



Queensland

Queensland Building and Construction Commission and Other Legislation Amendment Act 2025

Act No. 28 of 2025

An Act to amend the Building Act 1975, the Plumbing and Drainage Act 2018 and the Queensland Building and Construction Commission Act 1991 for particular purposes

[Assented to 24 November 2025]



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The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Queensland Building and Construction Commission and Other Legislation Amendment Act 2025*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

Part 2 Amendment of Building Act 1975

3 Act amended

This part amends the *Building Act 1975*.

4 Amendment of s 181 (Surrendering licence)

Section 181(3), ‘the licence’—

omit, insert—

a licence card held by the certifier

5 Replacement of s 182 (Obtaining replacement licence)

Section 182—

omit, insert—

182 Obtaining replacement licence card

- (1) A building certifier who has been issued a building certifier's licence in the form of a licence card may apply to QBCC in the approved form for a replacement of the card if the card has been damaged, destroyed, lost or stolen.
- (2) If QBCC is satisfied the licence card has been damaged, destroyed, lost or stolen, QBCC must issue a replacement licence card to the applicant.

6 Amendment of s 246CD (Surrendering licence)

Section 246CD(3), 'the licence'—

omit, insert—

a licence card held by the inspector

7 Replacement of s 246CE (Obtaining replacement licence)

Section 246CE—

omit, insert—

246CE Obtaining replacement licence card

- (1) A pool safety inspector who has been issued a pool safety inspector's licence in the form of a licence card may apply to the QBCC commissioner for a replacement of the licence card if the card has been damaged, destroyed, lost or stolen.
- (2) The application must be—
 - (a) in the approved form; and
 - (b) accompanied by the fee prescribed by regulation.
- (3) If the QBCC commissioner is satisfied the licence card has been damaged, destroyed, lost or stolen, the commissioner must issue a replacement

licence card to the applicant.

8 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

licence card, for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.

Part 3 Amendment of Plumbing and Drainage Act 2018

9 Act amended

This part amends the *Plumbing and Drainage Act 2018*.

10 Amendment of s 38 (Decision on review of licence conditions)

Section 38(5)—

omit, insert—

- (5) If the licensee holds a licence card and the commissioner decides to change the conditions, the information notice must also direct the licensee to return the card to the commissioner within 10 business days after receiving the notice.

11 Amendment of s 40 (Returning licence for amendment or replacement)

- (1) Section 40, heading, after ‘licence’—

insert—

card

- (2) Section 40(1), after ‘licensee’ —
insert—
who holds a licence card
- (3) Section 40(2), ‘licensee’s licence’ —
omit, insert—
licence card
- (4) Section 40(3), after ‘licence’ —
insert—
card

12 Amendment of s 42 (Replacing licence)

- (1) Section 42, heading, after ‘licence’ —
insert—
card
- (2) Section 42(1)—
omit, insert—
 - (1) A licensee who is issued a licence in the form of a licence card may apply to the commissioner to replace the card if it is damaged, destroyed, lost or stolen.
- (3) Section 42(3)—
omit, insert—
 - (3) If the commissioner is satisfied the licence card has been damaged, destroyed, lost or stolen, the commissioner must issue a replacement licence card to the applicant.

13 Amendment of s 62 (Returning suspended or cancelled licence)

- (1) Section 62, heading, after ‘licence’ —

insert—

card

(2) Section 62(1)—

omit, insert—

(1) This section applies if—

- (a) the commissioner or QCAT suspends or cancels a licensee's licence; and
- (b) the licensee holds a licence card.

(3) Section 62(2), after 'licence'—

insert—

card

(4) Section 62(3), after 'return the licence'—

insert—

card

14 Amendment of s 63 (Surrendering licence)

Section 63(3), from 'The' to 'licence'—

omit, insert—

If the licensee holds a licence card, the licensee must return the card

15 Amendment of sch 1 (Dictionary)

Schedule 1—

insert—

licence card, for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.

Part 4 Amendment of Queensland Building and Construction Commission Act 1991

16 Act amended

This part amends the *Queensland Building and Construction Commission Act 1991*.

17 Amendment of pt 3, div 3, hdg (Grant of licence)

Part 3, division 3, heading, ‘Grant of’—

omit, insert—

Application for, and grant of,

18 Amendment of s 33 (Application for licence)

Section 33(1)—

omit, insert—

(1) An application for a licence must—

- (a) be in the approved form; and
- (b) comply with the requirements prescribed by regulation; and
- (c) be accompanied by—
 - (i) a photograph of the applicant in the form required by the commission; and
 - (ii) the fee prescribed by regulation.

19 Amendment of s 34 (Grant of licence)

Section 34(2), from ‘is to’ to ‘card and’—

omit.

20 Omission of pt 3, div 3A (Issue of PINs to licensees)

Part 3, division 3A—

omit.

