



# **Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025**





Queensland

# Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025

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**2025**

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## **A Bill**

for

***An Act to amend the *Building Act 1975*, the *Plumbing and Drainage Act 2018* and the *Queensland Building and Construction Commission Act 1991* for particular purposes***

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3  
This Act may be cited as the *Queensland Building and Construction Commission and Other Legislation Amendment Act 2025*. 4  
5  
6

**Clause 2 Commencement** 7  
This Act commences on a day to be fixed by proclamation. 8

**Part 2 Amendment of Building Act 1975** 9  
10

**Clause 3 Act amended** 11  
This part amends the *Building Act 1975*. 12

**Clause 4 Amendment of s 181 (Surrendering licence)** 13  
Section 181(3), ‘the licence’— 14  
*omit, insert—* 15  
a licence card held by the certifier 16

**Clause 5 Replacement of s 182 (Obtaining replacement licence)** 17  
Section 182— 18  
*omit, insert—* 19



## **182 Obtaining replacement licence card**

- (1) A building certifier who has been issued a building certifier's licence in the form of a licence card may apply to QBCC in the approved form for a replacement of the card if the card has been damaged, destroyed, lost or stolen.
- (2) If QBCC is satisfied the licence card has been damaged, destroyed, lost or stolen, QBCC must issue a replacement licence card to the applicant.

### **Clause 6 Amendment of s 246CD (Surrendering licence)**

Section 246CD(3), 'the licence'—

*omit, insert—*

a licence card held by the inspector

### **Clause 7 Replacement of s 246CE (Obtaining replacement licence)**

Section 246CE—

*omit, insert—*

#### **246CE Obtaining replacement licence card**

- (1) A pool safety inspector who has been issued a pool safety inspector's licence in the form of a licence card may apply to the QBCC commissioner for a replacement of the licence card if the card has been damaged, destroyed, lost or stolen.
- (2) The application must be—
  - (a) in the approved form; and
  - (b) accompanied by the fee prescribed by regulation.
- (3) If the QBCC commissioner is satisfied the licence card has been damaged, destroyed, lost or stolen, the commissioner must issue a replacement

	licence card to the applicant.	1
<b>Clause 8</b>	<b>Amendment of sch 2 (Dictionary)</b>	2
	Schedule 2—	3
	<i>insert—</i>	4
	<i>licence card</i> , for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.	5 6 7
<b>Part 3</b>	<b>Amendment of Plumbing and Drainage Act 2018</b>	8 9
<b>Clause 9</b>	<b>Act amended</b>	10
	This part amends the <i>Plumbing and Drainage Act 2018</i> .	11
<b>Clause 10</b>	<b>Amendment of s 38 (Decision on review of licence conditions)</b>	12 13
	Section 38(5)—	14
	<i>omit, insert—</i>	15
	(5) If the licensee holds a licence card and the commissioner decides to change the conditions, the information notice must also direct the licensee to return the card to the commissioner within 10 business days after receiving the notice.	16 17 18 19 20
<b>Clause 11</b>	<b>Amendment of s 40 (Returning licence for amendment or replacement)</b>	21 22
	(1) Section 40, heading, after ‘licence’—	23
	<i>insert—</i>	24
	<b>card</b>	25

- |     |                                      |   |
|-----|--------------------------------------|---|
| (2) | Section 40(1), after ‘licensee’—     | 1 |
|     | <i>insert—</i>                       | 2 |
|     | who holds a licence card             | 3 |
| (3) | Section 40(2), ‘licensee’s licence’— | 4 |
|     | <i>omit, insert—</i>                 | 5 |
|     | licence card                         | 6 |
| (4) | Section 40(3), after ‘licence’—      | 7 |
|     | <i>insert—</i>                       | 8 |
|     | card                                 | 9 |

<b>Clause 12</b>	<b>Amendment of s 42 (Replacing licence)</b>	10
------------------	--	----

