



Queensland

Queensland Building Services Authority Amendment Regulation (No. 3) 2008

Subordinate Legislation 2008 No. 414

made under the

Queensland Building Services Authority Act 1991

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Amendment of sch 1A (Board's policies approved under section 9A of the Act)	2
5	Amendment of sch 2 (Classes of licences and licence requirements)	2
6	Amendment of sch 3 (Dictionary)	6

[s 1]

1 Short title

This regulation may be cited as the *Queensland Building Services Authority Amendment Regulation (No. 3) 2008*.

2 Commencement

This regulation commences on 1 January 2009, immediately after the commencement of the *Queensland Building Services Authority Amendment Regulation (No. 2) 2008*, section 19.

3 Regulation amended

This regulation amends the *Queensland Building Services Authority Regulation 2003*.

4 Amendment of sch 1A (Board's policies approved under section 9A of the Act)

Schedule 1A—

insert—

‘8 Amendments of the board’s policy named Financial Requirements for Licensing, made by the board on 21 November 2009’.

5 Amendment of sch 2 (Classes of licences and licence requirements)

Schedule 2, part 6—

omit, insert—

‘Part 6 Builder—open licence

‘1 Licence classes

‘(1) Builder—open.

‘(2) Builder—project management services.

‘2 Scope of work

- ‘(1) For the licence class mentioned in section 1(1)—
- (a) building work on all classes of buildings; and
 - (b) prepare plans and specifications if the plans and specifications are—
 - (i) for the licensee’s personal use; or
 - (ii) for use in building work to be performed by the licensee personally.
- ‘(2) However, the scope of work does not include—
- (a) inspection, or investigation of, and the provision of advice or a report about, completed class 1a or 10 buildings; or
 - (b) personally carrying out any building work for which—
 - (i) a fire protection licence is required; or
 - (ii) an occupational licence is required unless the licensee holds the occupational licence.
- ‘(3) For the licence class mentioned in section 1(2)—
- (a) provide any of the following for a consumer or a principal, for all classes of building work—
 - (i) administration services;
 - (ii) advisory services;
 - (iii) management services, other than coordinating the scheduling of building work by building contractors including as agent for another person; and
 - (b) perform the following functions of a superintendent under a building contract, if appointed as a superintendent under the contract—
 - (i) administer the contract on behalf of a principal for the contract;
 - (ii) certify timing, quality and cost matters under the contract.

[s 5]

‘(4) However, the scope of work does not include performing building work services under a construction management contract.

‘(5) In this section—

superintendent, under a building contract, means a person who is not a party to the contract and is appointed under the contract to perform the following—

- (a) administer the contract on behalf of a principal for the contract;
- (b) certify timing, quality and cost matters under the contract.

‘3 Technical qualifications

‘(1) For the licence class mentioned in section 1(1), any one of the following—

- (a) successful completion of Advanced Diploma of Building and Construction Management BCG60206;
- (b) successful completion of a course the authority considers is at least equivalent to the course mentioned in paragraph (a);
- (c) a recognition certificate as a qualified builder to carry out the scope of work for the licence class;
- (d) a qualification or statement of attainment of required competency issued by an approved authority for the class of licence.

‘(2) For the licence class mentioned in section 1(2)—

- (a) any one of the qualifications mentioned in subsection (1); or
- (b) successful completion of a degree in architecture, construction management, engineering, or quantity surveying; or
- (c) successful completion of a course the authority considers is at least equivalent to the course mentioned in paragraph (b).

‘4 Technical qualifications for site supervisor’s licence

‘For the licence class mentioned in section 1(1), any one of the following—

- (a) the technical qualifications stated in section 3(1);
- (b) successful completion of the following competencies—
 - (i) Apply Building Codes and Standards to the Construction Process for Large Building Projects BCGBC6001A;
 - (ii) Manage the Processes for Legal Obligations of a Building or Construction Contract BCGBC6004A;
 - (iii) Apply Structural Principles to the Construction of Large, High Rise and Complex Buildings BCGBC6014A;
 - (iv) Assess Construction Faults in Large Building Projects BCGBC6016A;
- (c) successful completion of a course or competencies of a course the authority considers is at least equivalent to the competencies mentioned in paragraph (b).

‘5 Experience requirements

‘(1) For the licence class mentioned in section 1(1), the experience requirements are the following—

- (a) for a person who has a technical qualification mentioned in schedule 2, part 3 or 16—2 years experience in—
 - (i) the scope of work for the class; or
 - (ii) other work the authority is satisfied is at least equivalent to experience in the scope of work for the class;
- (b) otherwise—4 years experience in—
 - (i) the scope of work for the class; or
 - (ii) other work the authority is satisfied is at least equivalent to experience in the scope of work for the class.

[s 6]

- ‘(2) For the licence class mentioned in section 1(2), the experience requirements are 4 years experience in—
- (a) the scope of work for the class; or
 - (b) other work the authority is satisfied is at least equivalent to experience in the scope of work for the class.

‘6 Financial requirements

‘The relevant financial requirements in the board’s policies.’.

6 Amendment of sch 3 (Dictionary)

Schedule 3, definition *certify*—

omit, insert—

‘*certify* means—

- (a) for schedule 2, parts 21 to 30B, schedule 2A and schedule 2B—to give advice or a report, including a certificate, stating that a fire protection system complies with Australian and international standards, Building Code of Australia requirements and manufacturer’s specifications after conducting a survey of the system; and
- (b) for schedule 2, part 6—to give advice or a report, including a certificate; and
- (c) otherwise—for building work, to give a QBSA licensee certificate under the *Building Regulation 2006* for the work.’.

ENDNOTES

- 1 Made by the Governor in Council on 11 December 2008.
- 2 Notified in the gazette on 12 December 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Housing.

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