



Queensland

Building and Other Legislation Amendment Regulation (No. 1) 2014

Subordinate Legislation 2014 No. 255

made under the

Building Act 1975

Plumbing and Drainage Act 2002

State Penalties Enforcement Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Building and Other Legislation Amendment Regulation (No. 1) 2014*.

2 Commencement

This regulation commences on 10 November 2014.

Part 2 Amendment of Building Regulation 2006

3 Regulation amended

This part amends the *Building Regulation 2006*.

4 Amendment of s 16 (Prescribed notification requirements—Act, s 246ATM)

Section 16, editor's note, 'the department's website at <www.hpw.qld.gov.au>.'—

omit, insert—

QBCC's website at <www.qbcc.qld.gov.au>.

5 Amendment of s 16B (Prescribed professional indemnity insurance—Act, s 246AV)

Section 16B(4)—

insert—

- (d) the Queensland Building and Construction Employing Office established under the *Queensland Building and Construction Commission Act 1991*, section 29A.

[s 6]

6 Amendment of s 16C (Approved code of conduct for pool safety inspectors—Act, s 246BA)

Section 16C, editor's note—

omit, insert—

Note—

Under section 338(3) of the Act, the code of conduct for pool safety inspectors continues in effect as if the code of conduct had been made by the QBCC commissioner.

Editor's note—

Copies of the code of conduct for pool safety inspectors are available for inspection at QBCC's head office at 299 Montague Road, West End. The code is also available for inspection on QBCC's website at <www.qbcc.qld.gov.au>.

7 Amendment of s 16DE (CPD activities and points)

(1) Section 16DE(2), 'department's'—

omit, insert—

QBCC's

(2) Section 16DE(2), editor's note—

omit, insert—

Editor's note—

The QBCC's website is at <www.qbcc.qld.gov.au>.

8 Amendment of s 16G (Allocation of demerit points for demerit contraventions)

After section 16G(2)—

insert—

Note—

For reviews of the decision, see the *Queensland Building and Construction Commission Act*, part 7, division 3.

9 Omission of pt 4, div 3, sdiv 3 (Reviews of PSC's decisions)

Part 4, division 3, subdivision 3—
omit.

10 Insertion of new pt 10, div 3

Part 10—
insert—

**Division 3 Transitional provisions for
Building and Other
Legislation Amendment
Regulation (No. 1) 2014**

64 Definitions for div 3

In this division—

former council means the PSC under the *Building Act 1975* as in force immediately before the commencement of the *Professional Engineers and Other Legislation Amendment Act 2014*.

unamended regulation means the *Building Regulation 2006* as in force immediately before the commencement.

65 Demerit points not allocated by PSC before commencement

- (1) This section applies if, before the commencement, the former council—
- (a) was satisfied that a pool safety inspector had committed a demerit contravention; but
 - (b) had not allocated demerit points to the pool safety inspector for the demerit

[s 11]

contravention under the unamended regulation.

- (2) The QBCC commissioner may be satisfied that the pool safety inspector had committed a demerit contravention merely because the former council was satisfied the pool safety inspector had committed a demerit contravention.

66 Demerit points allocated, but not notified, by PSC before commencement

- (1) This section applies if, before the commencement, the former council—
 - (a) had allocated demerit points to a pool safety inspector for a demerit contravention under the unamended regulation; but
 - (b) had not given the pool safety inspector a notice for the allocation of the demerit points under the unamended regulation.
- (2) The allocation of the demerit points continues in effect as if it had been done by the QBCC commissioner.

Part 3 Amendment of Plumbing and Drainage Regulation 2003

11 Regulation amended

This part amends the *Plumbing and Drainage Regulation 2003*.

12 Amendment of sch 1 (Qualifications, practical experience and scope of work for plumbers and drainers licences)

Schedule 1, table, items 1 and 2, column 2, 'PIC'—
omit, insert—

the QBCC commissioner

13 Amendment of sch 2 (Qualifications, practical experience and scope of work for restricted licences)

(1) Schedule 2, table, items 1, 2, 6, 7 and 8, column 2, ‘PIC’—

omit, insert—

the QBCC commissioner

(2) Schedule 2, table, item 3, columns 2 and 3, ‘PIC’—

omit, insert—

the QBCC commissioner

14 Amendment of sch 3 (Qualifications, practical experience and scope of work for endorsements)

Schedule 3, table, items 1 to 6, column 2, ‘PIC’—

omit, insert—

the QBCC commissioner

15 Amendment of sch 5 (Dictionary)

Schedule 5, definition *PIC*—

omit.

**Part 4 Amendment of Standard
Plumbing and Drainage
Regulation 2003**

16 Regulation amended

This part amends the *Standard Plumbing and Drainage Regulation 2003*.

[s 17]

17 Amendment of s 29B (Rectification notices for inspections under s 29A or the Act, s 87(8))

Section 29B(3), ‘council’—

omit, insert—

QBCC commissioner

18 Amendment of s 53 (Qualifications and experience)

Section 53(2)(b)(ii) and (3)(b)(iii), ‘council’—

omit, insert—

QBCC commissioner

Part 5 Amendment of the State Penalties Enforcement Regulation 2014

19 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

20 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

(1) Schedule 1, entry for *Building Act 1975*, administering authority provision—

insert—

(ba) for an infringement notice served by an inspector appointed under the *Queensland Building and Construction Commission Act 1991*, section 104—the Queensland Building and Construction Commission; or