- |     |   |    |
|-----|---|----|
| (1) | Section 42, heading, after ‘licence’—                 | 11 |
|     | <i>insert—</i>  | 12 |
|     | <b>card</b>   | 13 |
| (2) | Section 42(1)—  | 14 |
|     | <i>omit, insert—</i>                                  | 15 |
| (1) | A licensee who is issued a licence in the form of a   | 16 |
|     | licence card may apply to the commissioner to         | 17 |
|     | replace the card if it is damaged, destroyed, lost or | 18 |
|     | stolen.   | 19 |
| (3) | Section 42(3)—  | 20 |
|     | <i>omit, insert—</i>                                  | 21 |
| (3) | If the commissioner is satisfied the licence card     | 22 |
|     | has been damaged, destroyed, lost or stolen, the      | 23 |
|     | commissioner must issue a replacement licence         | 24 |
|     | card to the applicant.                                | 25 |

<b>Clause 13</b>	<b>Amendment of s 62 (Returning suspended or cancelled licence)</b>	26
------------------	---	----

- |     |                                       |    |
|-----|---------------------------------------|----|
| (1) | Section 62, heading, after ‘licence’— | 28 |
|-----|---------------------------------------|----|

<i>insert—</i>	1
<b>card</b>	2
(2) Section 62(1)—	3
<i>omit, insert—</i>	4
(1) This section applies if—	5
(a) the commissioner or QCAT suspends or cancels a licensee’s licence; and	6 7
(b) the licensee holds a licence card.	8
(3) Section 62(2), after ‘licence’—	9
<i>insert—</i>	10
card	11
(4) Section 62(3), after ‘return the licence’—	12
<i>insert—</i>	13
card	14

<b>Clause 14</b>	<b>Amendment of s 63 (Surrendering licence)</b>	15
	Section 63(3), from ‘The’ to ‘licence’—	16
	<i>omit, insert—</i>	17
	If the licensee holds a licence card, the licensee must return the card	18 19

<b>Clause 15</b>	<b>Amendment of sch 1 (Dictionary)</b>	20
	Schedule 1—	21
	<i>insert—</i>	22
	<b><i>licence card</i></b> , for a licence, means a document, other than an electronic document, in the form of a card evidencing the licence.	23 24 25

<b>Part 4</b>	<b>Amendment of Queensland Building and Construction Commission Act 1991</b>	1
		2
		3
<b>Clause 16</b>	<b>Act amended</b>	4
	This part amends the <i>Queensland Building and Construction Commission Act 1991</i> .	5
		6
<b>Clause 17</b>	<b>Amendment of pt 3, div 3, hdg (Grant of licence)</b>	7
	Part 3, division 3, heading, ‘Grant of’—	8
	<i>omit, insert—</i>	9
	<b>Application for, and grant of,</b>	10
<b>Clause 18</b>	<b>Amendment of s 33 (Application for licence)</b>	11
	Section 33(1)—	12
	<i>omit, insert—</i>	13
	(1) An application for a licence must—	14
	(a) be in the approved form; and	15
	(b) comply with the requirements prescribed by regulation; and	16
		17
	(c) be accompanied by—	18
	(i) a photograph of the applicant in the form required by the commission; and	19
		20
	(ii) the fee prescribed by regulation.	21
<b>Clause 19</b>	<b>Amendment of s 34 (Grant of licence)</b>	22
	Section 34(2), from ‘is to’ to ‘card and’—	23
	<i>omit.</i>	24

<b>Clause 20</b>	<b>Omission of pt 3, div 3A (Issue of PINs to licensees)</b>	1
	Part 3, division 3A—	2
	<i>omit.</i>	3
<b>Clause 21</b>	<b>Amendment of s 37A (Commission to advise licensee before licence due for renewal)</b>	4
	Section 37A(2)(b)—	5
	<i>omit, insert—</i>	6
	(b) if the licensee is an individual and the commission requires a photograph of the licensee—the form in which the photograph is required by the commission;	7
		8
		9
		10
		11
<b>Clause 22</b>	<b>Amendment of s 37B (Applications for renewal of licence)</b>	12
	Section 37B(2)(c)—	13
	<i>omit, insert—</i>	14
	(c) if a notice under section 37A(2)(b) stated a photograph of the licensee was required—be accompanied by the photograph in the form required by the commission.	15
		16
		17
		18
		19
<b>Clause 23</b>	<b>Amendment of s 51 (Improper use of licence card, certificate, number or PIN)</b>	20
	(1) Section 51, heading, ‘licence card, certificate, number or PIN’—	21
		22
		23
	<i>omit, insert—</i>	24
	<b>licence, licence certificate or licence number</b>	25
	(2) Section 51(4), definition <i>make use of</i> , from ‘or the licensee’s’ to ‘PIN’—	26
		27
	<i>omit, insert—</i>	28

