



Queensland

Queensland Building and Construction Commission (Fire Protection Licensing) Amendment Regulation 2021

Subordinate Legislation 2021 No. 183

made under the

Queensland Building and Construction Commission Act 1991

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1 Short title

This regulation may be cited as the *Queensland Building and Construction Commission (Fire Protection Licensing) Amendment Regulation 2021*.

2 Regulation amended

This regulation amends the *Queensland Building and Construction Commission Regulation 2018*.

3 Insertion of new pt 9, div 6

Part 9—

insert—

Division 6 Transitional provisions for Queensland Building and Construction Commission (Fire Protection Licensing) Amendment Regulation 2021

Subdivision 1 Preliminary

87 Definition for division

In this division—

former, for a provision of this regulation, means the provision as in force immediately before 1 May 2021.

Notes—

- 1 The *Queensland Building and Construction Commission and Other Legislation (Fire Protection Licensing) Amendment Regulation 2020*, part 4, division 3 commenced on 1 May 2021.
- 2 See also sections 80, 81, 82 and 83.

Subdivision 2 Scope of work for particular transitioned licences

88 Scope of work for particular transitioned licences

- (1) This section applies in relation to a licence (the *transitioned licence*) if—
 - (a) the transitioned licence was taken, under section 82(2), to be a licence of the class mentioned in schedule 2, part 26, section 1(4); and
 - (b) immediately before 1 May 2021, the transitioned licence was a licence of a relevant former class.
- (2) This section also applies in relation to a licence (also the *transitioned licence*) if—
 - (a) the transitioned licence is of the class mentioned in schedule 2, part 26, section 1(4); and
 - (b) the transitioned licence was granted, renewed or restored under section 83(2), (3) or (4); and
 - (c) the application or request mentioned in section 83(2), (3) or (4) related to a licence of a relevant former class.
- (3) However, this section does not apply in relation to the transitioned licence—
 - (a) before 31 March 2022; or
 - (b) while—
 - (i) if the licensee is a company—the licensee’s nominee holds 1 or more of the required qualifications; or

- (ii) otherwise—the licensee holds 1 or more of the required qualifications.
- (4) The scope of work for the transitioned licence is taken to be—
 - (a) install and maintain fire hydrant systems, with or without pumps; and
 - (b) install and maintain fire hose reels, with or without pumps; and
 - (c) install fire collars, if the installation is incidental to work mentioned in paragraph (a) or (b).
- (5) This section applies despite sections 82, 83 and 84 and schedule 2, part 26, section 2(5).
- (6) In this section—

relevant former class, of licence, means a class of licence mentioned in—

 - (a) schedule 2, former part 27, section 1(2); or
 - (b) schedule 2, former part 28, section 1(2).

required qualifications means—

 - (a) successful completion of Certificate III in fire protection (CPC32813); or
 - (b) a current restricted licence mentioned in the *Plumbing and Drainage Regulation 2019*, schedule 4, part 3, column 1, item 5 (water plumber—fire protection (commercial and industrial)); or
 - (c) a current plumbers licence, or current provisional plumbers licence, with an endorsement mentioned in the *Plumbing and Drainage Regulation 2019*, schedule 4, part 4, column 1, item 3 (fire protection—commercial and industrial); or

- (d) the technical qualifications for a licence of the class mentioned in schedule 2, part 26, section 1(4).

Subdivision 3 Applications for licences of particular former classes

89 Definitions for subdivision

In this subdivision—

continuing provision, for a licence of a relevant former class, means a former provision of this regulation stated opposite the class in—

- (a) schedule 7A, part 3, column 2; or
- (b) schedule 7A, part 4, column 2.

relevant former class, of licence, means a class of licence mentioned in—

- (a) schedule 7A, part 3, column 1; or
- (b) schedule 7A, part 4, column 1.

90 Existing applications for licences of relevant former classes

- (1) This section applies if—
 - (a) before 1 May 2021, a person made an application for a licence of a relevant former class; and
 - (b) immediately before the commencement, the application had not been decided, withdrawn or otherwise finally dealt with.
- (2) The commission may decide the application as if each continuing provision for the licence had continued in force from 1 May 2021.

- (3) If the commission grants the application, the licence may be held and renewed by the person as if each continuing provision for the licence had continued in force from 1 May 2021.

91 New applications for licences of relevant former classes

- (1) This section applies if—
 - (a) before 1 May 2021, a person made an application (the *initial application*) for a licence of a relevant former class; and
 - (b) on or after 1 May 2021, but before the commencement—
 - (i) the commission rejected the application; or
 - (ii) the commission otherwise refused to grant the application; or
 - (iii) the application was withdrawn.
- (2) The person may, before 1 May 2022, make an application (the *further application*) for a licence of the relevant former class.
- (3) Payment of a fee mentioned in schedule 7, item 1, 2, 3 or 4 is waived for the further application if the fee, as it was in force under schedule 7 from time to time before 31 May 2021—
 - (a) was paid in relation to the initial application; and
 - (b) has not been refunded before the making of the further application.
- (4) The commission may decide the further application as if each continuing provision for the licence had continued in force from 1 May 2021.
- (5) If the further application is granted, the licence may be held and renewed by the person as if each continuing provision for the licence had

continued in force from 1 May 2021.

4 Amendment of sch 4 (Fire protection work by employees)

Schedule 4, item 5, column 1, ‘detection, alarm and warning’—

omit, insert—

alarm

ENDNOTES

- 1 Made by the Governor in Council on 9 December 2021.
- 2 Notified on the Queensland legislation website on 10 December 2021.
- 3 The administering agency is the Department of Energy and Public Works.

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