



QUEENSLAND BUILDING AND
CONSTRUCTION COMMISSION



FIRE PROTECTION OCCUPATIONAL LICENSING

Commonly Asked Questions

PURPOSE OF DOCUMENT

The Queensland Building and Construction Commission (QBCC) is a statutory body established under the *Queensland Building and Construction Commission Act 1991* (QBCC Act). One of the key functions of the QBCC is to administer the licensing systems for a range of building industry practitioners including:

- Building contractors and supervisors licensed under the QBCC Act;
- Certifiers licensed under the *Building Act 1975*;
- Plumbers and drainers licensed under the *Plumbing and Drainage Act 2002*; and
- Fire protection workers licensed under the QBCC Act.

This document has been produced to provide information to assist industry practitioners to better understand the fire protection occupational licensing system in Queensland. The document provides information on commonly asked questions relevant to a broad range of matters relevant to fire protection occupational licensing and related matters.

The information contained in this document is not intended to replace or add to the existing law as stated in the QBCC Act or other legislation. Further, while every effort has been made to ensure that the information in this document is correct, in the event of any inconsistency between this document and the QBCC Act or other legislation, the later prevails. The information in this document is not legal advice.

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PART 1 - WHAT IS FIRE PROTECTION WORK?

QUESTION	ANSWER	LEGISLATION
<p>FIRE PROTECTION WORK</p> <p>What is fire protection work?</p>	<p>Fire protection work is any of the following for a building, or part of a building:</p> <ul style="list-style-type: none">• The installation, restoration, repair or maintenance of a fire protection system;• The preparation of any certificate, statement or record relating to the installation, restoration, repair or maintenance of a fire protection system;• The preparation of any certificate, statement or record stating whether a fire protection system meets a standard, requirement or specification;• The design of a fire protection system;• The development, approval or certification of emergency evacuation procedures for a controlled evacuation during a fire emergency;• The formulation or provision of alternative solutions relating to fire safety;• The inspection or investigation of, and the provision of advice or a report about, compliance with the <i>Building Act 1975</i> or the <i>Building Code of Australia</i> relating to fire safety.	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• “Fire protection work” is defined in schedule 2 (<i>Dictionary</i>) of the QBCC Act.
<p>FIRE PROTECTION SYSTEM</p> <p>What is a fire protection system?</p>	<p>The term “fire protection system” is used in the definition of “fire protection work” in the QBCC Act. A fire protection system is a system of fire protection comprising some or all of the following:</p> <ul style="list-style-type: none">• Portable fire-fighting appliances, including, for example, wheeled fire extinguishers, fire hoses, fire blankets and portable fire extinguishers;• Fire hydrants, with or without pumps;• Fire hose reels, with or without pumps;• A fire or smoke detection system, a heat or smoke alarm or another alarm system or emergency warning and communication system;• A fire suppression system or fire sprinkler system, whether solid, liquid or gas -based;• Fire doors, fire shutters and fire damper assemblies; and• Emergency lighting.	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• “Fire protection work” is defined in schedule 2 (<i>Dictionary</i>) of the QBCC Act.

PART 2 – WHEN IS A FIRE PROTECTION OCCUPATIONAL LICENCE NEEDED?

QUESTION	ANSWER	LEGISLATION
<p>REQUIREMENT FOR A FIRE PROTECTION LICENCE</p> <p>When does an individual need a fire protection occupational licence?</p>	<p>Under section 42C the QBCC Act an individual must hold a fire protection occupational licence if they personally carry out or personally supervise fire protection work unless one or more of the following applies:</p> <ul style="list-style-type: none">• The individual holds a contractor, nominee supervisor or site supervisor licence issued under the QBCC Act that allows them to do the work;• The individual holds a licence issued under an Act other than the QBCC Act that allows them to do the work;• The individual holds a registration under an Act (including the QBCC Act) that allows them to do the work;• The individual holds an authorisation under an Act (including the QBCC Act) that allows them to do the work. <p>An individual who carries out or supervises fire protection work in contravention of the above commits an offence under the QBCC Act and may be prosecuted or have disciplinary proceedings taken against them.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• See section 42C (<i>Unlawful carrying out of fire protection work</i>);• Part 6A, QBCC Act (<i>Disciplinary proceedings</i>).
<p>FIRE PROTECTION WORK THAT IS NOT BUILDING WORK</p> <p>If the carrying out of work does not require a contractor licence, does that mean it is also not fire protection work?</p>	<p>Work is fire protection work if it falls within the definition of “<u>fire protection work</u>” as defined in schedule 2 of the QBCC Act.</p> <p>It is sometimes mistakenly believed that work can only be fire protection work if it is also “<i>building work</i>” as defined by the QBCC Act. This is not correct. The reason for this is that the term “building work” is not used or in any way referred to in section 42C (<i>Unlawful carrying out of fire protection work</i>) of the QBCC Act. The definition of “fire protection work” in schedule 2 (Dictionary) of the QBCC Act also does not refer to building work.</p> <p>Accordingly, work may still be fire protection work regardless of whether either of the following apply to it:</p> <ul style="list-style-type: none">• The work is not building work as defined by the QBCC Act due to the operation of schedule 1AA (<i>Work that is not building work</i>) of the QBCC Regulation; or• The work is building work but its carrying out is exempted from the requirement to hold a contractor licence due to the operation of schedule 1A (<i>Exemptions from the requirement to hold a contractor’s licence</i>) of the QBCC Act.	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• See section 42C (<i>Unlawful carrying out of fire protection work</i>) and schedule 2 (<i>Dictionary</i>).

PART 3 – WHO CAN THE HOLDER OF A FIRE PROTECTION OCCUPATIONAL LICENCE WORK FOR?

QUESTION	ANSWER	LEGISLATION
<p>WORKING AS AN EMPLOYEE OR SUBCONTRACTOR</p> <p>What does a fire protection occupational licence authorise the holder to do?</p>	<p>A fire protection occupational licence issued under the QBCC Act authorises the holder to do any of the following work provided it is within the scope of work of their class (or classes) of licence:</p> <ul style="list-style-type: none"> • While the individual is an officer or employee of a licensed contractor that is a company, to personally carry out and personally supervise fire protection work carried out under the company's licence. • While the individual is an employee of a licensed contractor that is an individual, to personally carry out and personally supervise fire protection work carried out under the contractor's licence. • The holder of a fire protection occupational licence can subcontract to a licensed trade contractor (but not a licensed builder contractor) to personally carry out or supervise fire protection work if the work is both within: <ul style="list-style-type: none"> (a) Within the scope of work allowed under the class of licence held by the trade contractor; (b) Within the scope of work allowed under the individual's fire protection occupational licence. <p>The classes of fire protection work for which a fire protection occupational licence may be issued are stated in the QBCC Regulation.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 30C (<i>Fire protection occupational licence</i>); • Section 42 (<i>Unlawful carrying out of building work</i>); • Section 42C (<i>Unlawful carrying out of fire protection work</i>); • Schedule 1A (<i>Exemptions from requirement to hold contractor's licence</i>) specifically section 7
<p>WORKING AS AN EMPLOYEE</p> <p>I have an occupational fire protection licence, can I perform fire protection work as an employee for a licensed builder who does not hold a fire protection contractor licence?</p>	<p>The holder of a fire protection occupational licence can personally carry out or personally supervise fire protection work (within the scope of their licence) as an employee for the holder of the following classes of builder licence:</p> <ul style="list-style-type: none"> • Builder—open licence; • Builder – medium rise licence; • Builder – low rise licence; • Builder restricted to kitchen, bathroom and laundry installation licence; • Builder restricted to shopfitting licence; • Builder restricted to special structures licence; • Builder restricted to structural landscaping licence. <p>Holders of the above classes of builder licence are authorised under the QBCC Regulation to carry out fire protection work, provided they do not personally carry it out. This work, however, can be personally carried out by an employee who holds an appropriate class of fire protection occupational licence.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 30C (<i>Fire protection occupational licence</i>); • Section 42 (<i>Unlawful carrying out of building work</i>); • Section 42C (<i>Unlawful carrying out of fire protection work</i>); • Schedule 1A (<i>Exemptions from requirement to hold contractor's licence</i>) <p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Schedule 2 (<i>Classes of licences and licence requirements</i>)

WORKING AS A SUBCONTRACTOR

Can an individual work as a subcontractor if they only hold a fire protection occupational licence?

The holder of a fire protection occupational licence can subcontract to a licensed trade contractor (but not a licensed builder contractor) to personally carry out or personally supervise fire protection work if **both** the following apply:

- The fire protection work is within the scope of work of the trade contractor's licence; **and**
- The fire protection work is within the scope of work of the fire protection occupational licence.

