

MECHANICAL SERVICES – EXEMPTIONS FROM LICENSING REQUIREMENTS

From 1 January 2020, mechanical services licences have been introduced for mechanical services work of any value. There are three mechanical services streams – plumbing, air-conditioning and refrigeration, and medical gas. Some work, such as air-conditioning and refrigeration work over \$3,300 was already regulated as building work under the *Queensland Building and Construction Commission (QBCC) Act 1991*, and those existing licensees transitioned automatically to the mechanical services licence. There is no other change to, or exemption from, licensing requirements for work that is currently building work.

The *QBCC Act 1991* and *QBCC Regulation 2018* define what is (and is not) building work and mechanical services work. For licensing requirements, a \$3,300 limit generally applies to building work; however, a \$0 limit applies to mechanical services work. Certain work will not be mechanical services work but remain building work. For example, the installation of single head split systems is building work (i.e. not mechanical services work) and requires a licence if the work is valued over \$3,300.

WHAT IS MECHANICAL SERVICES WORK?

Mechanical services work involves the construction, installation, replacement, repair, alteration, maintenance, testing or commissioning of a mechanical heating or cooling system in commercial and residential buildings, for example air conditioning, refrigeration and air handling systems.

Mechanical services work also includes work on medical gas systems found in hospitals and other health services such as dental facilities.

These systems contribute to the overall health and safety of the community and can have fatal consequences if incorrectly installed or maintained.

WHAT ISN'T MECHANICAL SERVICES WORK?

Mechanical services work does not include:

- gas work regulated under the *Petroleum and Gas (Production and Safety) Act 2004*;
- any treatment of cooling water;
- connecting or disconnecting a system from a water supply other than disconnecting a system from a water supply at an isolating valve adjacent to a mechanical component of that system;
- design work that is a professional engineering service under the *Professional Engineers Act 2002*;

- manufacturing of pipe or ducting or components manufactured off-site;
- installing a single head split system;
- installing ductwork and enclosures for air-conditioning, air handling and mechanical ventilation systems;
- mechanical services work on a class 1a (detached dwelling) or class 10 (sheds, garages) building;
- mechanical services work on buildings located on certain land (eg land to which the *Geothermal Energy Act 2010* or the *Greenhouse Gas Storage Act 2009* applies - refer to Schedule 1A of the *QBCC Regulation 2018*); and
- work that is part of an environmentally relevant activity under the *Environmental Protection Regulation 2019*.

WHAT IS BUILDING WORK?

'Building work' means—

- the erection or construction of a building;
- the renovation, alteration, extension, improvement or repair of a building;
- the provision of lighting, heating, ventilation, air conditioning, water supply, sewerage or drainage in connection with a building;
- any site work (including the construction of retaining structures) related to work of a kind referred to above;
- the preparation of plans or specifications for the performance of building work;
- contract administration carried out by a person in relation to the construction of a building designed by the person;
- fire protection work;
- mechanical services work;
- carrying out site testing and classification in preparation for the erection or construction of a building on the site;
- carrying out a completed building inspection;
- the inspection or investigation of a building, and the provision of advice or a report, for the following:
 - » termite management systems for the building; and
 - » termite infestation in the building.

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WHAT ISN'T BUILDING WORK?

The *QBCC Regulation 2018* also defines work that is not building work. Examples of exempt building work include, but are not limited to:

- electrical work under the *Electrical Safety Act 2002*; and
- work of a value of \$3,300 or less, unless – e.g. the work.

is mechanical services work, which is within the scope of work for a mechanical services licence;

- work performed by an engineer in the engineer's professional practice.

KEY DATES YOU NEED TO KNOW

The new licensing framework will roll out in stages:



FROM 1 JANUARY 2020:

Existing businesses have six months to obtain a mechanical services licence. A Contractor's licence is required by company or individual entities engaging with clients to perform work. Nominee Supervisors also need to hold a relevant licence. Apprentices who finish a mechanical services apprenticeship after 31 December 2019 will need to apply for a licence before entering the industry. New entrants will need to be licensed from 1 January 2020.