21 Amendment of s 37A (Commission to advise licensee before licence due for renewal)

Section 37A(2)(b)—

omit, insert—

- (b) if the licensee is an individual and the commission requires a photograph of the licensee—the form in which the photograph is required by the commission;

22 Amendment of s 37B (Applications for renewal of licence)

Section 37B(2)(c)—

omit, insert—

- (c) if a notice under section 37A(2)(b) stated a photograph of the licensee was required—be accompanied by the photograph in the form required by the commission.

23 Amendment of s 51 (Improper use of licence card, certificate, number or PIN)

- (1) Section 51, heading, ‘licence card, certificate, number or PIN’—

omit, insert—

licence, licence certificate or licence number

- (2) Section 51(4), definition *make use of*, from ‘or the licensee’s’ to ‘PIN’—

omit, insert—

, the licensee's licence or licence certificate

24 Amendment of s 51A (Other offences relating to unlawful carrying out of building work)

Section 51A(2), ‘, number or PIN’—

omit, insert—

or number

25 Replacement of s 53 (Return of licence)

Section 53—

omit, insert—

53 Return of licence card or licence certificate

- (1) A licensee whose licence is suspended or cancelled must, within 14 days of receiving notice of the suspension or cancellation of the licence, return the following documents to the commission—
 - (a) if the commission issued a licence card to the licensee—the licence card;
 - (b) if the commission issued a licence certificate to the licensee—the licence certificate.
- (2) A licensee must, within 14 days of receiving notice of the imposition, variation or revocation of a condition of the licensee's licence, return the following documents to the commission for endorsement—
 - (a) if the commission issued a licence card to the licensee—the licence card;
 - (b) if the commission issued a licence certificate to the licensee—the licence certificate.

- (3) A person who has surrendered the person's licence must, within 14 days after receiving notice of the commission's consent to the surrender, return the following documents to the commission—
 - (a) if the commission issued a licence card to the person—the licence card;
 - (b) if the commission issued a licence certificate to the person—the licence certificate.
- (4) A person must comply with a requirement under subsection (1), (2) or (3), unless the person has a reasonable excuse.

Maximum penalty—80 penalty units.

26 **Amendment of s 54A (Notification of particular safety matters)**

(1) Section 54A—

insert—

- (1A) However, this section does not apply in relation to a safety matter mentioned in subsection (1)(a) if—
 - (a) the notifiable incident is a dangerous electrical event or serious electrical incident and the licensee is a person conducting a business or undertaking within the meaning of the *Electrical Safety Act 2002*, section 21; or
 - (b) the notifiable incident is a notifiable incident within the meaning of the *Work Health and Safety Act 2011*, section 35 and the licensee is a person conducting a business or undertaking within the meaning of section 5 of that Act.

(2) Section 54A(2)—

omit, insert—

(2) The licensee must give notice of the safety matter under this section to—

- (a) for a safety matter mentioned in subsection (1)(a)—the regulator established under the *Work Health and Safety Act 2011* (the ***relevant entity***); or
- (b) for a safety matter mentioned in subsection (1)(b)—the commission (also the ***relevant entity***).

Maximum penalty—100 penalty units.

(3) Section 54A(4) to (6), ‘the commission’—

omit, insert—

the relevant entity

(4) Section 54A—

insert—

(7) In this section—

dangerous electrical event see the *Electrical Safety Act 2002*, section 12.

serious electrical incident see the *Electrical Safety Act 2002*, section 11.

(5) Section 54A(1A) to (7)—

renumber as section 54A(2) to (8).

27 Omission of s 56A (Commission may request photographs for licence)

Section 56A—

omit.

28 Amendment of s 67G (Building contracts to be in writing)

Section 67G(4)(f), ‘card’—

omit.

29 Amendment of s 71 (Recovery from licensed contractor etc.)

(1) Section 71(2)(a)(i), ‘whose licence card is imprinted on’—

omit, insert—

identified in a copy of the licensed contractor’s
licence included in, or attached to,

(2) Section 71(2)(a)(vii)—

omit.

(3) Section 71(2)(a)(viii) and (ix)—

renumber as section 71(2)(a)(vii) and (viii).

(4) Section 71(4)(a) and (b)—

omit, insert—

(a) a copy of the contractor’s licence was
included in, or attached to, the contract for
carrying out the work without the licensee’s
authority; and

(b) the licensed contractor took all reasonable
steps to ensure that a copy of the
contractor’s licence was included in, or
attached to, a contract only with the licensed
contractor’s authority.

(5) Section 71(6)(e)—

omit.

30 Amendment of s 71I (Who is taken to carry out building work for this part)

(1) Section 71I(1)(a), ‘whose licence card is imprinted on’—

omit, insert—

identified in a copy of the building contractor's licence included in, or attached to,

- (2) Section 71I(1)(g)—

omit.

- (3) Section 71I(1)(h) to (m)—

renumber as section 71I(1)(g) to (l).