QBCC Act provisions relevant to this question include:

- Section 30C (*Fire protection occupational licence*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*) specifically section 7

COMMERCIAL FIRE PROTECTION WORK

Can an individual contract with a consumer for commercial fire protection work if they only hold an occupational fire protection licence and otherwise do not hold a relevant contractor licence?

In restricted circumstances, the QBCC Act allows a person who does not hold a contractor licence to contract with a consumer to carry out commercial building work, including commercial fire protection work.

In most instances it is an offence under the QBCC Act to undertake to carry out building work (including fire protection work) for a consumer in Queensland unless the person holds a QBCC Act contractor's licence of the appropriate class. Further, breach of this section may impact on the contractor's ability to be fully remunerated for their work.

The term "undertake to carry out" building work means to:

- To enter into a contract to carry out the work; or
- To submit a tender to carry out the work; or
- To make an offer to carry out the work.

However, the QBCC Act allows a contractor who does not hold a contractor licence to undertake to carry out building work if all of the following apply:

- The work is not residential construction work or domestic building work; **and**
- The work is to be carried out by a person (an appropriately licensed contractor) who is licensed to carry out building work of the relevant class; **and**
- At no time does the contractor cause or allows any of the work to be carried out by a person who is not licensed to carry out building work of the relevant class.

It is important to note that these exceptions **do not** authorise the holder of a fire protection occupational licence to do anything other than contract, tender or offer for work.

Licensees are urged to seek legal advice before relying on these exemptions to ensure their contractual and work arrangements comply with the QBCC Act. Failure to do this may result in the head contractor or tenderer prejudicing their contractual and other legal rights for payment, as well as committing an offence.

QBCC Act provisions relevant to this question include:

- Section 42 (*Unlawful carrying out of building work*);
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*) – see section 8 (Head contracts to carry out work);
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*) – see section 9 (Tenders);
- Schedule 2 (Dictionary), see "undertake to carry out".

CONTRACTING WITH A CONSUMER

Can I contract with a consumer for fire protection work that is residential construction work or domestic building work if I only hold an occupational fire protection licence?

The short answer to this question is no.

It is an offence under the QBCC Act to undertake to carry residential construction work or domestic building work (including where that work is fire protection work) unless the person holds a QBCC Act contractor's licence of the appropriate class. Further, breach of this section may impact on the contractor's ability to be fully remunerated for their work.

QBCC Act provisions relevant to this question include:

- Section 42 (*Unlawful carrying out of building work*);
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*);
- Schedule 2 (*Dictionary*), see "undertake to carry out".

PART 4 - APPLYING FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

QUESTION	ANSWER	LEGISLATION
CLASSES OF FIRE PROTECTION OCCUPATIONAL LICENCE What classes of fire protection occupational licence are available?	<p>The following classes of occupational fire protection licence are available under the QBCC Act and its regulation.</p> <p>Passive fire protection—fire doors and shutters</p> <p>(1) Certify.</p> <p>(2) Inspect and test.</p> <p>Passive fire protection—fire collars, penetrations and joint sealing</p> <p>(1) Certify, install and maintain.</p> <p>Passive fire protection—fire and smoke walls and ceilings</p> <p>(1) Certify.</p> <p>Special hazard suppression systems</p> <p>(1) Certify—restricted to gaseous, water mist and reticulated foam proportioning systems.</p> <p>(2) Certify—restricted to chemical and foam special hazard systems.</p> <p>(3) Install and maintain.</p> <p>(4) Maintain—restricted to gaseous, water mist and reticulated foam proportioning systems.</p> <p>Sprinkler and suppression systems (reticulated water based)</p> <p>(1) Certify.</p> <p>(2) Certify—restricted to commercial or industrial type.</p> <p>(3) Certify—restricted to domestic or residential types.</p> <p>(4) Inspect and test.</p>	<p>QBCC Regulations provisions relevant to this question include:</p> <ul style="list-style-type: none">• Schedule 3 (<i>Classes and requirements of fire protection occupational licences</i>)

Fire pumps occupational

- (1) Certify.
- (2) Inspect and test.

Fire hydrants and hose reels

- (1) Certify.
- (2) Inspect and test.

Portable fire equipment and hose reels (downstream of stop cock only)

- (1) Certify.
- (2) Install and maintain.

Fire detection, alarm and warning systems

- (1) Certify.
- (2) Install and maintain—extra low voltage.
- (3) Maintain—extra low voltage.

Emergency lighting

- (1) Certify.
- (2) Inspect and test.

Emergency procedures**Fire safety professional**

APPLYING FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

How do I find information on how to apply for a fire protection occupational licence?

The process, procedure and applicable fees (including application forms) associated with applying for a fire protection occupational licence are stated on the QBCC website (www.qbcc.qld.gov.au). N/A

LICENSING REQUIREMENTS

What are the requirements to hold a fire protection occupational licence?

An individual is entitled to be granted a fire protection occupational licence if the QBCC is, on application by the individual, satisfied of all of the following:

- the applicant has the qualifications required by regulation for a licence of the relevant class; and
- the applicant can lawfully work in Queensland; and
- the applicant is not a banned individual under the QBCC Act; and
- the applicant is a fit and proper person to hold a licence.

QBCC Act provisions relevant to this question include:

- Section 32AB (*Entitlement to a fire protection occupational licence*)

QUALIFICATIONS TO HOLD A FIRE PROTECTION OCCUPATIONAL LICENCE

How do I find the qualifications to hold a fire protection occupational licence?

The technical qualifications for all classes of fire protection occupational licence are contained in a document published by the Department of Housing and Public Works. They are summarised on the QBCC website (www.qbcc.qld.gov.au) Alternately, the information may be obtained from their original source at the following websites:

- Technical qualifications for licensing - <http://www.hpw.qld.gov.au>

QBCC Act provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*)

QBCC ASSESSMENT OF EQUIVALENT QUALIFICATIONS

How does QBCC assess whether my qualifications are equivalent to those prescribed in the *Technical qualifications for licensing* document released by the Department?

The *Technical qualifications* for licensing document prescribes technical qualifications to hold respective classes of fire protection occupational licence. The requirements typically also state “...successful completion of a course the commission considers is at least equivalent to the course...”.

If an applicant submits a course that they believe is equivalent to a prescribed course, the QBCC assesses its equivalency by comparing its competencies and course content with that of the prescribed course. If necessary, technical information is sought from TAFE Queensland SkillsTech. The applicant’s privacy, however, is always maintained.

The more information that an applicant can provide about their course greatly assists in ensuring the assessment is done as quickly as possible.

See “Technical qualifications for licensing” - <http://www.hpw.qld.gov.au>

FIT AND PROPER REQUIREMENTS FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

What are the fit and proper requirements to hold a fire protection occupational licence?

In deciding whether an applicant is a fit and proper person to hold a fire protection occupational licence, the QBCC may only have regard to:

- Tier 1 defective work carried out by the applicant, and
- if the person is an enforcement debtor under an enforcement order for an infringement notice offence under the QBCC Act, whether the person has taken steps under the *State Penalties Enforcement Act 1999* to discharge the amount stated in the enforcement order. (**Note:** Regard cannot be had to this factor if the individual has applied for cancellation of the relevant enforcement order and the application for cancellation has not been finally decided or 28 days have not elapsed since the date of the enforcement order).

QBCC Act provisions relevant to this question include:

- Section 32AB (*Entitlement to a fire protection occupational licence*)
- Section 67AB (*Meaning of tier 1 defective work and carry out tier 1 defective work*) of QBCC Act.

“Tier 1 defective work means grossly defective building work that-

(a) falls below the standard reasonably expected of a licensed contractor for the type of building work; and

(b) either—

(i) adversely affects the structural performance of a building to the extent that a person could not reasonably be expected to use the building for the purpose for which it was, or is being, erected or constructed; or

(ii) is likely to cause the death of, or grievous bodily harm to, a person.”

INSTALL AND MAINTAIN LICENCES NOT AVAILABLE FOR ALL CLASSES OF FIRE PROTECTION OCCUPATIONAL LICENCE

Why do some classes of fire protection occupational licence not include install and maintain, while others do?

In some fire protection occupational classes, the installation and maintenance of the work requires a licence under the Plumbing and Drainage Act as they involve plumbing work. In these circumstances, an install and maintain licence under the QBCC Act is not prescribed.

