



Queensland

Queensland Building Services Authority Amendment Regulation (No. 1) 2012

Subordinate Legislation 2012 No. 166

made under the

Queensland Building Services Authority Act 1991

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[s 1]

1 Short title

This regulation may be cited as the *Queensland Building Services Authority Amendment Regulation (No. 1) 2012*.

2 Regulation amended

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

3 Amendment of s 5 (Work that is not building work)

(1) Section 5(1)—

insert—

‘(zv) for the purpose of section 42 of the Act—installation, repair or maintenance of a solar hot water system if—

(i) a person, who is the holder of an unrestricted electrical contractor licence (the ***electrical contractor***), undertakes to carry out the work for a consumer; and

(ii) the electrical contractor only carries out the part of the work that is electrical work under the *Electrical Safety Act 2002*; and

(iii) the part of the work that is not electrical work under the *Electrical Safety Act 2002* (the ***non-electrical work***) is carried out by a person who—

(A) holds, under the Act, a contractor’s licence of the appropriate class for the non-electrical work; and

(B) is engaged by the electrical contractor to carry out the non-electrical work;

(zw) for the purpose of section 42 of the Act—installation, repair or maintenance of a photovoltaic solar panel if the work is carried out by a person who is the holder of an unrestricted electrical contractor licence.’.

(2) Section 5(5)—

insert—

‘solar hot water system includes any part of a water heating system designed to heat water using light or heat from the sun.

unrestricted electrical contractor licence means an electrical contractor licence under the *Electrical Safety Act 2002* that does not include any conditions or restrictions.’.

4 Replacement of s 33 (Particulars in register—Act, s 99(2)(d))

Section 33—

omit, insert—

‘33 Particulars in register—Act, s 99(2)(d)

‘(1) For section 99(2)(d) of the Act, the particulars are the following—

(a) for a licensee who holds a licence that authorises the licensee to carry out residential construction work—

(i) the value of residential construction work carried out by the licensee other than work carried out as a subcontractor; and

(ii) the number of projects involving residential construction work for which the licensee has carried out, or agreed to carry out, building work as a licensee; and

(iii) if the licensee is a company—the full name and business address of the nominee and each director and secretary of the company;

(b) the licensee’s current allowable annual turnover category;

(c) if the licensee is a company and the nominee, a licensed director or a licensed secretary of the company is, or within the last 10 years was, a nominee, a licensed director or a licensed secretary of another company (the

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other company) that was a licensee at the relevant time—the name of the other company.

‘(2) If a nominee, director or secretary mentioned in subsection (1)(a)(iii) does not have a business address, the register must instead contain the residential address of each nominee, director and secretary.

‘(3) In this section—

allowable annual turnover category, for a licensee, means the category designated, under the board’s policies, for the licensee’s allowable annual turnover.

licensed director means a director of a company if—

- (a) the company is, or is required to be, a licensee; and
- (b) the director is also, or is also required to be, a licensee.

licensed secretary means a secretary of a company if—

- (a) the company is, or is required to be, a licensee; and
- (b) the secretary is also, or is also required to be, a licensee.

relevant time means any time during which the person mentioned in subsection (1)(c) is or was a nominee, a licensed director or a licensed secretary of the other company.’.

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

Schedule 1A—

insert—

‘14 Amendments of the board’s policy named Financial Requirements for Licensing, made by the board on 19 July 2012’.

ENDNOTES

- 1 Made by the Governor in Council on 27 September 2012.
- 2 Notified in the gazette on 28 September 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Housing and Public Works.

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