-
- (bb) for an infringement notice served by an investigator mentioned in the *Building Act 1975*, section 246CP(1)—the Queensland Building and Construction Commission; or
- (2) Schedule 1, entry for *Building Act 1975*, administering authority provision, paragraphs (ba) to (d)—
renumber as paragraphs (c) to (f).
- (3) Schedule 1, entry for *Building Act 1975*, authorised person provision, paragraph (f), from ‘chief’—
omit, insert—
commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (4) Schedule 1, entry for *Building Act 1975*, authorised person provision, paragraphs (g)(i) and (ii)—
omit, insert—
(i) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (5) Schedule 1, entry for *Building Act 1975*, authorised person provision, paragraph (g)(iii)—
renumber as paragraph (g)(ii).
- (6) Schedule 1, entry for *Building Act 1975*, authorised person provision, paragraph (h)(ii)—
omit.
- (7) Schedule 1, entry for *Building Act 1975*, authorised person provision, paragraph (h)(iii)—
renumber as paragraph (h)(ii).
- (8) Schedule 1, entry for *Building Regulation 2006*, authorised person provision, paragraph (a)(iii)—
omit, insert—

[s 20]

- (iii) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (9) Schedule 1, entry for *Plumbing and Drainage Act 2002*, administering authority provision, before paragraph (a)—
insert—
- (aa) for an infringement notice served by the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*—the Queensland Building and Construction Commission; or
- (ab) for an infringement notice served by an investigator appointed under the *Plumbing and Drainage Act 2002*, section 33A—the Queensland Building and Construction Commission; or
- (10) Schedule 1, entry for *Plumbing and Drainage Act 2002*, administering authority provision, paragraphs (aa) to (b)—
renumber as paragraphs (a) to (d).
- (11) Schedule 1, entry for *Plumbing and Drainage Act 2002*, authorised person provision, before paragraph (a)—
insert—
- (aa) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (12) Schedule 1, entry for *Plumbing and Drainage Act 2002*, authorised person provision, paragraphs (aa) to (d)—
renumber as paragraphs (a) to (e).
- (13) Schedule 1, entry for *Standard Plumbing and Drainage Regulation 2003*, administering authority provision, before paragraph (a)—
insert—

-
- (aa) for an infringement notice served by the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*—the Queensland Building and Construction Commission; or
- (ab) for an infringement notice served by an investigator appointed under the *Plumbing and Drainage Act 2002*, section 33A—the Queensland Building and Construction Commission; or
- (14) Schedule 1, entry for *Standard Plumbing and Drainage Regulation 2003*, administering authority provision, paragraphs (aa) to (b)—
renumber as paragraphs (a) to (d).
- (15) Schedule 1, entry for *Standard Plumbing and Drainage Regulation 2003*, authorised person provision, before paragraph (a)—
insert—
- (aa) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (16) Schedule 1, entry for *Standard Plumbing and Drainage Regulation 2003*, authorised person provision, paragraphs (aa) to (d)—
renumber as paragraphs (a) to (e).

Part 6 Minor and consequential amendments

21 Regulations amended by sch 1

Schedule 1 amends the regulations mentioned in it.

Schedule 1 Minor and consequential amendments

section 21

Building Regulation 2006

1 Replacement of references in relation to dissolution of PSC

The provisions mentioned in column 1 are amended by omitting the words mentioned in column 2 and inserting the words mentioned in column 3—

column 1	column 2	column 3
provision amended	words omitted	words inserted
section 16DC, definition <i>CPD</i> <i>activities</i>	PSC	QBCC commissioner
section 16DE(1), first mention, (2), (3) and (4)	PSC	QBCC commissioner
section 16DE(1), second mention	PSC	commissioner
section 16E, definition <i>demerit points</i>	PSC	the QBCC commissioner
section 16F(3)	PSC	the QBCC commissioner
section 16G(2)	PSC	The QBCC commissioner
section 16H(1), first mention	PSC	The QBCC commissioner

column 1 provision amended	column 2 words omitted	column 3 words inserted
section 16H(1), second mention	PSC	the commissioner
section 16H(2)(b)	PSC	the commissioner
section 16I, heading	PSC	QBCC commissioner
section 16I(1)	PSC	the QBCC commissioner
section 16I(2)	PSC must	The commissioner must
section 16I(2)(e) and (f)(i)	PSC	the commissioner
section 16J(1)	PSC	the QBCC commissioner
section 16J(2) and (3)	PSC	the commissioner
section 16K, heading	PSC	the QBCC commissioner
section 16K(1)	PSC	the QBCC commissioner
section 16K(2) and (4)	PSC	The commissioner
section 16L(1)	PSC	the QBCC commissioner
section 16L(2)	PSC	The commissioner
section 16M(1)(a)	PSC	the QBCC commissioner
section 16M(2)	PSC must	The commissioner must
section 16M(2)(a), (b) and (c)(i)	PSC	the commissioner
schedule 3, item 4(a)(iii) and (b)(iii)	chief executive	QBCC commissioner

Plumbing and Drainage Regulation 2003

2 Replacement of references in relation to dissolution of PIC

The provisions mentioned in column 1 are amended by omitting the words mentioned in column 2 and inserting the words mentioned in column 3—

column 1 provision amended	column 2 words omitted	column 3 words inserted
section 9(1)(a), first mention and (b)	PIC	the QBCC commissioner
section 9(1)(a), second mention	PIC	the commissioner
section 9(2), first mention	PIC	The commissioner
section 9(2), second mention	PIC	the commissioner
section 9(3)	PIC must	the commissioner must
section 9(3)(b)	PIC	the commissioner
section 10, heading	PIC	QBCC
section 10	to PIC	to the QBCC
schedule 5, definition <i>competencies</i>	PIC	the QBCC commissioner

ENDNOTES

- 1 Made by the Governor in Council on 6 November 2014.
- 2 Notified on the Queensland legislation website on 7 November 2014.
- 3 The administering agency is the Department of Housing and Public Works.

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Authorised by the Parliamentary Counsel