QBCC Regulation provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*)

PART 5 – COMMONLY USED TERMS IN A SCOPE OF WORK FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

QUESTION	ANSWER	LEGISLATION
<p>MEANING OF “CERTIFY” IN A SCOPE OF WORK FOR A FIRE PROTECTION OCCUPATIONAL LICENCE</p> <p>What does a scope of work in a fire protection contractor or occupation licence class mean if it allows the holder to “certify” a particular fire protection system?</p>	<p>The term “certify” as used in the scope of work for a fire protection contractor or fire protection occupational licence refers to a form of fire protection work that encompasses all 3 of the following activities:</p> <ol style="list-style-type: none"> 1) A visual inspection is undertaken to identify if a fire protection system has been altered, damaged or compromised, and 2) An advice or a report, including a certificate is given, and 3) The advice or report, including a certificate, states that the fire protection system complies with Australian and international standards, Building Code of Australia requirements and manufacturer’s specifications. 	<p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Schedule 8 (<i>Dictionary</i>) definition of “Certify”.
<p>MEANING OF “INSPECT AND TEST” IN A SCOPE OF WORK FOR A FIRE PROTECTION OCCUPATIONAL LICENCE</p> <p>What does a scope in a licence class mean if it allows the holder to “inspect and test” a particular fire protection system?</p>	<p>The term “inspect and test” as used in the scope of work for a fire protection contractor or fire protection occupational licence refers to a form of fire protection work that encompasses both of the following activities:</p> <ul style="list-style-type: none"> • to inspect by visual examination the components of fire protection systems or equipment to establish correct settings, physical condition or fitness for purpose; and • to test, after inspecting, by the confirmation of correct function or performance of a component or system. <p>The relevant definitions for ‘inspect and test’ under the QBCC Regulation do not explicitly provide for the completion of records of inspection and testing. However, when a test is performed, it is reasonable to expect that the person performing the test will record and report the results. The mere recording of the results does not mean that licence holder is acting outside their class of licence.</p>	<p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Schedule 8 (<i>Dictionary</i>) definition of “Inspect and test”.

MEANING OF “MAINTAIN” IN A SCOPE OF WORK FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

What does a scope in a licence class mean if it allows the holder to “maintain” a particular fire protection system?

The term “maintain” as used in a scope of work for a fire protection contractor or fire protection occupational licence refers to a form of fire protection work that encompasses **any** of the following activities:

- inspect and test a fire protection system and any other fire safety measures to ensure continued operation at their original performance levels and in accordance with any relevant Australian Standards; **or**
- repair or replace defective components to keep a fire protection system in a working order according to original specifications; **or**
- carry out preventative maintenance; **or**
- prepare a maintenance record of work for any of the above.

QBCC Regulation provisions relevant to this question include:

- Schedule 8 (*Dictionary*) definition of “Maintain”.

MEANING OF “INSTALL” IN A SCOPE OF WORK FOR A FIRE PROTECTION OCCUPATIONAL LICENCE

What does a scope in a licence class mean if it allows the holder to “install” a particular fire protection system?

The term “install” as used in a scope of work for a fire protection contractor or fire protection occupational licence refers to a form of fire protection work that encompasses **any** of the following activities:

- place a fire protection system (relevant to their licence) in position ready for use;
- restore a fire protection system to its original operating specifications;
- alter a fire protection system; and
- provide an installer’s statement in relation to the work mentioned above.

QBCC Regulation provisions relevant to this question include:

- Schedule 8 (*Dictionary*) definition of “Install”.

PART 6 – DESIGN OF A FIRE PROTECTION SYSTEM

QUESTION	ANSWER	LEGISLATION
<p>CERTIFY CLASS LICENCES</p> <p>Can a person who holds a fire protection contractor licence or fire protection occupational licence class of licence, which includes in its scope to “certify” a particular fire protection system, also design a fire protection system?</p>	<p>The short answer to this question is no.</p> <p>Designing a fire protection system is not within the ambit of a fire protection occupational or contractor licence merely because the licence class scope allows the holder to “certify” a particular fire protection system.</p> <p>The QBCC Regulation defines what “certify” means for a fire protection contractor or occupational licence”. The definition does not refer to design of a fire protection system. The relevant part of the definition reads:</p> <p>“To give advice or a report, including a certificate, stating that a fire protection system complies with Australian and international standards, Building Code of Australia requirements and manufacturer’s specifications after conducting a survey of the system.”</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42 (<i>Unlawful carrying out of building work</i>), <p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Schedule 2 (<i>Classes of licences and licence Requirements</i>), ; • Schedule 3 (<i>Classes and requirements of fire protection occupational licences</i>), ; • Schedule 8 (<i>Dictionary</i>), definition of “Certify”.

INSTALL CLASS LICENCES

Can a person who holds a fire protection contractor licence or fire protection occupational licence class of licence, which includes in its scope to “install” a particular fire protection system, also design a fire protection system?

The short answer to this question is no.

Designing a fire protection system is not within the ambit of a fire protection occupational or contractor licences merely because the licence class scope allows the holder to “install” a particular fire protection system.

The QBCC Regulation defines what “install” means for a fire protection contractor or occupational licence”. The definition does not refer to design of a fire protection system.

The relevant part of the definition reads:

“install, for schedule 2, parts 22,23. and 25 to 30 and schedule 3 and schedule 4, means—

- (a) place a fire protection system in position ready for use; or
- (b) restore a fire protection system to its original operating specifications; or
- (c) alter a fire protection system; or
- (d) provide a statement in relation to work mentioned in paragraphs (a), (b) or (c) about the fire protection system.

QBCC Act provisions relevant to this question include:

- Section 42 (*Unlawful carrying out of building work*);

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);
- Schedule 3 (*Classes and requirements of fire protection occupational licences*);
- Schedule 8 (*Dictionary*) – definition of “Install”.

LICENSED FIRE SAFETY PROFESSIONALS

Can the holder of a fire safety professional occupational licence or a fire safety professional contractor licence design a fire protection system?

The short answer to this question is no.

The design of a fire protection system is not within the scope of licence of either a Fire safety professional occupational licence or a Fire safety professional contractor licence.

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*)- Part 33 (*Fire safety professional licence*);
- Schedule 3 (*Classes and requirements of fire protection occupational licences*)- Part 12 (*Fire safety professional occupational licence*).

FIRE SPRINKLER SYSTEMS

Who can prepare plans and specifications for a commercial, residential or domestic fire sprinkler system?

The holder of a Part 38 *Hydraulic services design licence* (contractor licence) is authorised under their scope of work to prepare plans and specifications for a commercial, residential or domestic fire sprinkler system for a building or part of a building.

The prescribed scopes of work for a building design contractor licence under Parts 11, 12 and 13 of Schedule 2 of the QBCC regulation allow the holder to prepare ‘plans and specifications’ for low rise, medium rise, or open classes of buildings, respectively. See further notes under [Licensed building designers](#).

There are no prescribed fire protection occupational classes of licence for this work.

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*).
- Schedule 3 (*Classes and requirements of fire protection occupational licences*)

FIRE HYDRANT AND HOSE REELS

Who can prepare plans and specifications for a fire hydrant and hose reel system (with or without pumps)?

The holder of a Part 38 Hydraulic services design licence (contractor licence) is authorised under their scope of work to prepare plans and specifications for a fire hydrant and hose reel system (with or without pumps) for a building or part of a building.

The prescribed scopes of work for a building design contractor licence under Parts 11, 12 and 13 of Schedule 2 of the QBCC regulation allow the holder to prepare 'plans and specifications' for low rise, medium rise, or open classes of buildings, respectively. See further notes under Licensed building designers.

There are no prescribed fire protection occupational classes of licence for this work.

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*).
- Schedule 3 (*Classes and requirements of fire protection occupational licences*).

LICENSED BUILDING DESIGNERS

Can a licensed building designer prepare plans and specifications for a fire protection system for a building?

The prescribed scopes of work for a building design contractor licence under Parts 11, 12 and 13 of Schedule 2 of the QBCC regulation allow the holder to prepare 'plans and specifications' for low rise, medium rise, or open classes of buildings, respectively.

Fire protection systems range from the simple to the very complex. While the QBCC does not provide legal advice to licensed contractors, it strongly recommends that licensed building designers not design a fire protection system should they have reason to believe in any specific case that they do not have the requisite skills or experience to competently carry out the work.

The holder of QBCC licence, including a building designer, is not authorised to design a fire protection system where that design constitutes 'professional engineering services' as defined in the *Professional Engineers Act 2002*. Professional engineering services can only be performed by a professional engineer registered under the *Professional Engineers Act 2002*.

There are no prescribed fire protection occupational classes of licence for this work.

