

Queensland



**QUEENSLAND BUILDING
SERVICES AUTHORITY
AMENDMENT ACT 1996**

Act No. 58 of 1996

Queensland



QUEENSLAND BUILDING SERVICES AUTHORITY AMENDMENT ACT 1996

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**Queensland Building Services Authority
Amendment Act 1996**

Act No. 58 of 1996

An Act to amend the *Queensland Building Services Authority Act 1991*

[Assented to 5 December 1996]

The Parliament of Queensland enacts—

Short title

1. This Act may be cited as the *Queensland Building Services Authority Amendment Act 1996*.

Commencement

2. This Act is taken to have commenced on 5 September 1996.

Act amended

3. This Act amends the *Queensland Building Services Authority Act 1991*.

Amendment of s 97 (Transfer of proceedings between Tribunal and the courts)

4. Section 97—

insert—

‘(3) However, if a subcontractor under the *Subcontractors’ Charges Act 1974* commences a proceeding in a court to enforce a claim of charge under section 12 of that Act, the Tribunal must order that any proceeding brought in the Tribunal under this division by the subcontractor relating to the subject matter of the claim, be removed to the court.’.

Replacement of section 110 (Non application of certain Acts)

5. Section 110—

‘Non-application of certain Acts

‘110.(1) The *Commercial Arbitration Act 1990* does not apply to domestic building work.

‘(2) The *Subcontractors’ Charges Act 1974* does not apply to domestic building work relating to a duplex or single detached dwelling if—

- (a) the work is carried out by a building contractor for an individual;
and
- (b) the work is not for a business carried on by the individual, either alone or as a member of a partnership.’