



Queensland

Building (Professional Indemnity Insurance) Amendment Regulation 2020

Subordinate Legislation 2020 No. 209

made under the

Building Act 1975

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[s 1]

1 Short title

This regulation may be cited as the *Building (Professional Indemnity Insurance) Amendment Regulation 2020*.

2 Regulation amended

This regulation amends the *Building Regulation 2006*.

3 Amendment of s 52 (Prescribed matters for private certification endorsement—Act, s 163)

(1) Section 52(5), definition *exemption period*, ‘30 June 2021’—
omit, insert—

30 June 2022

(2) Section 52(6), ‘1 July 2021’—
omit, insert—

1 July 2022

4 Amendment of s 70 (Effect of ending of exemption period on particular private certifiers)

Section 70—
insert—

(4) This section applies subject to section 71.

5 Insertion of new pt 10, div 6

Part 10—
insert—

Division 6

**Transitional provisions for
Building (Professional
Indemnity Insurance)
Amendment Regulation
2020**

71 Disapplication of s 70

- (1) This section applies to a private certifier who holds a private certifier's licence—
 - (a) with a private certification endorsement made during the exemption period within the meaning of section 68 in reliance on section 52(3A) as in force during that period; and
 - (b) that is in force on 30 June 2021.
- (2) Section 70 does not apply to the private certifier.

Note—

See also section 52(3A) and (5), definition *exemption period*.

72 Continued application of expired section 52(3A) in relation to exempted licences

- (1) This section applies in relation to a private certifier who holds an exempted licence.
- (2) Expired section 52(3A) continues to apply in relation to the private certifier until the exempted licence expires.

Example—

If the private certifier holds an exempted licence that expires on 12 September 2022, section 52(1) does not apply to the certifier until 13 September 2022 to the extent the certifier performs private certifying functions mentioned in expired section 52(3A).

- (3) For subsection (2), the reference in expired section 52(3A) to the exemption period is taken to be a reference to the period starting on 1 July 2022 and ending when the exempted licence expires.
- (4) This section does not limit section 52(1).
- (5) In this section—

exempted licence means a private certifier's licence—

[s 5]

- (a) with a private certification endorsement made during the extended exemption period in reliance on section 52(3A) as in force during that period; and
- (b) that is in force at the end of the extended exemption period.

expired section 52(3A) means section 52(3A) as in force immediately before its expiry on 1 July 2022.

extended exemption period means the period—

- (a) that started on the commencement of the *Building and Other Legislation Amendment Regulation 2019*; and
- (b) that ends on 30 June 2022.

ENDNOTES

- 1 Made by the Governor in Council on 17 September 2020.
- 2 Notified on the Queensland legislation website on 18 September 2020.
- 3 The administering agency is the Department of Housing and Public Works.

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