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*),- Parts 11, (*Building Design - low rise*) 12 (*Building Design - medium rise*) and 13 (*Building Design - open*)

PART 7 – FIRE DETECTION, ALARM AND WARNING SYSTEMS

QUESTION	ANSWER	LEGISLATION
<p>INSTALLATION AND OTHER WORK FOR FIRE DETECTION, ALARM AND WARNING SYSTEMS</p> <p>Is the installation, restoration, repair or maintenance of a fire detection, alarm and warning system (extra low voltage) fire protection work? If yes, what licence classes include this work under their scope?</p>	<p>The installation, restoration, repair or maintenance of a fire detection, alarm and warning system (extra low voltage) for a building or part of building is fire protection work.</p> <p>The reason for this is that a <u>fire protection system</u> is defined in the QBCC Act to include a fire or smoke detection system, a heat or smoke alarm or other alarm system or emergency warning and communication system. The QBCC Act further defines <u>fire protection work</u> for a building to include the installation, restoration, repair or maintenance of a fire protection system.</p> <p>Higher voltage work must be carried out by a licensed electrical mechanic under the <i>Electrical Safety Act 2002</i>. A licensed electrical mechanic does not require a QBCC Act contractor licence for this work due to the operation of section 21 (<i>Work for emergency detection and warning systems</i>) of schedule 1 of the QBCC Regulation.</p> <p>The following fire protection contractor and fire protection occupational licence classes (some in part) include the work within their scope:</p> <p>Fire protection occupational licence classes:</p> <p><i>Schedule 3, Part 9 - Fire Detection, alarm and warning systems</i></p> <ul style="list-style-type: none">• Install and maintain—extra low voltage.• Maintain—extra low voltage (<u>maintain</u> only) <p>Fire protection contractor licence classes</p> <p><i>Schedule 3, Part 30 - Fire Detection, alarm and warning systems</i></p> <ul style="list-style-type: none">• Install and maintain—extra low voltage.• Maintain—extra low voltage (<u>maintain</u> only).	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• Section 42 (<i>Unlawful carrying out of building work</i>)• Schedule 2 (<i>Dictionary</i>) <p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none">• Schedule 1 (<i>Work that is not building work</i>)• Schedule 2 (<i>Classes of licences and licence Requirements</i>)• Schedule 3 (<i>Classes and requirements of fire protection occupational licences</i>)

CERTIFICATION OF FIRE DETECTION, ALARM AND WARNING SYSTEMS

What classes of contractor and fire protection occupational licence can certify fire detection, alarm and warning systems?

The following QBCC Act fire protection contractor and fire protection occupational licence classes can certify a fire detection, alarm and warning system within the scope of their licence:

Fire protection occupational licences

- *Schedule 3, Part 9 Fire detection, alarm and warning systems occupational licences* in the class of “Certify”;
- *Schedule 3, Part 12 Fire safety professional occupational licence.*

Fire protection contractor licences

- *Schedule 3, Part 30 Fire detection, alarm and warning systems licences* in the class of “Certify”;
- *Schedule 3, Part 33 Fire safety professional licence.*

QBCC Regulation provisions relevant to this question include:

- *Schedule 2 (Classes of licences and licence Requirements);*
- *Schedule 3 (Classes and requirements of fire protection occupational licences)*

UNLICENSED EMPLOYEES

When can an employee who does not hold a relevant fire protection occupational or contractor licence install, maintain, or inspect and test fire detection, alarm and warning systems extra low voltage?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the employee carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- The employee holds an electrical mechanic licence.

QBCC Act provisions relevant to this question include

- *Section 42C (Unlawful carrying out of fire protection work)*

QBCC Regulation provisions relevant to this question include:

- *Section 18 (Fire protection work—Act, s 42C (2))*
- *Schedule 4 (Fire protection work by Employees)*

INSTALLATION OF FIRE AND SMOKE DETECTION SYSTEMS BY HOME OWNERS

Can a homeowner who does not have a fire protection occupational licence, or other licence, registration or authorisation under the QBCC Act or other legislation which allows them to do fire protection work (an “unlicensed home owner”) install their own battery operated smoke alarms without a licence or qualification under the QBCC Act?

An unlicensed home owner will commit an offence under section 42C of the QBCC Act if they personally install a “fire or smoke detection system”.

While the term “fire or smoke detection system” is not defined in the QBCC Act, there is no doubt that the following fire protection work, if personally carried out by an owner, would be an offence under the QBCC Act:

- Installation of smoke alarms which are wirelessly interconnected; or
- Installation of battery operated, physically (wired) interconnected smoke alarms.

An unlicensed owner can install a single battery operated alarm in their home without breaching the QBCC Act.

However, the QBCC urges home owners to always take the greatest of care when dealing with matters of fire protection for the home, including seeking the assistance of an appropriately licensed QBCC Act contractor.

QBCC Act provisions relevant to this question include

- *Section 42C (Unlawful carrying out of fire protection work)*

AUTHORISED FIRE AND EMERGENCY OFFICERS

Does the QBCC Act restrict the investigative and preventative powers of authorised officers under the Fire and Emergency Services Act 1990 to the extent that the exercise of those powers may constitute fire protection work?

The short answer to this question is no.

Authorised officers are given a range of powers for preventative or investigative purposes under the *Fire and Emergency Services Act 1990*. These powers are not impeded or restricted by the QBCC Act. An individual does not breach section 42C (*Unlawful carrying out of fire protection work*) of the QBCC Act if they have an authorisation under other legislation to personally carry out or personally perform fire protection work.

See also *Fire and Emergency Services Act 1990*.

FIRE INDICATOR PANELS

Is the isolation and resetting of a fire indicator panel fire protection work? If yes, does an individual who personally isolates and resets a panel require a fire protection occupational licence, or other licence, registration or authorisation under an Act to do this?

A **fire protection system** is defined under schedule 2 of the QBCC Act to include a fire alarm system. The installation, restoration, repair or maintenance of a fire protection system is fire protection work.

A fire indicator panel is the controlling component of a fire alarm system. The isolation and resetting of a fire indicator panel will be fire protection work if the isolation and resetting is undertaken as part of installing, restoring, repairing or maintaining the alarm system.

In any other circumstance, the isolation and resetting of a fire indicator panel is not fire protection work and a person does not require a licence, registration or authorisation under an Act to personally carry out this task. Occupiers of buildings in Queensland must ensure that they comply with Queensland fire safety legislation, QBCC strongly recommends that anyone who proposes to isolate or reset a fire indicator panel seeks advice from Queensland Fire and Emergency Services to ensure that the proposed activity is lawful. Information on fire safety legislation is available at <https://www.qfes.qld.gov.au>

The installation, restoration, repair or maintenance work of a fire protection system forms part of the scope (some in part) of the following fire protection contractor and fire protection occupational licence classes.

QBCC Act provisions relevant to this question include:

- Schedule 2 (*Dictionary*) - “*Fire Protection System*”

The installation, restoration, repair or maintenance of a fire protection system forms part of the scope (some in part) of the following fire protection contractor and fire protection occupational licence classes.

Fire protection occupational licence classes:

Schedule 3, Part 9 - Fire Detection, alarm and warning systems

- Install and maintain—extra low voltage.
- Maintain—extra low voltage (maintain only)

Fire protection contractor licence classes

Schedule 3, Part 30 - Fire Detection, alarm and warning systems

- Install and maintain—extra low voltage.
- Maintain—extra low voltage (maintain only).

Higher voltage work must be carried out by a licensed electrical mechanic under the *Electrical Safety Act 2002*. A licensed electrical mechanic does not require a QBCC Act contractor licence for this work due to the operation of section 21 (*Work for emergency detection and warning systems*) of schedule 1 of the QBCC Regulation.

For information on certification, see Certification of a fire detection or alarm warning system.

PART 8 – FIRE PUMPS AND FIRE HYDRANTS AND HOSE REELS

QUESTION	ANSWER	LEGISLATION
<p>UNLICENSED EMPLOYEES - INSPECT AND TEST OF FIRE PUMPS, FIRE HYDRANTS AND HOSE REELS</p> <p>When can an unlicensed employee inspect and test fire pumps, fire hydrants and hose reels?</p>	<p>An unlicensed employee can personally perform and personally supervise this work if both of the following apply:</p> <ul style="list-style-type: none"> • the individual carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and • holds a licence issued under the <i>Plumbing and Drainage Act 2002</i> in the licence class of plumber or restricted water plumber—fire protection (<i>hydrants and hose reels</i>). 	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>); <p>QBCC Regulation provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Part 3, section 18 (<i>Fire protection work—Act, section 42C (2)</i>); • Schedule 4 (<i>Fire protection work by Employees</i>)

TESTING OF FIRE HYDRANTS

Which fire protection contractor and fire protection occupational licence classes can carry out monthly, six monthly, yearly, and five yearly testing of fire hydrants pursuant to Australian Standard 1851-2012 'Routine Service of Fire Protection Systems'?

The holders of the following fire protection occupational and contractor licence classes can perform the testing within the scope of work of their respective classes:

Fire protection occupational licences

- *Schedule 2A, Part 7 Fire hydrants and hose reels occupational licences* in the classes of (1) Certify or (2) Inspect and test.
- *Schedule 2A, Part 12 Fire safety professional occupational licence*

Fire protection contractor licences

- *Schedule 2A, Part 27 Fire hydrants and hose reels licences* in the classes of (1) Certify, (2) Install and maintain or (3) Inspect and test.
- *Schedule 2A, Part 30B Fire safety professional licence*

QBCC Act provisions relevant to this question include:

- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*)

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*)
- Schedule 2A (*Classes and requirements of fire protection occupational licences*);
- Schedule 3 (*Dictionary*) - definition of "inspect and test", "install", "maintain" and "certify".

