



Accountability for all Licensees Defect Guideline

REGULATORY OPERATIONS

V1.0 | March 2026



QUEENSLAND BUILDING AND
CONSTRUCTION COMMISSION

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1. PURPOSE

This Guideline explains how the Queensland Building and Construction Commission (Commission) applies its existing statutory powers when considering whether to issue a Direction to Rectify to licensees.

This Guideline does not create new powers, change the law, or remove the QBCC's discretion to make decisions on a case-by-case basis in accordance with the *Queensland Building and Construction Commission Act 1991*.

The purpose of this Guideline is to:

- set out the Commission's approach to holding all licensees accountable for defective building work.
- confirm that all licensees, including subcontractors, who are responsible for defective work may be directed to rectify that work and may be subject to disciplinary action.
- support the consistent application of the Rectification of Building Work Policy where defective building work is identified.

2. SCOPE

This Guideline applies to all QBCC licensees.

3. AUTHORITY

This Guideline is made under section 20J of the *Queensland Building and Construction Commission Act 1991*.

4. GUIDELINE STATEMENT

The Commission will ensure all licensees are held accountable for the quality of their work.

While the Commission has always had the power to direct all licensees to rectify defective work, principal contractors have largely been held responsible for ensuring rectification of defective work performed under their supervision as the principal contractor.

From 30 March 2026, all licensees, including subcontractors, responsible for defective work must rectify it or may face disciplinary action which could result in the suspension or cancellation of their licence. This procedure does not alter or negate a principal contractor's responsibility to properly supervise all building work completed under their contract with the consumer.

Principal contractors who are found not to have adequately supervised building work may be subject to disciplinary action.

5. HANDLING DEFECTIVE BUILDING WORK COMPLAINTS

Where a complaint is made by a consumer (or a contractor for contracts on foot at the time of lodgment of complaint) to the Commission about defective building work, the Commission will assess and deal with the complaint in line with the Rectification of Building Work Policy.

The Commission may attend the site as part of its processes to establish whether there is in fact defective building work requiring rectification by the principal contractor and the subcontractors they engaged.

5.1 Responsibilities of the Principal Contractor

It is the responsibility of the principal contractor to invite the relevant subcontractor(s) they consider responsible for the defective work to attend the site inspection, regardless of whether the subcontractor(s) choose to attend.

For the Commission to consider issuing a Direction to Rectify to a subcontractor, the principal contractor is required to provide the following to the QBCC:

- a copy of the principal contractor's written contract with the subcontractor;
- evidence of payment to the subcontractor for the work;
- evidence the principal contractor notified the subcontractor of the alleged defective work; and
- evidence to demonstrate that the defective work fell within the subcontractor's contracted scope of work.

5.2 Subcontractor Responsible

In the event that the subcontractor is found to have performed the defective building work, then the following process occurs:

- Where the principal contractor agrees with the Commission that there is defective building work, and the principal contractor is having difficulty getting the relevant subcontractor back to rectify, then the Commission will first consider issuing the responsible subcontractor with a Direction to Rectify, requiring the subcontractor to return and rectify the defects.
- During this period the QBCC encourages the principal contractor to continue to engage cooperatively with the subcontractor and consumer and assist in facilitating compliance with the direction.

5.3 Subcontractor Direction to Rectify

If the subcontractor is issued with a Direction to Rectify:

- And the subcontractor complies with the Direction to Rectify, the Direction to Rectify will be noted as complied with on the subcontractor's public record.
- If the subcontractor fails to comply with the Direction to Rectify, the Commission will:
 - record the Direction to Rectify as not complied with on the subcontractor's public record.
 - consider undertaking disciplinary action against the subcontractor, which may lead to suspension or cancellation of their licence.
 - then consider issuing a Direction to Rectify to the principal contractor, requiring the principal contractor to return and rectify the defects.

5.4 Principal Contractor Direction to Rectify

If the principal contractor is subsequently issued with a Direction to Rectify:

- And the principal contractor complies with the Direction to Rectify, the Direction to Rectify will be noted as complied with on the principal contractor's public record.
- If the principal contractor fails to comply with the Direction to Rectify, either by not performing the rectification themselves or failing to engage another contractor to complete the work at their cost, the Commission will:
 - record the Direction to Rectify as not complied with on the principal contractor's public record
 - consider taking disciplinary action against the principal contractor which may lead to suspension or cancellation of their licence.

6. DOCUMENT INFORMATION

INFORMATION CATEGORY	DESCRIPTION
Title	Accountability for All Licensees Defects Guideline
Purpose	This Guideline sets out the Commission's approach to holding all QBCC licensees accountable for defective building work, including the circumstances in which Directions to Rectify may be issued and disciplinary action may be taken.
Document Type	Guideline
Category	Operational
Sub-category	Disputes
Approver	Commissioner
Author	Director, Building & Technical Inspectorate
Owner	Assistant Commissioner, Regulatory Operations
Version	1.0
Effective date	30 March 2026
Review date	30 March 2028 <i>(NOTE: Review the Guideline at least every two years after publication, and every three years thereafter, unless circumstances require an earlier review.)</i>
Supporting policy	Rectification of Building Work Policy

7. VERSION HISTORY

VERSION	DATE	AMENDMENT DETAILS
1.0	30 March 2026	New Guideline