



Queensland

# Queensland Building Services Authority and Other Legislation Amendment Regulation (No. 1) 2009

## Subordinate Legislation 2009 No. 70

made under the

*Building and Construction Industry Payments Act 2004*

*Domestic Building Contracts Act 2000*

*Queensland Building Services Authority Act 1991*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Queensland Building Services Authority and Other Legislation Amendment Regulation (No. 1) 2009*.

### **2 Commencement**

Sections 6, 7(2) and 11 to 14 commence on 1 July 2009.

## **Part 2 Amendment of Queensland Building Services Authority Regulation 2003**

### **3 Regulation amended**

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

### **4 Amendment of s 5 (Work that is not building work)**

(1) Section 5(1)(z), ‘carpets or vinyl’—

*omit, insert—*

‘carpets, floating floors or vinyl’.

(2) After section 5(1)—

*insert—*

‘(1A) Also, for the purpose of section 42 of the Act, work within the scope of work of a licence provided for in schedule 2, part 30 is not building work until 1 January 2011.’.

(3) Section 5(5)—

*insert—*

*‘floating floor* means a floor that covers a subfloor but is not fixed to the subfloor.’

**5 Amendment of s 16 (Requirements for nominee supervisor’s licence—Act, s 32(1)(a))**

Section 16, ‘qualifications and experience’—

*omit, insert—*

‘qualifications, managerial qualifications, if any, and experience’.

**6 Replacement of sch 1 (Fees)**

Schedule 1—

*omit, insert—*

**‘Schedule 1 Fees**

sections 17(1)(b)(iv), 27 and 35

**\$**

**1 Licence application fee—**

**(a) individual—**

**(i) contractor’s licence—**

- (A) for an individual applying for a trade contractor’s licence or design licence to which category SC1 applies . . . . . 269.50**
- (B) for an individual applying for a trade contractor’s licence or design licence to which category SC2 applies . . . . . 308.00**
- (C) for an individual applying for a builder contractor’s licence to which category SC2 applies . . . . . 308.00**

	\$
(D) for an individual applying for a licence to which category 1, 2 or 3 applies . . . . .	424.70
(E) for an individual applying for a licence to which a category from 4 to 8 applies .	578.70
(ii) nominee or site supervisor’s licence . . . . .	154.00
(iii) fire protection occupational licence . . . . .	87.65
(b) company—	
(i) for a company applying for a trade contractor’s licence or design licence to which category SC1 applies . . . . .	450.00
(ii) for a company applying for a trade contractor’s licence or design licence to which category SC2 applies . . . . .	513.75
(iii) for a company applying for a builder contractor’s licence to which category SC2 applies . . . . .	513.75
(iv) for a company applying for a licence to which category 1, 2 or 3 applies . . . . .	706.30
(v) for a company applying for a licence to which a category from 4 to 8 applies. . . . .	963.80
2 Licence fee—	
(a) individual—	
(i) contractor’s licence, for 1 year—	
(A) for an individual who holds a trade contractor’s licence or design licence to which category SC1 applies . . . . .	205.75
(B) for an individual who holds a trade contractor’s licence or design licence to which category SC2 applies . . . . .	257.50
(C) for an individual who holds a builder contractor’s licence to which category SC2 applies . . . . .	257.50

	\$
(D) for an individual who holds a licence to which category 1, 2 or 3 applies . . . . .	308.00
(E) for an individual who holds a licence to which a category from 4 to 8 applies . . .	463.30
(ii) nominee supervisor's licence, for 1 year . . . .	154.00
(iii) site supervisor's licence—	
(A) for 1 year . . . . .	154.00
(B) for 3 years . . . . .	392.60
(iv) fire protection occupational licence—	
(A) for 1 year . . . . .	87.65
(B) for 3 years . . . . .	223.45
(b) company, for 1 year—	
(i) for a company that holds a trade contractor's licence or design licence to which category SC1 applies . . . . .	411.50
(ii) for a company that holds a trade contractor's licence or design licence to which category SC2 applies . . . . .	513.75
(iii) for a company that holds a builder contractor's licence to which category SC2 applies . . . . .	513.75
(iv) for a company that holds a licence to which category 1, 2 or 3 applies . . . . .	617.20
(v) for a company that holds a licence to which a category from 4 to 8 applies . . . . .	925.25
3 Owner-builder permit fee . . . . .	303.15
4 Issue of—	
(a) new licence card . . . . .	6.05
(b) new licence certificate . . . . .	21.60

	\$
5 Inspection of register at the authority's office . . . . .	30.10
6 Insurance information statement . . . . .	33.70'.