Australian Standard 1851-2012 'Routine Service of Fire Protection Systems'.

TESTING OF HOSE REELS

Which licence classes under the QBCC Regulation can carry out 6 month and annual testing of hose reels pursuant to Australian Standard 1851-2012 'Routine Service of Fire Protection Systems'?

The holders of the following fire protection occupational and contractor licence classes can perform the testing within the scope of work of their respective classes:

Fire protection occupational licences

- *Schedule 3, Part 7 Fire hydrants and hose reels occupational licences* in the classes of (1) Certify or (2) Inspect and test.
- *Schedule 2, Part 12 Fire safety professional occupational licence.*

Fire protection contractor licences

- *Schedule 2, Part 28 Fire hydrants and hose reels licences* in the classes of (1) Certify, (2) Install and maintain or (3) Inspect and test.
- *Schedule 2, Part 33 Fire safety professional licence.*

QBCC Act provisions relevant to this question include:

- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);

QBCC Regulation provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);
- Schedule 3 (*Classes and requirements of fire protection occupational licences*);
- Schedule 8 (*Dictionary*) - definition of "inspect and test", "install", "maintain" and "certify".

See Australian Standard 1851-2012 'Routine Service of Fire Protection Systems'.

PART 9 – SPECIAL HAZARD SUPPRESSION SYSTEMS

QUESTION	ANSWER	LEGISLATION
<p>CARBON DIOXIDE SMOTHERING SYSTEMS</p> <p>Is the installation, restoration, repair or maintenance of a carbon dioxide smothering system fire protection work? If yes, what fire protection licence classes include this work under their scope?</p>	<p>The installation, restoration, repair or maintenance of a carbon dioxide smothering system is fire protection work. Under the QBCC Act fire protection work includes the installation, restoration, repair or maintenance of fire protection system for a building that comprises a gaseous based fire suppression system (Note: carbon dioxide is an inert gas).</p> <p>The following fire protection contractor and fire protection occupational licence classes include the work within their scope:</p> <p>Fire protection occupational licence classes:</p> <p><i>Schedule 3, Part 4 - Special hazard suppression systems</i></p> <ul style="list-style-type: none"> • Install and maintain. • Maintain—restricted to gaseous, water mist and reticulated foam proportioning systems. (Note: limited to maintain only). <p>Fire protection contractor licence classes</p> <p><i>Schedule 2, Part 54 - Special hazard suppression systems</i></p> <ul style="list-style-type: none"> • Install and maintain. • Maintain—restricted to gaseous, water mist and reticulated foam proportioning systems. (Note: limited to maintain only). 	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42 (<i>Unlawful carrying out of building work</i>); • Section 42C (<i>Unlawful carrying out of fire protection work</i>); • Schedule 2 (<i>Dictionary</i>); <p>QBCC Regulations provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Schedule 2 (<i>Classes of licences and licence Requirements</i>); • Schedule 3 (<i>Classes and requirements of fire protection occupational licences</i>).

PART 10 - FIRE PROTECTION WORK BY EMPLOYEES WITHOUT A FIRE PROTECTION OCCUPATIONAL LICENCE

QUESTION	ANSWER	LEGISLATION
<p>INSPECTION AND TESTING OF COMMERCIAL OR INDUSTRIAL SPRINKLER AND SUPPRESSION SYSTEMS</p> <p>When can an unlicensed employee inspect and test commercial or industrial sprinkler and suppression systems?</p>	<p>An unlicensed employee can personally perform and personally supervise this work if both of the following apply:</p> <ul style="list-style-type: none"> • the individual carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and • is a licensee under the Plumbing and Drainage Act 2002 in a licence of a class - <ul style="list-style-type: none"> (a) plumber holding the endorsement of fire protection (commercial and industrial); or (b) restricted water plumber—fire protection (commercial and industrial) 	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>); <p>QBCC Regulations provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Part 3, section 18 (<i>Fire protection work—Act, s 42C (2)</i>); • Schedule 4 (<i>Fire protection work by Employees</i>).

INSPECT AND TESTING OF DOMESTIC OR RESIDENTIAL SPRINKLER AND SUPPRESSION SYSTEMS

When can an unlicensed employee inspect and test domestic or residential sprinkler and suppression systems?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the individual carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- Is a licensee under the *Plumbing and Drainage Act 2002* -
 - (a) in a licence of a class restricted water plumber—fire protection (domestic and residential); **or**
 - (b) with an endorsement on a plumbers licence of Fire protection— domestic and residential

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*);
- QBCC Regulations provisions relevant to this question include:
- Part 3, section 18 (*Fire protection work— Act, s 42C (2)*);
 - Schedule 4 (*Fire protection work by Employees*).

INSPECT AND TESTING OF FIRE PUMPS, FIRE HYDRANTS AND HOSE REELS

When can an unlicensed employee inspect and test fire pumps, fire hydrants and hose reels?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the individual carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- holds a licence issued under the *Plumbing and Drainage Act 2002* in the licence class of plumber or restricted water plumber—fire protection (hydrants and hose reels).

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*);
- QBCC Regulations provisions relevant to this question include:
- Part 3, section 18 (*Fire protection work— Act, section 42C (2)*);
 - Schedule 4 (*Fire protection work by Employees*).

INSTALLING AND MAINTAINING FIRE DOORS AND SHUTTERS

When can an unlicensed employee install or maintain a fire door or shutter?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the individual carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- successful completion of an apprenticeship in carpentry, Certificate III in Carpentry CPC30211, a course the QBCC considers equivalent to one of these qualifications, or holds a relevant statement of attainment.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*);
- QBCC Regulations provisions relevant to this question include:
- Part 3, section 18 (*Fire protection work— Act, section 42C (2)*);
 - Schedule 4 (*Fire protection work by Employees*).

INSTALL, MAINTAIN, INSPECT AND TEST FIRE DETECTION, ALARM AND WARNING SYSTEMS EXTRA LOW VOLTAGE

When can an employee who does not hold a relevant contractor or occupational licence install, maintain, inspect and test fire detection, alarm and warning systems extra low voltage?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the employee carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- The employee holds an electrical mechanic licence.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*);

QBCC Regulations provisions relevant to this question include:

- Part 3 section 18 (*Fire protection work—Act, section 42C (2)*);
- Schedule 4 (*Fire protection work by Employees*).

INSPECT AND TESTING OF EMERGENCY LIGHTING SYSTEMS

When can an unlicensed employee inspect and test emergency lighting systems?

An unlicensed employee can personally perform and personally supervise this work if both of the following apply:

- the employee carries out the fire protection work as an employee for a licensed contractor who holds a licence of the relevant class for the work; and
- The employee holds an electrical mechanic licence.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*);

QBCC Regulations provisions relevant to this question include:

- Part 3, section 18 (*Fire protection work—Act, section 42C (2)*);
- Schedule 4 (*Fire protection work by Employees*)

PART 11 – FIRE PROTECTION WORK WITHOUT A FIRE PROTECTION OCCUPATIONAL LICENCE BY LICENSED CONTRACTORS

QUESTION	ANSWER	LEGISLATION
INDIVIDUAL LICENSED CONTRACTORS Can a licensed contractor personally carry out or personally supervise fire protection work if it is within the scope of their contractor licence?	<p>A licensed contractor who is an individual can personally carry out or personally supervise fire protection work if the work is within the scope of work of their licence.</p> <p>A licensed contractor, however, cannot engage or direct an employee to carry out fire protection work unless the employee is authorised to carry out fire protection work under the QBCC Act or another Act. To do so is an offence under section 42D of the QBCC Act.</p> <p>See also discussion under licensed builders.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>); • Section 42D (<i>Licensed contractor must not engage or direct unauthorised person for fire protection work</i>)

LICENSED BUILDERS

Can a QBCC Act licensed builder carry out fire protection work if they do not hold a relevant fire protection contractor or occupational licence?

Holders of the below classes of builder licence are authorised under the QBCC Regulation to carry out fire protection work (within the scope of their licence), provided they do not personally carry it out:

- Builder – open licence;
- Builder – medium rise licence;
- Builder – low rise licence;
- Builder restricted to kitchen, bathroom and laundry installation licence;
- Builder restricted to shopfitting licence;
- Builder restricted to special structures licence;
- Builder restricted to structural landscaping licence.

The fire protection work, however, can be personally carried out for the holder of a builder class of licence by either of the following:

- an employee of the builder who holds an appropriate class of fire protection occupational licence or contractor licence that allows them to personally carry out the work; or
- a subcontractor of the builder who holds the appropriate class of fire protection contractor licence or another contractor class of licence that allows them to personally carry out the work.

