



Queensland

Building Industry Fairness (Security of Payment) (Transitional) Regulation 2020

Subordinate Legislation 2020 No. 242

made under the

Building Industry Fairness (Security of Payment) Act 2017

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[s 1]

1 Short title

This regulation may be cited as the *Building Industry Fairness (Security of Payment) (Transitional) Regulation 2020*.

2 Commencement

This regulation commences on 1 October 2020.

3 Declaration that regulation is a transitional regulation— Act, s 211E

This regulation is a transitional regulation.

Note—

Under section 211E(4) of the Act, this regulation expires 1 year after the commencement of section 211E of the Act.

4 Complex payment claims and GST

- (1) This section applies in relation to section 64 of the Act, definition *complex payment claim*, as amended by the *Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act 2020*, section 64.
- (2) The section as amended does not apply to payment claims made before 1 October 2020, whether or not those payment claims have been adjudicated under chapter 3 of the Act.

5 Notice required before starting particular proceedings

- (1) This section applies in relation to section 99 of the Act as amended by the *Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act 2020*, section 74.
- (2) The section as amended applies only to payment claims for progress payments for which the due date occurs on or after 1 October 2020.
- (3) In this section—
due date, for a progress payment, see section 64 of the Act.

ENDNOTES

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

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