	, the licensee's licence or licence certificate	1
<b>Clause 24</b>	<b>Amendment of s 51A (Other offences relating to unlawful carrying out of building work)</b>	2
	Section 51A(2), ' , number or PIN'—	3
	<i>omit, insert—</i>	4
	or number	5
<b>Clause 25</b>	<b>Replacement of s 53 (Return of licence)</b>	6
	Section 53—	7
	<i>omit, insert—</i>	8
	<b>53 Return of licence card or licence certificate</b>	9
	(1) A licensee whose licence is suspended or cancelled must, within 14 days of receiving notice of the suspension or cancellation of the licence, return the following documents to the commission—	10
	(a) if the commission issued a licence card to the licensee—the licence card;	11
	(b) if the commission issued a licence certificate to the licensee—the licence certificate.	12
	(2) A licensee must, within 14 days of receiving notice of the imposition, variation or revocation of a condition of the licensee's licence, return the following documents to the commission for endorsement—	13
	(a) if the commission issued a licence card to the licensee—the licence card;	14
	(b) if the commission issued a licence certificate to the licensee—the licence certificate.	15

- (3) A person who has surrendered the person's licence must, within 14 days after receiving notice of the commission's consent to the surrender, return the following documents to the commission—
    - (a) if the commission issued a licence card to the person—the licence card;
    - (b) if the commission issued a licence certificate to the person—the licence certificate.
  - (4) A person must comply with a requirement under subsection (1), (2) or (3), unless the person has a reasonable excuse.
- Maximum penalty—80 penalty units.

<b>Clause 26</b>	<b>Amendment of s 54A (Notification of particular safety matters)</b>	15
		16
	(1) Section 54A—	17
	<i>insert—</i>	18
	(1A) However, this section does not apply in relation to a safety matter mentioned in subsection (1)(a) if—	19
		20
	(a) the notifiable incident is a dangerous electrical event or serious electrical incident and the licensee is a person conducting a business or undertaking within the meaning of the <i>Electrical Safety Act 2002</i> , section 21; or	21
		22
	(b) the notifiable incident is a notifiable incident within the meaning of the <i>Work Health and Safety Act 2011</i> , section 35 and the licensee is a person conducting a business or undertaking within the meaning of section 5 of that Act.	23
		24
		25
		26
		27
		28
		29
		30
		31
		32
		33
		34



- (2) Section 54A(2)— 1  
*omit, insert—* 2
- (2) The licensee must give notice of the safety matter 3  
under this section to— 4
- (a) for a safety matter mentioned in subsection 5  
(1)(a)—the regulator established under the 6  
*Work Health and Safety Act 2011* (the 7  
***relevant entity***); or 8
- (b) for a safety matter mentioned in subsection 9  
(1)(b)—the commission (also the ***relevant*** 10  
***entity***). 11
- Maximum penalty—100 penalty units. 12
- (3) Section 54A(4) to (6), ‘the commission’— 13  
*omit, insert—* 14  
the relevant entity 15
- (4) Section 54A— 16  
*insert—* 17
- (7) In this section— 18
- dangerous electrical event*** see the *Electrical* 19  
*Safety Act 2002*, section 12. 20
- serious electrical incident*** see the *Electrical* 21  
*Safety Act 2002*, section 11. 22
- (5) Section 54A(1A) to (7)— 23  
*renumber* as section 54A(2) to (8). 24

- Clause 27 Omission of s 56A (Commission may request** 25  
**photographs for licence)** 26
- Section 56A— 27  
*omit.* 28