QBCC Act provisions relevant to this question include:

- Section 30C (*Fire protection occupational licence*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*).

LICENSED BUILDER - FIRE DOORS AND SHUTTERS

What work can the holder of a Builder or Builder restricted licence under the QBCC Regulation carry out in regard to fire doors and shutters?

The scope of work for a Part 16 Carpentry licence under Schedule 2 of the QBCC Regulation allows the holder of the licence to install fire doors and fire shutters. A licensed builder or restricted builder is authorised to carry out, **other than personally carry out**, the installation, repair, restoration or maintenance of fire doors and shutters under the scope of work of their licence. The reason for this is that the work is fire protection work under the QBCC Act.

The work, however, can be personally carried out for the holder of a builder class of licence by either of the following:

- an employee of the builder who holds a carpentry or joinery class of contractor licence; or
- a subcontractor of the builder who holds carpentry or joinery class of licence.

The work can also be personally carried by a licensed builder who is an individual if they personally hold a carpentry or joinery class of contractor licence in addition to their builder licence.

See also **Licensed carpenters – Fire doors and shutters** and **Licensed joiners – Fire doors and shutters**.

QBCC Act provisions relevant to this question include:

- Schedule 2 (Dictionary)

QBCC Regulations provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);
- Schedule 3 (*Classes and requirements of fire protection occupational licences*).

LICENSED CARPENTERS – FIRE DOORS AND SHUTTERS

What work can the holder of a Part 16 Carpentry licence under the QBCC Regulation carry out in regard to fire doors and shutters?

A licensed carpenter cannot “inspect and test” or “certify” a fire door or shutter. This work may be carried out under the scope of work for following licence classes under the QBCC Regulation:

Fire protection occupational licence

Part 1 - Passive fire protection—fire doors and shutters

- (1) Certify.
- (2) Inspect and test (Note: Cannot certify).

Fire protection contractor licence

Part 22- Passive fire protection—fire doors and shutters

- (1) Certify.
- (2) Inspect and test (Note: Cannot certify).

However, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor’s licence*), and definitions of “carry out” and “advisory services” in Schedule 2 (Dictionary) of the QBCC Act.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors licences*)

QBCC Regulations provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);

LICENSED JOINERS – FIRE DOORS AND SHUTTERS

What work can the holder of a Part 39 Joinery licence under the QBCC Regulation carry out in regard to fire doors and shutters?

The scope of work for a Part 39 *Joinery licence* under schedule 2 of the QBCC Regulation allows the holder to personally manufacture, assemble and fit components for a fire door or fire shutter.

The “inspect and testing” and “certification” of a fire door or shutter is included in the scope of the following fire protection related contractor and occupational licence classes under the QBCC Regulation:

Fire protection occupational licence

Part 1 - Passive fire protection—fire doors and shutters

- (1) Certify.
- (2) Inspect and test (Note: Cannot certify).

Fire protection contractor licence

Part 22 - Passive fire protection—fire doors and shutters

- (1) Certify.
- (2) Inspect and test (Note: Cannot certify).

However, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor’s licence*), and definitions of “carry out” and “advisory services” in Schedule 2 (Dictionary) of the QBCC Act.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors licences*)

QBCC Regulations provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);
- Schedule 2 (*Classes of licences and licence Requirements*) – Part 39.

LICENSED FIRE PROTECTION CONTRACTORS

Does the holder of a fire protection contractor licence also need to hold a fire protection occupational licence to perform the same work covered in the contractor licence?

The short answer to this question is no.

The holder of a QBCC Act contractor licence does not need a fire protection occupational licence to perform work that is within the scope of their contractor licence.

However, if the holder of a fire protection contractor licence is also required to hold a licence under the *Plumbing and Drainage Act 2002* to do the work, they are still required hold a licence under that Act. Failure to do so is an offence. See also **Licensed plumbers.**

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*).

Plumbing and Drainage Act 2002 relevant to this question:

- Section 119 (*Offences by persons not holding appropriate licence*),

AIRCONDITIONING CONTRACTORS – FIRE DAMPER ASSEMBLIES

Can the holder of an air conditioning licence install a fire damper assembly during the installation of a ducted air conditioner in for a building?

The short answer to this question is yes, **provided** the air conditioning contractor **personally** installs the damper assembly.

As the installation of a fire damper is part of the installation of the ducted air conditioning system, the work can be personally carried out by the holder of an air conditioning related contractor licences available under the QBCC Regulation. The air-conditioning licence classes are as follows:

- Air handling duct installation licence;
- Refrigeration, airconditioning and mechanical services including unlimited design licence;
- Refrigeration, airconditioning and mechanical services including limited design licence.

The work can also be carried out, including personally carried out, by the holder of a relevant builder class of licence. This is because the fire protection work exclusion in the builder class scope of work does not apply in this case as the work does not fall within the scope of a fire protection licence.

The only certify or inspect and test licence classes that include the certification or inspection and testing of fire damper assemblies generally within their scopes of work are the *Fire safety professional* fire occupational or contractor licence classes.

However, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor's licence*), and definitions of “*carry out*” and “*advisory services*” in Schedule 2 (Dictionary) of the QBCC Act.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors' licences*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 (*Definitions*)- *advisory services, building work, carry out, fire protection work, fire protection system*

QBCC Regulations provisions relevant to this question include:

- Schedule 2 (*Classes of licences and licence Requirements*);
- Schedule 3 (*Classes and requirements of fire protection occupational licences*).

PART 12 – FIRE PROTECTION WORK WITHOUT A FIRE PROTECTION OCCUPATIONAL LICENCE – OTHER PERSONS

QUESTION	ANSWER	LEGISLATION
<p>HOLDERS OF LICENCES, REGISTRATIONS OR AUTHORISATIONS UNDER ACTS OTHER THAN QBCC ACT</p> <p>I hold a licence, registration, or another authorisation under legislation that allows me to do work that might be fire protection work, do I also need a fire protection occupational licence?</p>	<p>The short answer to this question is no.</p> <p>Under the QBCC Act, an individual can personally carry out or supervise fire protection work if they hold either:</p> <ul style="list-style-type: none"> • a fire protection occupational licence that authorises them to undertake the work; or • a licence, registration or authorisation under the QBCC Act or another Act that allows the person to personally carry out or personally supervise the work. 	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>);
<p>FIRE SAFETY ADVISERS (BUILDING FIRE SAFETY REGULATION 2008)</p> <p>Does a fire safety adviser under the Building Fire Safety Regulation 2008 require a fire protection occupational licence?</p>	<p>The short answer to this question is no.</p> <p>Section 42C (<i>Unlawful carrying out of fire protection work</i>) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the person is authorised to carry out fire protection work under another Act.</p> <p>The work of a fire safety adviser also does not require a contractor licence under the QBCC Act due to the operation of section 47 of schedule 1AA (<i>Work that is not building work</i>) of the QBCC Regulation.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>). <p>Building Fire Safety Regulation 2008.</p>
<p>LICENSED PLUMBERS (PLUMBING AND DRAINAGE ACT 2002)</p> <p>Does a plumber licensed under the Plumbing and Drainage Act 2002 require a fire protection occupational licence to perform or supervise fire protection work which they are allowed to do under their plumbing and drainage licence?</p>	<p>The short answer to this question is no.</p> <p>Section 42C (<i>Unlawful carrying out of fire protection work</i>) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the person is authorised to carry out fire protection work under another Act.</p> <p>However, the holder of a licence under the Plumbing and Drainage Act will require a contractor licence of the appropriate class under the QBCC Act if they wish to do either of the following:</p> <ul style="list-style-type: none"> • Work for a licensed builder as a subcontractor; • Carry out work for a consumer (see also discussion - Commercial work without a contractor licence). 	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none"> • Section 42C (<i>Unlawful carrying out of fire protection work</i>). <p>Plumbing and Drainage Act 2002.</p>

ELECTRICAL MECHANICS - EMERGENCY LIGHTING (ELECTRICAL SAFETY ACT 2002)

Can a licensed electrical mechanic install, restore or repair emergency lighting for a building without requiring a fire protection occupational licence?

The short answer to this question is yes.

A licensed electrical mechanic is not restricted in any way from doing work that is authorised to be carried out under their licence under the *Electrical Safety Act*. A licensed electrical mechanic may also test emergency lighting to the extent that it is lawfully permitted under their licence.

Section 42C (*Unlawful carrying out of fire protection work*) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the individual is authorised to carry out fire protection work under another Act.

Also, electrical work under the *Electrical Safety Act 2002* does not require a contractor licence under the QBCC Act due to the operation of section 20 of schedule 1 (*Work that is not building work*) of the QBCC Regulation. In addition, section 21 of Schedule 1 of the QBCC Regulation expressly exempts from requiring a contractor licence the following work:

Inspection, testing, installation or general repair by a person who is a licensed electrical mechanic, of a fire detection system, alarm system or emergency warning and communication system for a building.

