



Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025



Queensland

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2025

A Bill

for

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

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Queensland Building and Construction Commission and Other Legislation Amendment Act 2025*. 4
5
6

Clause 2 Commencement 7

This Act commences on a day to be fixed by proclamation. 8

Part 2 Amendment of Building Act 1975 9
10

Clause 3 Act amended 11

This part amends the *Building Act 1975*. 12

Clause 4 Amendment of s 181 (Surrendering licence) 13

Section 181(3), ‘the licence’— 14
omit, insert— 15
a licence card held by the certifier 16

Clause 5 Replacement of s 182 (Obtaining replacement licence) 17

Section 182— 18
omit, insert— 19

	182 Obtaining replacement licence card	1
	(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 3 4 5 6
	(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.	7 8 9
Clause 6	Amendment of s 246CD (Surrendering licence)	10
	Section 246CD(3), 'the licence'—	11
	<i>omit, insert—</i>	12
	a licence card held by the inspector	13
Clause 7	Replacement of s 246CE (Obtaining replacement licence)	14
	Section 246CE—	15
	<i>omit, insert—</i>	16
	246CE Obtaining replacement licence card	17
	(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.	18 19 20 21 22 23
	(2) The application must be—	24
	(a) in the approved form; and	25
	(b) accompanied by the fee prescribed by regulation.	26 27
	(3) If the QBCC commissioner is satisfied the licence card has been damaged, destroyed, lost or stolen, the commissioner must issue a replacement	28 29 30

	licence card to the applicant.	1
Clause 8	Amendment of sch 2 (Dictionary)	2
	Schedule 2—	3
	<i>insert</i> —	4
	<i>licence card</i> , for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.	5 6 7
Part 3	Amendment of Plumbing and Drainage Act 2018	8 9
Clause 9	Act amended	10
	This part amends the <i>Plumbing and Drainage Act 2018</i> .	11
Clause 10	Amendment of s 38 (Decision on review of licence conditions)	12 13
	Section 38(5)—	14
	<i>omit, insert</i> —	15
	(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.	16 17 18 19 20
Clause 11	Amendment of s 40 (Returning licence for amendment or replacement)	21 22
	(1) Section 40, heading, after ‘licence’—	23
	<i>insert</i> —	24
	card	25

insert— 1

card 2

(2) Section 62(1)— 3

omit, insert— 4

(1) This section applies if— 5

(a) the commissioner or QCAT suspends or
cancels a licensee’s licence; and 6
7

(b) the licensee holds a licence card. 8

(3) Section 62(2), after ‘licence’— 9

insert— 10

card 11

(4) Section 62(3), after ‘return the licence’— 12

insert— 13

card 14

Clause 14 Amendment of s 63 (Surrendering licence) 15

Section 63(3), from ‘The’ to ‘licence’— 16

omit, insert— 17

If the licensee holds a licence card, the licensee
must return the card 18
19

Clause 15 Amendment of sch 1 (Dictionary) 20

Schedule 1— 21

insert— 22

licence card, for a licence, means a document,
other than an electronic document, in the form of
a card evidencing the licence. 23
24
25

Part 4	Amendment of Queensland Building and Construction Commission Act 1991	1
		2
		3
Clause 16	Act amended	4
	This part amends the <i>Queensland Building and Construction Commission Act 1991</i> .	5
		6
Clause 17	Amendment of pt 3, div 3, hdg (Grant of licence)	7
	Part 3, division 3, heading, ‘Grant of’—	8
	<i>omit, insert—</i>	9
	Application for, and grant of,	10
Clause 18	Amendment of s 33 (Application for licence)	11
	Section 33(1)—	12
	<i>omit, insert—</i>	13
	(1) An application for a licence must—	14
	(a) be in the approved form; and	15
	(b) comply with the requirements prescribed by regulation; and	16
	(c) be accompanied by—	18
	(i) a photograph of the applicant in the form required by the commission; and	19
	(ii) the fee prescribed by regulation.	20
		21
Clause 19	Amendment of s 34 (Grant of licence)	22
	Section 34(2), from ‘is to’ to ‘card and’—	23
	<i>omit.</i>	24

Clause 20	Omission of pt 3, div 3A (Issue of PINs to licensees)	1
	Part 3, division 3A—	2
	<i>omit.</i>	3
Clause 21	Amendment of s 37A (Commission to advise licensee before licence due for renewal)	4
	Section 37A(2)(b)—	5
	<i>omit, insert—</i>	6
	(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;	7
		8
		9
		10
		11
Clause 22	Amendment of s 37B (Applications for renewal of licence)	12
	Section 37B(2)(c)—	13
	<i>omit, insert—</i>	14
	(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.	15
		16
		17
		18
		19
Clause 23	Amendment of s 51 (Improper use of licence card, certificate, number or PIN)	20
	(1) Section 51, heading, ‘licence card, certificate, number or PIN’—	21
		22
		23
	<i>omit, insert—</i>	24
	licence, licence certificate or licence number	25
	(2) Section 51(4), definition <i>make use of</i> , from ‘or the licensee’s’ to ‘PIN’—	26
		27
	<i>omit, insert—</i>	28