<b>Clause 28</b>	<b>Amendment of s 67G (Building contracts to be in writing)</b>	1
	Section 67G(4)(f), ‘card’—	2
	<i>omit.</i>	3
<b>Clause 29</b>	<b>Amendment of s 71 (Recovery from licensed contractor etc.)</b>	4
	(1) Section 71(2)(a)(i), ‘whose licence card is imprinted on’—	5
	<i>omit, insert—</i>	6
	identified in a copy of the licensed contractor’s	7
	licence included in, or attached to,	8
	(2) Section 71(2)(a)(vii)—	9
	<i>omit.</i>	10
	(3) Section 71(2)(a)(viii) and (ix)—	11
	<i>renumber</i> as section 71(2)(a)(vii) and (viii).	12
	(4) Section 71(4)(a) and (b)—	13
	<i>omit, insert—</i>	14
	(a) a copy of the contractor’s licence was	15
	included in, or attached to, the contract for	16
	carrying out the work without the licensee’s	17
	authority; and	18
	(b) the licensed contractor took all reasonable	19
	steps to ensure that a copy of the	20
	contractor’s licence was included in, or	21
	attached to, a contract only with the licensed	22
	contractor’s authority.	23
	(5) Section 71(6)(e)—	24
	<i>omit.</i>	25
<b>Clause 30</b>	<b>Amendment of s 71I (Who is taken to carry out building work for this part)</b>	26
	(1) Section 71I(1)(a), ‘whose licence card is imprinted on’—	27
		28
		29

*omit, insert—* 1  
identified in a copy of the building contractor's 2  
licence included in, or attached to, 3  
(2) Section 71I(1)(g)— 4  
*omit.* 5  
(3) Section 71I(1)(h) to (m)— 6  
*renumber* as section 71I(1)(g) to (l). 7  
(4) Section 71I(2), 'subsection (1)(h) and (i)'— 8  
*omit, insert—* 9  
subsection (1)(g) and (h) 10

**Clause 31 Amendment of s 74 (Defences for failure to comply with direction to rectify or remedy)** 11  
12  
(1) Section 74(2)(a)(i) and (ii)— 13  
*omit, insert—* 14  
(i) the copy of the contractor's licence was 15  
included in, or attached to, the contract for 16  
carrying out the building work without the 17  
licensee's authority; and 18  
(ii) the contractor took all reasonable steps to 19  
ensure that a copy of the contractor's licence 20  
was included in, or attached to, a contract 21  
only with the contractor's authority. 22  
(2) Section 74(2)(g)— 23  
*omit.* 24

**Clause 32 Amendment of s 105L (General powers)** 25  
Section 105L— 26  
*insert—* 27  
(4A) However, nothing in this section authorises an 28

	investigator to take from the place a digital device	1
	used to store a licensee's licence if the	2
	investigator takes the device only to inspect or	3
	copy the licence.	4
<b>Clause 33</b>	<b>Amendment of s 105O (Power to require name and address)</b>	5
		6
(1)	Section 105O, heading 'name and address'—	7
	<i>omit, insert—</i>	8
	<b>particular information</b>	9
(2)	Section 105O(2), 'and residential address'—	10
	<i>omit, insert—</i>	11
	, residential address and email address	12
(3)	Section 105O(3), 'or address'—	13
	<i>omit, insert—</i>	14
	or residential address	15
<b>Clause 34</b>	<b>Amendment of s 105T (Power to require information or attendance)</b>	16
		17
(1)	Section 105T—	18
	<i>insert—</i>	19
(2A)	Unless otherwise required by the notice, a person	20
	is taken to comply with subsection (2)(b) if the	21
	person attends a meeting with the investigator by	22
	using any technology allowing reasonably	23
	contemporaneous and continuous	24
	communication.	25
(2)	Section 105T(2A) to (4)—	26
	<i>renumber</i> as section 105T(3) to (5).	27

<b>Clause 35</b>	<b>Amendment of s 106 (Seizing evidence at a place that may be entered without consent or warrant)</b>	1 2
	Section 106—	3
	<i>insert—</i>	4
	(2) However, nothing in this section authorises an investigator to seize a digital device used to store a licence issued under a relevant Act, if the investigator takes the device only to inspect or copy the licence.	5 6 7 8 9
<b>Clause 36</b>	<b>Amendment of s 106A (Seizing evidence at a place that may be entered only with consent or warrant)</b>	10 11
	Section 106A—	12
	<i>insert—</i>	13
	(6) However, nothing in this section authorises an investigator to seize a digital device used to store a licence issued under a relevant Act, if the investigator takes the device only to inspect or copy the licence.	14 15 16 17 18
<b>Clause 37</b>	<b>Replacement of s 109A (Service of documents)</b>	19
	Section 109A—	20
	<i>omit, insert—</i>	21
	<b>109A Service of documents</b>	22
	(1) This section applies if a provision of this Act requires or permits a document, other than an excluded document, to be given to a person by the commission or the commissioner.	23 24 25 26
	(2) For the <i>Acts Interpretation Act 1954</i> , section 39, the address of the person's place of residence or business includes the person's postal address.	27 28 29
	(3) Without limiting the <i>Acts Interpretation Act 1954</i> , section 39, the document may—	30 31

