



Unlawful Building Work

This offence is commonly referred to as unlicensed contracting. The offence is found in s42 of the *Queensland Building and Construction Commission Act 1991* (QBCC Act).

A person who carries out or offers to carry out building work without holding the appropriate licence has committed this offence. The offence can be committed by someone who does not hold a QBCC licence or by someone who is working outside of what their licence allows them to do.

To prove this offence QBCC requires some, or all, of the following documents:

- Contracts
- Invoices
- Plans and specifications
- Quotes
- Receipts
- Correspondence/emails from the contractor
- Advertising material
- Statements from witnesses

Before completing the Notification of Offence form you should ensure:

- The complaint relates to 'building work' as defined by the QBCC Act
- The value of the building work is over \$3,300, or for hydraulic services design work over \$1,100 or the work relates to plumbing, drainage, gas fitting, building design, site classification, chemical termite management, completed residential building inspection or fire protection work of any value.
- That the entity was unlicensed or not appropriately licensed at the time the building work was carried out – this can be done using QBCC's Online Search facility or by contacting 139 333
- That you have sufficient evidence to support your complaint e.g. receipts, invoices, contracts, quotes etc. If you can not provide supporting documents or evidence it is unlikely QBCC will be able to investigate
- Prosecution must be made within two years from the date the offence was committed or one year from the date QBCC first became aware of the offence (whichever is later). To allow for investigation time QBCC requests that complaints be made within 18 months of the offence date or within nine months from the date of first notification of the offence to QBCC.

Where you are able to comply with all the above requirements you should complete and return (see Contact Us section for postal and office addresses) the Notification of Offence form with all supporting documents.

Do not send original documents - QBCC can not return documents. Any documents provided by you will be destroyed pursuant to Principal 7 - Information Standard 40.