	, the licensee’s licence or licence certificate	1
Clause 24	Amendment of s 51A (Other offences relating to unlawful carrying out of building work)	2
	Section 51A(2), ‘, number or PIN’—	3
	<i>omit, insert—</i>	4
	or number	5
Clause 25	Replacement of s 53 (Return of licence)	6
	Section 53—	7
	<i>omit, insert—</i>	8
	53 Return of licence card or licence certificate	9
	(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—	10
	(a) if the commission issued a licence card to the licensee—the licence card;	11
	(b) if the commission issued a licence certificate to the licensee—the licence certificate.	12
	(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—	13
	(a) if the commission issued a licence card to the licensee—the licence card;	14
	(b) if the commission issued a licence certificate to the licensee—the licence certificate.	15

	(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—	1 2 3 4 5
	(a) if the commission issued a licence card to the person—the licence card;	6 7
	(b) if the commission issued a licence certificate to the person—the licence certificate.	8 9 10
	(4) A person must comply with a requirement under subsection (1), (2) or (3), unless the person has a reasonable excuse.	11 12 13
	Maximum penalty—80 penalty units.	14
Clause 26	Amendment of s 54A (Notification of particular safety matters)	15 16
	(1) Section 54A—	17
	<i>insert—</i>	18
	(1A) However, this section does not apply in relation to a safety matter mentioned in subsection (1)(a) if—	19 20 21
	(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 <i>Electrical Safety Act 2002</i> , section 21; or	22 23 24 25 26 27
	(b) the notifiable incident is a notifiable incident within the meaning of the <i>Work Health and Safety Act 2011</i> , section 35 and the licensee is a person conducting a business or undertaking within the meaning of section 5 of that Act.	28 29 30 31 32 33

(2) Section 54A(2)—	1
<i>omit, insert—</i>	2
(2) The licensee must give notice of the safety matter under this section to—	3 4
(a) for a safety matter mentioned in subsection (1)(a)—the regulator established under the <i>Work Health and Safety Act 2011</i> (the <i>relevant entity</i>); or	5 6 7 8
(b) for a safety matter mentioned in subsection (1)(b)—the commission (also the <i>relevant entity</i>).	9 10 11
Maximum penalty—100 penalty units.	12
(3) Section 54A(4) to (6), ‘the commission’—	13
<i>omit, insert—</i>	14
the relevant entity	15
(4) Section 54A—	16
<i>insert—</i>	17
(7) In this section—	18
<i>dangerous electrical event</i> see the <i>Electrical Safety Act 2002</i> , section 12.	19 20
<i>serious electrical incident</i> see the <i>Electrical Safety Act 2002</i> , section 11.	21 22
(5) Section 54A(1A) to (7)—	23
<i>renumber</i> as section 54A(2) to (8).	24
Clause 27 Omission of s 56A (Commission may request photographs for licence)	25 26
Section 56A—	27
<i>omit.</i>	28

Clause 28	Amendment of s 67G (Building contracts to be in writing)	1
	Section 67G(4)(f), ‘card’—	2
	<i>omit.</i>	3
Clause 29	Amendment of s 71 (Recovery from licensed contractor etc.)	4
	(1) Section 71(2)(a)(i), ‘whose licence card is imprinted on’—	5
	<i>omit, insert—</i>	6
	identified in a copy of the licensed contractor’s	7
	licence included in, or attached to,	8
	(2) Section 71(2)(a)(vii)—	9
	<i>omit.</i>	10
	(3) Section 71(2)(a)(viii) and (ix)—	11
	<i>renumber</i> as section 71(2)(a)(vii) and (viii).	12
	(4) Section 71(4)(a) and (b)—	13
	<i>omit, insert—</i>	14
	(a) a copy of the contractor’s licence was	15
	included in, or attached to, the contract for	16
	carrying out the work without the licensee’s	17
	authority; and	18
	(b) the licensed contractor took all reasonable	19
	steps to ensure that a copy of the	20
	contractor’s licence was included in, or	21
	attached to, a contract only with the licensed	22
	contractor’s authority.	23
	(5) Section 71(6)(e)—	24
	<i>omit.</i>	25
Clause 30	Amendment of s 71I (Who is taken to carry out building work for this part)	26
	(1) Section 71I(1)(a), ‘whose licence card is imprinted on’—	27
		28
		29

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)

