

Queensland



**QUEENSLAND BUILDING
SERVICES AUTHORITY
AMENDMENT BILL 1998**

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1998

A BILL

FOR

An Act to amend the Queensland Building Services Authority Act 1991

*Queensland Building Services Authority
Amendment*

The Parliament of Queensland enacts—

1

Short title

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Clause **1.** This Act may be cited as the *Queensland Building Services Authority
Amendment Act 1998*.

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Act amended

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Clause **2.** This Act amends the *Queensland Building Services Authority
Act 1991*.

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Amendment of s 3 (Objects of Act)

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Clause **3.** Section 3, after subparagraph (a)(ii)—
 insert—

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‘(iii) to achieve a reasonable balance between the interests of
building contractors and subcontractors; and’.

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Amendment of s 36 (Subsequent imposition of conditions etc.)

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Clause **4.(1)** Section 36(1), after paragraph (a)—
 insert—

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‘(aa) in relation to a licensee who holds a contractor’s licence that is not
a subcontractor’s licence—

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(i) that the licensee may have failed, without reasonable excuse,
to make satisfactory arrangements for paying a
subcontractor an amount claimed by the subcontractor under
a charge under the *Subcontractors’ Charges Act 1974*; or

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Queensland Building Services Authority
Amendment

(ii) that the licensee may have failed, without reasonable excuse, to pay an amount payable under a court order to a subcontractor for building work carried out by the subcontractor, whether or not the order enforces a charge under the <i>Subcontractors' Charges Act 1974</i> ; or'.	1 2 3 4 5
(2) Section 36—	6
insert—	7
'(6) Subsection (1)(aa) does not limit subsection (1)(a).	8
'(7) For subsection (1)(aa), it is a reasonable excuse if the licensee has not received payment for the work to which the charge or order relates.	9 10
'(8) In this section—	11
"subcontractor's licence" means a contractor's licence granted subject to the condition that the licensee may only carry out or supervise building work for other licensees.'	12 13 14
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