For information on inspection and testing of electrical lighting by a licensed electrical mechanic who is an employee of an appropriately licensed contractor see - [Inspect and testing of emergency lighting systems](#).

QBCC Act provisions relevant to this question include:

- Schedule 2 (*Dictionary*);
- See section 42C (*Unlawful carrying out of fire protection work*),

QBCC Regulations provisions relevant to this question include:

- Schedule 1 (*Work that is not building work*).

Electrical Safety Act 2002.

ELECTRICAL WORK (ELECTRICAL SAFETY ACT 2002)

Does a person who carries out electrical work authorised under a licence under the *Electrical Safety Act* require a fire protection occupational licence or contractor licence under the QBCC Act?

The short answer to this question is yes.

A licensee is not restricted in any way from doing work that is authorised to be carried out under their licence under the *Electrical Safety Act*.

Section 42C (*Unlawful carrying out of fire protection work*) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the individual is authorised to carry out fire protection work under another Act.

Electrical work under the *Electrical Safety Act 2002* does not require a contractor licence under the QBCC Act due to the operation of section 20 of schedule 1 (*Work that is not building work*) of the QBCC Regulation.

See also discussion under **Electrical mechanics – Emergency lighting**.

QBCC Act provisions relevant to this question include:

- Schedule 2 (*Dictionary*);
- See section 42C (*Unlawful carrying out of fire protection work*).

QBCC Regulations provisions relevant to this question include:

- Schedule 1 (*Work that is not building work*).

Electrical Safety Act 2002.

ARCHITECTS (*ARCHITECTS ACT 2002*)

Can a registered architect carry out fire protection work without a fire protection occupational licence?

A registered architect is not restricted in any way from doing work that is authorised to be carried out under their registration under the Architects Act 2002.

Section 42C (*Unlawful carrying out of fire protection work*) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the individual is authorised to carry out fire protection work under another Act.

The work of a registered architect under their registration also does not require a contractor licence under the QBCC Act due to the operation of section 4 of schedule 1 (*Work that is not building work*) of the QBCC Regulation.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*)

QBCC Regulations provisions relevant to this question include:

- Schedule 1 (*Work that is not building work*)

Architects Act 2002.

PROFESSIONAL ENGINEERS (*PROFESSIONAL ENGINEERS ACT 2002*)

Can a registered professional engineer carry out fire protection work without a fire protection occupational licence?

A registered professional engineer is not restricted in any way from doing work that is authorised to be carried out under their registration under the *Professional Engineers Act 2002*.

Section 42C (*Unlawful carrying out of fire protection work*) of the QBCC Act does not impose a requirement to hold an occupational fire protection licence if the individual is authorised to carry out fire protection work under another Act.

The work of a registered professional engineer under their registration also does not require a contractor licence under the QBCC Act due to the operation of sections 5 and 44 of schedule 1 (*Work that is not building work*) of the QBCC Regulation.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*),

QBCC Regulations provisions relevant to this question include:

- Schedule 1 (*Work that is not building work*)

Professional Engineers Act 2002.

TRAINEES, STUDENTS AND APPRENTICES

Can a trainee, student, or apprentice personally carry out fire protection work without an occupational licence?

The QBCC Act allows the following persons to personally carry out fire protection work without an occupational licence:

- An apprentice who personally carries out fire protection work in a calling that requires the apprentice to carry out the work; or
- a trainee who personally carries out fire protection work in a calling that requires the trainee to carry out the work; or
- a student who, for work experience, personally carries out fire protection work as part of a pre-vocational course; or
- a student who personally carries out fire protection work as part of training under the supervision of teaching staff at a university, college, school or similar institution conducted, approved or accredited by the State or the Commonwealth.

QBCC Act provisions relevant to this question include:

- Section 42C (*Unlawful carrying out of fire protection work*).

PART 13 – FIRE SAFETY RELATED WORK OTHER THAN FOR A FIRE PROTECTION SYSTEM

QUESTION	ANSWER	LEGISLATION
<p>FIRE SAFETY WORK</p> <p>What are the licensing implications if building work that affects fire safety but is not otherwise fire protection work as defined by the QBCC Act?</p>	<p>A contractor licence issued under the QBCC Act authorises the holder to carry out one or more classes of building work. The classes of building work for which a licence may be issued are stated in the QBCC Regulation.</p> <p>The holder of a contractor licence is authorised to “carry out” building work within the scope of their class or classes of licence. This means that the holder of a contractor licence may do any of the following:</p> <ul style="list-style-type: none">• carry out the work personally;• directly or indirectly cause the work to be carried out; or• provide administration, advisory, management and supervisory services for the work. <p>However, if work that may be carried out under a contractor licence also requires a licence or registration under another Act (e.g. plumbing work or gas work), that licence or registration must still be obtained.</p> <p>There is a range of work that impacts on fire safety but is not defined as fire protection work as defined in the QBCC Act. This occurs because the work is not being carried out in relation to a fire protection system. While building work of this kind does not require a fire protection occupation licence, it will require a contractor licence to be lawfully carried out unless one of the exceptions apply in schedule 1A (<i>Exemptions from requirement to hold contractor’s licence</i>), QBCC Act.</p>	<p>QBCC Act provisions relevant to this question include:</p> <ul style="list-style-type: none">• Section 30 (<i>Classes of contractors’ licences</i>);• Section 35(2) (<i>Imposition of conditions etc. on grant of licence</i>);• Section 42C (<i>Unlawful carrying out of fire protection work</i>);• Schedule 2 (<i>Dictionary</i>) - see definitions (<i>administration services, advisory services, building work, carry out, fire protection work, fire protection system, management services, occupational licence, supervisory services</i>).

Common exceptions to the requirement to hold a contractor licence include:

- An unlicensed person who carries out building work in the course of employment for a contractor who holds a licence of the appropriate class for the work;
- A subcontractor who carries out building work as a subcontractor for a trade contractor who holds a licence of the appropriate class;
- Work of a value of \$3,300 or less, unless fire protection work, plumbing and drainage, gas fitting, building design, site classification, termite management chemical (work threshold is zero dollars);
- Work of a value of \$3,300 or less, unless the work is hydraulic services design (\$1,100 or less is the threshold).

See also discussion under [Contracts for commercial work](#).

However, the inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety is fire protection work under the QBCC Act. Work of this kind requires the individual who is personally carrying it out to hold an appropriate fire protection occupational licence, fire protection contractor licence or other licence, registration or authorization.

FIRE RATED WALLS

(1) Is work for a fire rated wall fire protection work?

(2) Which licence class holders can carry out work on fire walls?

The installation, repair, restoration or maintenance of a fire rated wall is not fire protection work under the QBCC Act. This is because a fire rated wall is not a “[fire protection system](#)” as defined in schedule 2 of the QBCC Act.

However, if the work is valued at more than \$3,300 it is building work and will require a contractor’s licence of the appropriate class to carry out, unless an exemption under schedule 1A ([Exemptions from requirement to hold contractor’s licence](#)), QBCC Act, applies.

In calculating whether the value of the building work exceeds \$3,300, the value includes:

- The value of materials regardless of whether supplied by the contractor,
- the value of any other building work carried out on the same job; and
- the value of the building work carried out in regard to the wall.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors’ licences*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 (*Dictionary*) especially definitions of “*fire protection work*” and “*fire protection system*”;
- Schedule 1A (*Exemptions from requirement to hold contractor’s licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*).
- Schedule 8 (*Dictionary*) see definition of “*certify*”.

Contractor licence classes that allow for holder to carry out building work for a wall (subject to the scope limitations of the licence) include:

- Builder – open licence;
- Builder – medium rise licence;
- Builder – low rise licence;
- Builder restricted to kitchen, bathroom and laundry installation licence;
- Builder restricted to shopfitting licence;
- Carpentry
- Joinery
- Plastering drywall
- Shopfitting trade.

However, the inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety of a wall is fire protection work.

Work of this kind falls within the scope of work of a fire protection occupational or fire protection contractor licence in the class of *Passive fire protection – fire and smoke walls and ceilings*. Under the scope of work for these licence classes the holder can certify, inspect, and test a fire wall or smoke wall.

The work also falls within the general scope of work of a holder of a *Fire safety professional* fire occupational or contractor licence. Under the scope of work for these contractor and fire protection occupational licence classes, the holder is authorised to inspect and report on buildings against fire performance legislation, such as the *Building Code of Australia* and the *Building Act 1975*.

Strictly speaking it is not correct to state that the holder of a fire professional class of licence “certifies” or “inspects and tests” fire walls. This is because these terms are stated in the scope to apply only to a fire protection system (of which a fire rated wall is not). In substance, however, the investigation and report that can be provided under the scope of work is substantially the same.