FROM 1 JULY 2020:

Contractors (companies and individuals) and Nominee Supervisors must be licensed to carry out mechanical services work, regardless of the value of work performed.



FROM 1 JANUARY 2022:

All individual workers will need to hold a current Occupational licence or Site Supervisor licence to carry out mechanical services work. This includes full time, part time and casual employees. However, employees do not need a licence to carry out building work only.

WHO DOESN'T NEED A MECHANICAL SERVICES LICENCE?

Exemptions from holding a QBCC mechanical services licence include, but are not limited to:

- Employees carrying out building work do not need a QBCC licence unless they also carry out mechanical services work;
- Apprentices, trainees and other students who carry out mechanical services work as part of their vocational studies must be supervised, but do not need to be licensed;
- A worker performing mechanical services work who is employed by a public hospital, does not require a licence to perform mechanical services work;
- Electricians carrying out electrical work, which they are allowed to perform under the *Electrical Safety Act 2020*, do not need a QBCC licence unless they carry out building work; and
- If you are installing air-conditioning systems in houses and townhouses and single head split systems, you are exempt from mechanical services licensing requirements and do not need a QBCC licence if the work is of a value of \$3,300 or less.

WHAT TYPES OF LICENCES ARE THERE?

Applicants must decide what type of licence they will need. This is generally determined by their roles and responsibilities in the building industry:

- **Contractor** – can be held as an individual or a company - allows licence holder to supervise work, be a nominee for a company and also enter into contracts with clients.
- **Nominee Supervisor** – allows licence holder to supervise work and be the nominee for a company. The nominee supervisor must be an officer or employee of the company.
- **Site Supervisor** – allows an employee or officer of a licensed contractor to supervise work under the contractor's licence.
- **Occupational** – is essential to carry out mechanical services work as an employee. Employees do not need an occupational licence to carry out building work.

WHAT LICENCE CLASSES ARE AVAILABLE?

Applicants should then apply for the mechanical services licence class that covers the work they will perform. There are seven different mechanical services licence classes available.

For Contractor, Nominee Supervisor and Site Supervisor licence types:

1. Mechanical Services – Air-Conditioning and Refrigeration (Unlimited Design) licence;
2. Mechanical Services – Air-Conditioning and Refrigeration (Limited Design) licence;
3. Mechanical Services – Plumbing licence;
4. Mechanical Services – Medical Gas licence.

For an Occupational licence type:

5. Mechanical Services – Air-Conditioning and Refrigeration licence;
6. Mechanical Services – Plumbing licence;
7. Mechanical Services – Medical Gas licence.

A licence applicant needs to meet all current legislative requirements, including technical qualifications. Transitional arrangements have been put in place to allow mechanical services workers time to meet these eligibility requirements. This may require additional training or Recognition of Prior Learning (RPL) to assess skills gained in the workplace or through prior study. More information on these processes can be found on our website at qbcc.build/techpathways.

For more information on the specific requirements for each class of mechanical services licence and how to make an application, see the following pages on our website:

- Mechanical Services – Air-Conditioning and Refrigeration licence – see qbcc.build/aircon;
- Mechanical Services – Plumbing licence – see qbcc.build/plumbing;
- Mechanical Services – Medical Gas licence – see qbcc.build/medigas.

WHERE TO GO TO SUBMIT A MECHANICAL SERVICES APPLICATION?

You can apply for a mechanical services licence anytime from 1 January 2020. To allow sufficient time for processing, licence applications should be submitted to the QBCC well before either the 1 July 2020 (for Contractors and Nominee Supervisors) or 1 January 2022 (for employees i.e. Occupational or Site Supervisors) to ensure the licence is issued prior to these dates.

Simply visit the QBCC website and lodge an online form via myQBCC or download a paper form.

The QBCC is committed to engaging with industry stakeholders to promote an understanding of these new licensing obligations and support a smooth transition for those who perform this work. Licensees who are members of industry bodies can seek assistance from those organisations to understand the new licensing framework.

QUESTIONS?



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qbcc.build/mechservices



Visit a QBCC Service Centre



Workers who are members of industry bodies can seek assistance from those organisations to understand the new licensing framework.