- (a) be sent by email to the person's email address last notified to the commission by the person for use under this Act; or
  - (b) be made available to the person or given in a way prescribed by regulation.
- (4) The document is taken to be given—
  - (a) if sent by email—on the day the email is sent; or
  - (b) if made available to the person or given in a way prescribed by regulation—on the day prescribed by regulation.
- (5) However, if the document is made available or given after 5p.m. on a particular day, the document is taken to be made available or given to the person on the next business day.
- (6) In this section—  
***excluded document*** means a document required for use in a proceeding before the tribunal.

## **Clause 38      Insertion of new s 109C**

After section 109B—

*insert—*

### **109C Licensee must advise of change in particular personal details**

- (1) This section applies if a licensee gave the commission, for use under this Act, the licensee's residential address, email address or phone number and the address or number changes.
  - (2) The licensee must give the commission notice of the change within 14 days after the change, unless the licensee has a reasonable excuse.
- Maximum penalty—10 penalty units.

<b>Clause 39</b>	<b>Insertion of new sch 1, pt 20</b>	1
	Schedule 1—	2
	<i>insert—</i>	3
	<b>Part 20</b>	4
	<b>Transitional provisions</b>	5
	<b>for Queensland</b>	6
	<b>Building and</b>	7
	<b>Construction</b>	8
	<b>Commission and Other</b>	9
	<b>Legislation</b>	10
	<b>Amendment Act 2025</b>	
	<b>100 Definitions for part</b>	11
	In this part—	12
	<i>amendment Act</i> means the <i>Queensland Building</i>	13
	<i>and Construction Commission and Other</i>	14
	<i>Legislation Amendment Act 2025</i> .	15
	<i>former</i> , in relation to a provision of this Act,	16
	means the provision as in force immediately	17
	before the commencement.	18
	<b>101 Existing applications for licences</b>	19
	(1) This section applies if—	20
	(a) before the commencement, an application	21
	was made under former section 33 for a	22
	licence; and	23
	(b) immediately before the commencement, the	24
	application had not been decided.	25
	(2) This Act, as in force immediately before the	26
	commencement, continues to apply to the	27
	application as if the amendment Act had not been	28
	enacted.	29

<b>102 Recovery from licensed contractors in relation to particular contracts</b>	1 2
(1) This section applies in relation to a matter mentioned in section 71(1) that relates to a contract for carrying out building work that was made before the commencement.	3 4 5 6
(2) Former section 71 continues to apply in relation to the matter as if the amendment Act had not been enacted.	7 8 9
<b>103 Persons who are taken to carry out particular building work</b>	10 11
(1) This section applies in relation to building work—	12
(a) mentioned in section 71I; and	13
(b) that is the subject of a contract for carrying out building work that was made before the commencement.	14 15 16
(2) Former section 71I continues to apply in relation to the building work as if the amendment Act had not been enacted.	17 18 19
<b>104 Particular defences for failure to comply with direction to rectify or remedy</b>	20 21
(1) This section applies in relation to a matter mentioned in section 74(1)(a) or (b) that relates to a contract for carrying out building work that was made before the commencement.	22 23 24 25
(2) Former section 74 continues to apply in relation to the licensed contractor the subject of the matter as if the amendment Act had not been enacted.	26 27 28

<b>Clause 40 Amendment of sch 2 (Dictionary)</b>	29
(1) Schedule 2, definitions <i>licence card</i> and <i>PIN</i> —	30



<i>omit.</i>	1
(2) Schedule 2—	2
<i>insert—</i>	3
<i>licence card</i> , for a licence, means a document,	4
other than an electronic document, in the form of	5
a card evidencing the licence.	6

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