Further, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor’s licence*), and definitions of “carry out” and “advisory services” in Schedule 2 (Dictionary) of the QBCC Act.

FIRE WINDOWS

(1) Is work for a fire rated window fire protection work?

(2) What licence classes can carry out work on fire rated windows?

The installation, repair, restoration or maintenance of a fire window is not fire protection work under the QBCC Act. This is because a fire rated window is not defined as a fire protection system under schedule 2 (Dictionary) of the QBCC Act.

However, if the work is valued at more than \$3,300 it is building work and will require a contractor's licence of the appropriate class to carry out, unless an exemption under schedule 1A (*Exemptions from requirement to hold contractor's licence*), QBCC Act, applies.

In calculating whether the value of the building work exceeds \$3,300, the value includes:

- The value of materials regardless of whether supplied by the contractor,
- the value of any other building work carried out on the same job; and
- the value of the work carried out in regard to the window.

Contractor licence classes that allow for holder to carry out building work for a window (subject to the scope limitations of the licence) include:

- Builder – open licence;
- Builder – medium rise licence;
- Builder – low rise licence;
- Builder restricted to kitchen, bathroom and laundry installation licence;
- Builder restricted to shopfitting licence;
- Carpentry;
- Joinery;
- Shopfitting trade;
- Glass, glazing and aluminum.

However, the inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety is fire protection work. Work of this kind falls within the scope of work of a holder of a *Fire safety professional* fire protection occupational or contractor licence.

Under the scope of work for these contractor and fire protection occupational licence classes, the holder is authorised to inspect and report on buildings against fire performance legislation, such as the *Building Code of Australia* and the *Building Act 1975*.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors' licences*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 (*Dictionary*) see definition of "fire protection work" and "fire protection system";
- Schedule 1A (*Exemptions from requirement to hold contractor's licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*).
- Schedule 8 especially definitions of "certify".

Strictly speaking it is not correct to state that the holder of fire professional class of licence “certifies” or “inspects and tests” fire windows. This is because these terms are stated in the scope to apply only to a fire protection system (of which a fire window is not). In substance, however, the investigation and report than can be provided under the scope of work is substantially the same.

Further, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor’s licence*), and definitions of “carry out” and “advisory services” in Schedule 2 (Dictionary) of the QBCC Act.

BRICK FIREPLACES

(1) Is work for a brick fireplace for a building defined as fire protection work?

(2) What licence classes can carry out work on a brick fireplace?

The installation, repair, restoration or maintenance of a brick fire place is not fire protection work under the QBCC Act. This is because a brick fireplace is not defined as a fire protection system under schedule 2 (Dictionary) of the QBCC Act.

However, if the work is valued at more than \$3,300 it is building work and will require a contractor’s licence of the appropriate class to carry out, unless an exemption under schedule 1A (*Exemptions from requirement to hold contractor’s licence*), QBCC Act, applies.

In calculating whether the value of the building work exceeds \$3,300, the value includes:

- The value of materials regardless of whether supplied by the contractor,
- the value of any other building work carried out on the same job; and
- the value of the work carried out in regard to the fireplace.

Contractor licence classes that allow for holder to carry out building work for a brick fireplace (subject to the scope limitations of the licence) include:

- Builder – open licence;
- Builder – medium rise licence;
- Builder – low rise licence;
- Brick and block laying licence.

The inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety of a fireplace is fire protection work. Work of this kind falls within the scope of work of a holder of a *Fire safety professional* fire protection occupational or contractor licence. Under the scope of work for these contractor and fire protection occupational licence classes, the holder is authorised to inspect and report on buildings against fire performance legislation, such as the *Building Code of Australia* and the *Building Act 1975*.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors’ licences*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 (*Dictionary*) especially definitions of “fire protection work” and “fire protection system”;
- Schedule 1A (*Exemptions from requirement to hold contractor’s licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*).
- Schedule 8 (*Dictionary*) see definition of “certify”.

Strictly speaking it is not correct to state that the holder of fire professional class of licence “certifies” or “inspects and tests” brick fire places. This is because these terms are stated in the scope to apply only to a fire protection system (of which a brick fire place is not). In substance, however, the investigation and report than can be provided under the scope of work is substantially the same.

Further, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (Classes of contractor’s licence), and definitions of “*carry out*” and “*advisory services*” in Schedule 2 (Dictionary) of the QBCC Act.

STAIRWELL PRESSURISATION SYSTEMS

(1) Is work for a fire pressurisation system for a building fire protection work?

(2) What licence classes can certify work on a stairwell pressurisation system?

The installation, repair, restoration or maintenance of a stairwell pressurisation system is not fire protection work under the QBCC Act. This is because a stairwell pressurisation system is not defined as a fire protection system under Schedule 2 (Dictionary) of the QBCC Act.

However, if the work is valued at more than \$3,300 it is building work and will require a contractor’s licence of the appropriate class to carry out, unless an exemption under schedule 1A (*Exemptions from requirement to hold contractor’s licence*), QBCC Act, applies.

In calculating whether the value of the building work exceeds \$3,300, the value includes:

- The value of materials regardless of whether supplied by the contractor,
- the value of any other building work carried out on the same job; and
- the value of the work on the fire pressurisation system.

Work of this kind falls within the scope of work of a Part 47 or Part 48 *Refrigeration, air conditioning and mechanical services licence*. It also falls within the scope of work that may be carried out under a medium or open builder class of licence.

However, the inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety is fire protection work under schedule 2 of the QBCC Act.

Work of this kind is within the scope of work of a holder of a *Fire safety professional* fire protection occupational or contractor licence. Under the scope of work for these contractor and fire protection occupational licence classes, the holder is authorised to inspect and report on buildings against fire performance legislation, such as the *Building Code of Australia* and the *Building Act 1975*.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors’ licences*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 especially definitions of “*fire protection work*” and “*fire protection system*”;
- Schedule 1A (*Exemptions from requirement to hold contractor’s licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*).
- Schedule 8 (Dictionary) see definition of “*certify*”.

Strictly speaking it is not correct to state that the holder of fire professional class of licence “certifies” or “inspects and tests” stairwell pressurisation systems. This is because these terms are stated in the scope to apply only to a fire protection system (of which a fire pressurization is not). In substance, however, the investigation and report that can be provided under the scope of work is substantially the same.

Further, all holders of a QBCC contractor licence are able to provide an advice or report about building work that falls within their licence class scope of work. See section 30 (*Classes of contractor’s licence*), and definitions of “carry out” and “advisory services” in Schedule 2 (Dictionary) of the QBCC Act.

FIRE RATED COATINGS (PAINT)

(1) Is the application of a fire rated coatings defined as fire protection work?

The application of a fire rated coating (paint) is not fire protection work under the QBCC Act. This is because a fire rated coating is not a fire protection system as defined schedule 2 (Dictionary) of the QBCC Act.

However, if the work is valued at more than \$3,300 it is building work and will require a contractor’s licence of the appropriate class to carry out, unless an exemption under schedule 1A (**Exemptions from requirement to hold contractor’s licence**), QBCC Act, applies.

In calculating whether the value of the building work exceeds \$3,300, the value includes:

- The value of materials regardless of whether supplied by the contractor,
- the value of any other building work carried out on the same job; and
- the value of the work carried out in regard to the fire rated coatings (paint).

Contractor licence classes that allow for the holder to apply building work for fire rated coatings (paint) (subject to the scope limitations of the licence) include:

- Builder—open licence;
- Builder – medium rise licence;
- Builder – low rise licence;
- Builder restricted to kitchen, bathroom and laundry installation licence;
- Builder restricted to shopfitting licence;
- Painting and decorating.

However, the inspection or investigation of, and the provision of advice or a report about, compliance with the *Building Act 1975* or the *Building Code of Australia* relating to fire safety is fire protection work.

Work of this kind falls within the scope of work of a holder of a *Fire safety professional* fire protection occupational or contractor licence. Under the scope of work for these contractor and fire protection occupational licence classes, the holder is authorised to inspect and report on buildings against fire performance legislation, such as the *Building Code of Australia* and the *Building Act 1975*.

QBCC Act provisions relevant to this question include:

- Section 30 (*Classes of contractors’ licences*);
- Section 42 (*Unlawful carrying out of building work*);
- Section 42C (*Unlawful carrying out of fire protection work*);
- Schedule 2 (Dictionary) especially definitions of “fire protection work” and “fire protection system”;
- Schedule 1A (*Exemptions from requirement to hold contractor’s licence*)

QBCC Regulations provisions relevant to this question include:

- Schedule 3 (*Classes and requirements of fire protection occupational licences*).
- Schedule 8 (Dictionary) see definition of “certify”.

Need more information?

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