pres s 7A ins 1994 SL No. 40 s 6
 amd 1997 SL No. 445 s 4

Requirements for supervisor's licence—Act, s 32

- s 8** sub 1993 SL No. 325 s 6; 1993 SL No. 412 s 8

Application for a licence—Act, s 33

- s 9** amd 1993 SL No. 325 s 7; 1993 SL No. 412 s 9

Exemption from prescribed requirements—Act, s 34

- s 10** om 1993 SL No. 325 s 8

Renewal of licence—Act, ss 37 and 38

- s 11** amd 1993 SL No. 325 s 9; 1993 SL No. 412 s 10; 1994 SL No. 287 s 2 sch

Owner-builder permits—Act, s 44

- s 13** amd 1994 SL No. 287 s 2 sch

Warnings

- s 14** amd 1994 SL No. 287 s 2 sch

Non-application of Pt 4 of Act to contracts between consumers and certain licensed contractors

- s 19A** ins 1994 SL No. 287 s 6

Contract for major domestic building work—Act, s 58

- s 20** sub 1994 SL No. 287 s 7

Cost escalation clauses—Act, s 62

- s 21** amd 1994 SL No. 287 s 2 sch

Progress payments—Act, s 66

- s 22** amd 1994 SL No. 287 s 2 sch

Insurance of building work—Act, s 68

- s 23** amd 1994 SL No. 287 s 2 sch

Statutory policy of insurance—Act, s 69

- s 24** amd 1994 SL No. 287 s 2 sch

Rules of the Tribunal—Act, s 78

- s 26** om 1996 SL No. 384 s 4

Registrar to send copies of determination to party—Act, s 91

- s 28** sub 1994 SL No. 287 s 8

Fees

- s 30 hdg** amd 1993 SL No. 325 s 10

Screen search

- s 30A** ins 1994 SL No. 287 s 9

Transitional provision

s 31 amd 1992 SL No. 438 s 3; 1993 SL No. 325 s 11; 1993 SL No. 492 s 3;
 R3 (see RA s 38)

SCHEDULE 1—FEES

 amd 1993 SL No. 325 s 12; 1994 SL No. 287 s 10; 1994 SL No. 308 s 4;
 1995 SL No. 295 s 4; 1996 SL No. 384 s 5; 1997 SL No. 263 s 4

SCHEDULE 2—CLASSES OF LICENCES AND LICENCE REQUIREMENTS**PART 1—GENERAL BUILDING LICENCE****Scope of work**

s 2 amd 1994 No. 287 s 11

Qualifications

s 3 sub 1997 SL No. 445 s 5(1)

Financial requirements

s 5 sub 1993 No. 325 s 13

PART 2—HOUSE BUILDING LICENCE**Scope of work**

s 2 amd 1994 No. 287 s 11

Qualifications

s 3 sub 1997 SL No. 445 s 5(2)

Financial requirements

s 5 sub 1993 No. 325 s 13

PART 3—BRICKLAYING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(3)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 4—CARPENTRY AND JOINERY LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(4)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 5—CONCRETING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(5)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 6—STEEL FIXING**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(6)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 7—GAS FITTING**Managerial qualifications**

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 8—PAINTING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(7)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 9—PEST CONTROLLING LICENCE**Managerial qualifications**

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 10—PLUMBING AND DRAINING LICENCE**Managerial qualifications**

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 11—WALL AND FLOOR TILING**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(8)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 12—ROOF TILING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(9)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 13—PLASTERING (SOLID)LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(10)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 14—PLASTERING (DRYWALL) LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(11)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 15—CARPENTRY (FORMWORK) LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(12)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 16—STONE MASONRY LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(13)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 17—METAL FABRICATING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(14)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 18—STRUCTURAL LANDSCAPING LICENCE**Technical qualifications**

s 3 amd 1994 No. 287 s 2 sch
sub 1997 SL No. 445 s 5(15)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 19—SHOP FITTING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(16)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 20—GLAZING LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(17)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 21—INSULATING LICENCE**Technical qualifications**

s 3 amd 1994 No. 287 s 2 sch
sub 1997 SL No. 445 s 5(18)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 22—REFRIGERATION, AIR-CONDITIONING AND MECHANICAL SERVICES LICENCE**Technical qualifications**

s 3 sub 1997 SL No. 445 s 5(19)

Managerial qualifications

s 4 sub 1994 No. 40 s 7

Financial requirements

s 6 sub 1993 No. 325 s 13

PART 23—SWIMMING POOL CONSTRUCTING LICENCE**Technical qualifications**

- s 3 amd 1994 No. 287 s 2 sch
 sub 1997 SL No. 445 s 5(20)

Managerial qualifications

- s 4 sub 1994 No. 40 s 7

Financial requirements

- s 6 sub 1993 No. 325 s 13

PART 24—WATERPROOFING APPLICATION LICENCE**Technical qualifications**

- s 3 amd 1994 No. 287 s 2 sch
 sub 1997 SL No. 445 s 5(21)

Managerial qualifications

- s 4 sub 1994 No. 40 s 7

Financial requirements

- s 6 sub 1993 No. 325 s 13

PART 25—SPECIALISED CONTRACTING LICENCE**Managerial qualifications**

- s 4 sub 1994 No. 40 s 7

Financial requirements

- s 6 sub 1993 No. 325 s 13

PART 26—RESIDENTIAL DESIGN/DRAFTING (LIMITED) LICENCE**Licence class**

- s 1 ins 1993 No. 40 s 7

Scope of work

- s 2 ins 1993 No. 40 s 7

Qualifications and experience

- s 3 ins 1993 No. 40 s 7
 amd 1997 SL No. 445 s 5(22)

Financial requirements

- s 4 ins 1993 No. 40 s 7

PART 27—RESIDENTIAL DESIGN/DRAFTING LICENCE**Licence class**

- s 1 ins 1993 No. 40 s 7

Scope of work

- s 2 ins 1993 No. 40 s 7

Qualifications and experience

- s 3 ins 1993 No. 40 s 7
 amd 1997 SL No. 445 s 5(22)

Financial requirements

s 4 ins 1993 No. 40 s 7

PART 28—BUILDING DESIGN/DRAFTING (LIMITED) LICENCE**Licence class**

s 1 ins 1993 No. 40 s 7

Scope of work

s 2 ins 1993 No. 40 s 7

Qualifications and experience

s 3 ins 1993 No. 40 s 7
amd 1997 SL No. 445 s 5(22)

Financial requirements

s 4 ins 1993 No. 40 s 7

PART 29—BUILDING DESIGN/DRAFTING LICENCE**Licence class**

s 1 ins 1993 No. 40 s 7

Scope of work

s 2 ins 1993 No. 40 s 7
amd 1994 No. 287 s 11

Qualifications and experience

s 3 ins 1993 No. 40 s 7
amd 1997 SL No. 445 s 5(22)

Financial requirements

s 4 ins 1993 No. 40 s 7