

# BUILDING DESIGNER LICENSING REQUIREMENTS

EFFECTIVE MARCH 2017

There are a number of contractual relationships between licensed builders, designers, draftspersons, cadet draftspersons and engineers which comply with the licensing requirements of the *Queensland Building and Construction Commission Act 1991*.

The QBCC has developed this fact sheet to help clarify these relationships and the licensing requirements for building designers with respect to designing residential and commercial plans, specifications and/or contract administration for building work.

The following scenarios in Table 1 explain the requirements.

**Table 1: Building and designing relationship scenarios**

<b>A</b>	<p>Owner Builder Cadet Draftsperson</p>	<ul style="list-style-type: none"> <li>An owner engages a builder to construct a project. The builder is contracted to provide the design.</li> <li>The builder is required to hold an appropriate QBCC Builder licence class.</li> <li>The draftsperson or cadet draftsperson is required to hold an appropriate QBCC Designer licence where contracting to the licensed builder.</li> <li>A QBCC licence is not required if the draftsperson or cadet draftsperson is an employee of the licensed builder.</li> </ul>
<b>B</b>	<p>Owner QBCC Designer</p>	<ul style="list-style-type: none"> <li>An owner engages a designer to provide the design for a project.</li> <li>The appropriately licensed QBCC designer can engage via a sub-contract a draftsperson or cadet draftsperson or offshore designer. The draftsperson, cadet draftsperson or offshore designer is not required to hold a QBCC Design licence. This is an acceptable sub-trade relationship.</li> </ul>
<b>C</b>	<p>Owner</p>	<ul style="list-style-type: none"> <li>An appropriately licensed builder and owner can engage an engineer to provide designs within their professional engineering practice.</li> <li>An appropriately licensed builder and owner cannot engage an engineer to provide designs outside their professional engineering practice unless the engineer also holds the appropriate QBCC Design licence.</li> </ul>

## Definitions

The Queensland Building and Construction Commission Regulation 2003 Schedule 1AA states that work performed by an engineer or architect in their professional practice is exempt from QBCC licensing requirements.

## Breaches for unlicensed contracting

If you are required to be licensed and are not, you may not be entitled to payment and may be prosecuted by QBCC. A breach of section 42 of the *Queensland Building and Construction Commission Act 1991* incurs a maximum fine of 250 penalty units.

## Need more information

Call QBCC on 139 333, check out our website at [qbcc.qld.gov.au](http://qbcc.qld.gov.au) or visit your local QBCC office.