**Clause 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.

Clause 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	1
	used to store a licensee’s licence if the	2
	investigator takes the device only to inspect or	3
	copy the licence.	4
Clause 33	Amendment of s 105O (Power to require name and address)	5
		6
(1)	Section 105O, heading ‘name and address’—	7
	<i>omit, insert—</i>	8
	particular information	9
(2)	Section 105O(2), ‘and residential address’—	10
	<i>omit, insert—</i>	11
	, residential address and email address	12
(3)	Section 105O(3), ‘or address’—	13
	<i>omit, insert—</i>	14
	or residential address	15
Clause 34	Amendment of s 105T (Power to require information or attendance)	16
		17
(1)	Section 105T—	18
	<i>insert—</i>	19
	(2A) Unless otherwise required by the notice, a person	20
	is taken to comply with subsection (2)(b) if the	21
	person attends a meeting with the investigator by	22
	using any technology allowing reasonably	23
	contemporaneous and continuous	24
	communication.	25
(2)	Section 105T(2A) to (4)—	26
	<i>renumber</i> as section 105T(3) to (5).	27

Clause 35	Amendment of s 106 (Seizing evidence at a place that may be entered without consent or warrant)	1 2
	Section 106—	3
	<i>insert—</i>	4
	(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.	5 6 7 8 9
Clause 36	Amendment of s 106A (Seizing evidence at a place that may be entered only with consent or warrant)	10 11
	Section 106A—	12
	<i>insert—</i>	13
	(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.	14 15 16 17 18
Clause 37	Replacement of s 109A (Service of documents)	19
	Section 109A—	20
	<i>omit, insert—</i>	21
	109A Service of documents	22
	(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.	23 24 25 26
	(2) For the <i>Acts Interpretation Act 1954</i> , section 39, the address of the person’s place of residence or business includes the person’s postal address.	27 28 29
	(3) Without limiting the <i>Acts Interpretation Act 1954</i> , section 39, the document may—	30 31

	(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	1 2 3
	(b) be made available to the person or given in a way prescribed by regulation.	4 5
	(4) The document is taken to be given—	6
	(a) if sent by email—on the day the email is sent; or	7 8
	(b) if made available to the person or given in a way prescribed by regulation—on the day prescribed by regulation.	9 10 11
	(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.	12 13 14 15
	(6) In this section—	16
	<i>excluded document</i> means a document required for use in a proceeding before the tribunal.	17 18
Clause 38	Insertion of new s 109C	19
	After section 109B—	20
	<i>insert—</i>	21
	109C Licensee must advise of change in particular personal details	22 23
	(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.	24 25 26 27
	(2) The licensee must give the commission notice of the change within 14 days after the change, unless the licensee has a reasonable excuse.	28 29 30
	Maximum penalty—10 penalty units.	31

Clause 39	Insertion of new sch 1, pt 20	1
	Schedule 1—	2
	<i>insert—</i>	3
	Part 20	Transitional provisions
		for Queensland
		Building and
		Construction
		Commission and Other
		Legislation
		Amendment Act 2025
		10
	100 Definitions for part	11
	In this part—	12
	<i>amendment Act</i> means the <i>Queensland Building</i>	13
	<i>and Construction Commission and Other</i>	14
	<i>Legislation Amendment Act 2025</i> .	15
	<i>former</i> , in relation to a provision of this Act,	16
	means the provision as in force immediately	17
	before the commencement.	18
	101 Existing applications for licences	19
	(1) This section applies if—	20
	(a) before the commencement, an application	21
	was made under former section 33 for a	22
	licence; and	23
	(b) immediately before the commencement, the	24
	application had not been decided.	25
	(2) This Act, as in force immediately before the	26
	commencement, continues to apply to the	27
	application as if the amendment Act had not been	28
	enacted.	29

102 Recovery from licensed contractors in relation to particular contracts	1 2
(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.	3 4 5 6
(2) Former section 71 continues to apply in relation to the matter as if the amendment Act had not been enacted.	7 8 9
103 Persons who are taken to carry out particular building work	10 11
(1) This section applies in relation to building work—	12
(a) mentioned in section 71I; and	13
(b) that is the subject of a contract for carrying out building work that was made before the commencement.	14 15 16
(2) Former section 71I continues to apply in relation to the building work as if the amendment Act had not been enacted.	17 18 19
104 Particular defences for failure to comply with direction to rectify or remedy	20 21
(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.	22 23 24 25
(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.	26 27 28

Clause 40 Amendment of sch 2 (Dictionary)	29
(1) Schedule 2, definitions <i>licence card</i> and <i>PIN</i> —	30

<i>omit.</i>	1
(2) Schedule 2—	2
<i>insert</i> —	3
<i>licence card</i> , for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.	4 5 6

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