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

- (1) Schedule 1A, item 8, '2009'—  
*omit, insert—*  
'2008'.
- (2) Schedule 1A—  
*insert—*  
'9 Amendments of the board's policy named Financial Requirements for Licensing, made by the board on 19 March 2009.
- 10 Insurance Policy Conditions Edition 8 made by the board on 19 March 2009.'

**8 Amendment of sch 2 (Classes of licences and licence requirements)**

- (1) Schedule 2, parts 1 to 3, 15 to 30A, 31 to 34 and 36 to 53, 'Managerial requirements'—  
*omit, insert—*  
'**Managerial qualifications**'.
- (2) Schedule 2, part 20, section 2—  
*insert—*  
'(4) However, the scope of work does not include personally carrying out any building work for which an occupational licence is required, unless the licensee holds an occupational licence.

*Example—*

The installation, testing or commissioning of a non-return valve to a potable water supply can not be carried out unless the licensee holds an occupational licence authorising the holder of the licence to carry out the work.’.

(3) Schedule 2, part 20, section 3—

*insert—*

‘(d) successful completion of Certificate III in Irrigation RTE31303;

(e) successful completion of a course the authority considers is at least equivalent to a course mentioned in paragraph (d);

(f) a qualification or statement of attainment of required competency issued by an approved authority for the class of licence.’.

(4) Schedule 2, part 20—

*insert—*

### **‘3A Experience requirements**

‘For a person who has a technical qualification mentioned in section 3(d) to (f)—2 years experience, which includes experience gained during an apprenticeship and other training in—

(a) the scope of work for the class; or

(b) other work, if the authority considers experience in the other work is at least equivalent to experience in the scope of work for the class.’.

(5) Schedule 2, part 30B, section 2(3)—

*renumber* as schedule 2, part 30B, section 2(4).

(6) Schedule 2, part 30B, section 2—

*insert—*

‘(3) Certify, inspect and test a fire protection system.’.

(7) Schedule 2, part 33, section 2(3)—



*omit, insert—*

- ‘(3) However, the scope of work does not include—
- (a) for a gasfitter who possesses only a gas work authorisation—
    - (i) gas work that can be carried out only by a gasfitter who possesses a gas work licence; and
    - (ii) gas work the gasfitter must not carry out under a condition or limitation imposed under the *Petroleum and Gas (Production and Safety) Act 2004* on the gas work authorisation; and
  - (b) for a gasfitter who possesses only a gas work licence—
    - (i) gas work that can be carried out only by a gasfitter who possesses a gas work authorisation; and
    - (ii) gas work the gasfitter must not carry out under a condition or limitation imposed under the *Petroleum and Gas (Production and Safety) Act 2004* on the gas work licence.’.

- (8) Schedule 2, part 49, section 3(a)(i)—

*omit, insert—*

- ‘(i) Certificate III in Steel Fixing BCG31103;’.

## **9 Amendment of sch 2A (Classes and requirements of fire protection occupational licences)**

- (1) Schedule 2A, part 12, section 2(3)—  
*renumber* as schedule 2A, part 12, section 2(4).
- (2) Schedule 2A, part 12, section 2—  
*insert—*
- ‘(3) Certify, inspect and test a fire protection system.’.

**10 Amendment of sch 3 (Dictionary)**

Schedule 3, definition *passive fire equipment (penetration and joint sealing)*—  
*omit.*

**Part 3 Amendment of Building and Construction Industry Payments Regulation 2004**

**11 Regulation amended**

This part amends the *Building and Construction Industry Payments Regulation 2004*.

**12 Replacement of sch 2 (Fees)**

Schedule 2—  
*omit, insert—*

**‘Schedule 2 Fees**

section 4

	\$
1 Application for registration as an authorised nominating authority . . . . .	1173.80
2 Application for registration as an adjudicator . . . . .	586.90
3 Application for renewal of registration as an authorised nominating authority . . . . .	1173.80
4 Application for renewal of registration as an adjudicator . . . . .	586.90’.

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## **Part 4**                      **Amendment of Domestic Building Contracts Regulation 2000**

### **13**      **Regulation amended**

This part amends the *Domestic Building Contracts Regulation 2000*.

### **14**      **Amendment of schedule (Fees)**

Schedule, '2.30'—  
*omit, insert—*  
'2.35'.

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#### ENDNOTES

- 1      Made by the Governor in Council on 28 May 2009.
- 2      Notified in the gazette on 29 May 2009.
- 3      Laid before the Legislative Assembly on . . .
- 4      The administering agency is the Department of Housing.

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