- (4) Section 71I(2), 'subsection (1)(h) and (i)'—

omit, insert—

subsection (1)(g) and (h)

31 Amendment of s 74 (Defences for failure to comply with direction to rectify or remedy)

- (1) Section 74(2)(a)(i) and (ii)—

omit, insert—

- (i) the copy of the contractor's licence was included in, or attached to, the contract for carrying out the building work without the licensee's authority; and
- (ii) the contractor took all reasonable steps to ensure that a copy of the contractor's licence was included in, or attached to, a contract only with the contractor's authority.

- (2) Section 74(2)(g)—

omit.

32 Amendment of s 105L (General powers)

Section 105L—

insert—

- (4A) However, nothing in this section authorises an

investigator to take from the place a digital device used to store a licensee's licence if the investigator takes the device only to inspect or copy the licence.

33 Amendment of s 105O (Power to require name and address)

- (1) Section 105O, heading 'name and address'—

omit, insert—

particular information

- (2) Section 105O(2), 'and residential address'—

omit, insert—

, residential address and email address

- (3) Section 105O(3), 'or address'—

omit, insert—

or residential address

34 Amendment of s 105T (Power to require information or attendance)

- (1) Section 105T—

insert—

- (2A) Unless otherwise required by the notice, a person is taken to comply with subsection (2)(b) if the person attends a meeting with the investigator by using any technology allowing reasonably contemporaneous and continuous communication.

- (2) Section 105T(2A) to (4)—

renumber as section 105T(3) to (5).

35 Amendment of s 106 (Seizing evidence at a place that may be entered without consent or warrant)

Section 106—

insert—

- (2) However, nothing in this section authorises an investigator to seize a digital device used to store a licence issued under a relevant Act, if the investigator takes the device only to inspect or copy the licence.

36 Amendment of s 106A (Seizing evidence at a place that may be entered only with consent or warrant)

Section 106A—

insert—

- (6) However, nothing in this section authorises an investigator to seize a digital device used to store a licence issued under a relevant Act, if the investigator takes the device only to inspect or copy the licence.

37 Replacement of s 109A (Service of documents)

Section 109A—

omit, insert—

109A Service of documents

- (1) This section applies if a provision of this Act requires or permits a document, other than an excluded document, to be given to a person by the commission or the commissioner.
- (2) For the *Acts Interpretation Act 1954*, section 39, the address of the person's place of residence or business includes the person's postal address.
- (3) Without limiting the *Acts Interpretation Act 1954*, section 39, the document may—

- (a) be sent by email to the person's email address last notified to the commission by the person for use under this Act; or
 - (b) be made available to the person or given in a way prescribed by regulation.
- (4) The document is taken to be given—
- (a) if sent by email—on the day the email is sent; or
 - (b) if made available to the person or given in a way prescribed by regulation—on the day prescribed by regulation.
- (5) However, if the document is made available or given after 5p.m. on a particular day, the document is taken to be made available or given to the person on the next business day.
- (6) In this section—
- excluded document*** means a document required for use in a proceeding before the tribunal.

38 Insertion of new s 109C

After section 109B—

insert—

109C Licensee must advise of change in particular personal details

- (1) This section applies if a licensee gave the commission, for use under this Act, the licensee's residential address, email address or phone number and the address or number changes.
- (2) The licensee must give the commission notice of the change within 14 days after the change, unless the licensee has a reasonable excuse.

Maximum penalty—10 penalty units.

39 Insertion of new sch 1, pt 20

Schedule 1—

insert—

Part 20

Transitional provisions for Queensland Building and Construction Commission and Other Legislation Amendment Act 2025

100 Definitions for part

In this part—

amendment Act means the *Queensland Building and Construction Commission and Other Legislation Amendment Act 2025*.

former, in relation to a provision of this Act, means the provision as in force immediately before the commencement.

101 Existing applications for licences

- (1) This section applies if—
 - (a) before the commencement, an application was made under former section 33 for a licence; and
 - (b) immediately before the commencement, the application had not been decided.
- (2) This Act, as in force immediately before the commencement, continues to apply to the application as if the amendment Act had not been enacted.

102 Recovery from licensed contractors in relation to particular contracts

- (1) This section applies in relation to a matter mentioned in section 71(1) that relates to a contract for carrying out building work that was made before the commencement.
- (2) Former section 71 continues to apply in relation to the matter as if the amendment Act had not been enacted.

103 Persons who are taken to carry out particular building work

- (1) This section applies in relation to building work—
 - (a) mentioned in section 71I; and
 - (b) that is the subject of a contract for carrying out building work that was made before the commencement.
- (2) Former section 71I continues to apply in relation to the building work as if the amendment Act had not been enacted.

104 Particular defences for failure to comply with direction to rectify or remedy

- (1) This section applies in relation to a matter mentioned in section 74(1)(a) or (b) that relates to a contract for carrying out building work that was made before the commencement.
- (2) Former section 74 continues to apply in relation to the licensed contractor the subject of the matter as if the amendment Act had not been enacted.

40 Amendment of sch 2 (Dictionary)

- (1) Schedule 2, definitions *licence card* and *PIN*—

omit.

(2) Schedule 2—

insert—

licence card, for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.

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