

Impact Analysis Statement

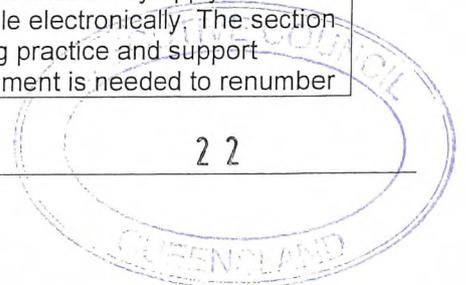
Summary IAS

Details

Lead department	Department of Housing and Public Works
Name of the proposal	Queensland Building and Construction Commission and Other Legislation Amendment Regulation 2026
Submission type	Summary IAS
Title of related legislative or regulatory instrument	<ul style="list-style-type: none"> • <i>Queensland Building and Construction Commission Regulation 2018</i> • <i>State Penalties Enforcement Regulation 2014</i>
Date of issue	January 2026

For proposals noted in table below, complete and delete rows where applicable. No further analysis is required.

Proposal type	Details
Minor and machinery in nature	<p>Consequential amendments are proposed to the <i>Queensland Building and Construction Commission Regulation 2018</i> (QBCC Regulation) regarding the application requirements for licences under the <i>Queensland Building and Construction Commission Act 1991</i> (QBCC Act).</p> <p>The <i>Queensland Building and Construction Commission and Other Legislation Amendment Act 2025</i> (QBCCOLA Act) amends section 33 of the QBCC Act to modernise licensing requirements and support the QBCC's transition in delivering more services digitally to improve efficiency and customer experience. This provision also requires applications to comply with requirements prescribed by regulation. Consequential amendments are needed to section 16 of the QBCC Regulation to reflect changed numbering and simplified application obligations to remove the requirement for a qualified witness (such as a lawyer) to certify the true likeness of the person submitting the licence application.</p> <p>On 24 November 2024, the QBCCOLA Act received assent and is to commence by proclamation on 1 February 2026.</p> <p>Consequential amendments are also proposed to the <i>State Penalties Enforcement Regulation 2014</i> (SPE Regulation) to update reference to an existing penalty infringement notice (PIN).</p> <p>The QBCCOLA Act amends section 53 of the QBCC Act to provide that the return of licence requirements in certain circumstances only apply to physical licence cards and not licences available electronically. The section was also redrafted to align with modern drafting practice and support readability. As a result, a consequential amendment is needed to renumber</p>



	<p>the existing PIN offence in the SPE Regulation from section 53(3) to section 53(4) of the QBCC Act.</p> <p>An amendment is proposed to the SPE Regulation to prescribe a new PIN and corresponding PIN amount.</p> <p>The QBCCOLA Act introduces a new offence in new section 109C of the QBCC Act. This provision requires a licensee to notify the QBCC of a change of particular personal details within 14 days of the change, if they have provided the QBCC with that information for use under the QBCC Act, with 10 penalty units (PU) applying for non-compliance. It is proposed to prescribe a PIN for this offence, with the corresponding PIN amount of 1 PU. This small penalty recognises that while compliance is important, it is relatively low risk and strikes an appropriate balance between the need for the regulator to maintain accurate records, while avoiding overly burdensome regulatory requirements.</p> <p>The <i>State Penalties Enforcement Act 1999</i> and SPE Regulation provide a framework for the prescription of PINs as an alternative to prosecution through the court system. Providing that a PIN can be issued for this minor offence may reduce regulatory burden for industry and government for a matter that would otherwise end up in court.</p> <p>This proposal does not introduce additional obligations for individuals but does seek to enforce compliance with existing obligations and will not adversely affect the right of individuals to seek external review through the courts.</p> <p>The proposal is minor and machinery in nature with no costs on persons, businesses or the community and no further regulatory impact analysis is required under the <i>Queensland Government Better Regulation Policy</i>.</p>
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Signed

Mark Cridland

Director-General

Department of Housing and Public Works

Date: 19/1/26

Sam O'Connor MP

Minister for Housing and Public Works
and Minister for Youth

Date: 19/1/26

