

THE A-Z GUIDE OF INSURABLE BUILDING WORK



MARCH 2024

A TO Z GUIDE OF INSURABLE WORK

Under the Queensland Home Warranty Scheme (Scheme) licensed contractors must collect premiums on behalf of the consumer and pay the premium to QBCC in relation to specified residential work, known as **residential construction work**, they carry out. The Scheme is not-for-profit and is self-funded through the payment of premiums. The following information is intended as a **guide only** as to the requirement for payment of an insurance premium and cover for loss suffered in respect of different types of building work for contracts entered into on or after 28 October 2016.

If you have any queries in this regard please contact us on 139 333.

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GLOSSARY OF KEY TERMS

Residential construction work

- must have components of **primary insurable work** with a value of \$3,300 or more;
- may include **associated insurable work**.

Primary insurable work

is any of the following building work if carried out by a licensed contractor with a value of more than \$3,300:

- the erection or construction of a **residence** or **related roofed building**
- building work within the **building envelope** of a **residence** or **related roofed building**
- building work for anything attached or connected to a **residence** or **related roofed building** that requires building development approval under the *Building Act 1975* or a permit under the *Plumbing and Drainage Act 2018*
- the erection, construction or installation of a swimming pool (but not the renovation or repair of a swimming pool)
- building work for the renovation, alteration, extension, improvement or repair of the building envelope for a **residence** or **related roofed building**
- building work for a structure attached to the external part of a **residence** or **related roofed building** if the structure doesn't have another supporting structure
- building work for an elevated platform, including a verandah or deck that is attached to a **residence** or **related roofed building**
- building work for stairs, a ramp or similar structure providing access to a **residence** or **related roofed building**, if the structure is permanently attached to the building.
- building work for the installation, repair or replacement of support structures for a **residence** or **related roofed building**, such as replacement of stumps or underpinning.

Associated insurable work

is any additional work that may be contracted to be carried out under a contract that includes **primary insurable work**

- which is carried out on the site of a **residence** or proposed **residence**, or
- which is carried out on the site of a **related roofed building** or proposed **related roofed building**

may include work that is not building work and is for residential purposes.

Building envelope

means the outermost sides of the aggregation of the components of a building that have the primary function of separating the internal part of the **residence** or **related roofed building** from the external environment.

Residence

each of the following structures is a **residence** if it is fixed to land and used for residential purposes:

- a single detached dwelling
- 1 or more attached dwellings that are separated by a common wall (such as a row house or townhouse)
- a building of not more than 3 storeys, that contains 2 or more separate residential units
- a manufactured home that is fixed to land in a residential park.

Related roofed building

A building is a **related roofed building** if it:

- is a fixed structure;
- is on the site of a **residence** or proposed **residence**;
- is used for a purpose related to the use of the **residence**;
- has a roof that is impervious to water or wind.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Aeroplane/Aircraft	<p>Construction of an aeroplane or aircraft, or building work for an aeroplane or aircraft is not insurable even if it is being used as a home. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Airconditioning - ducted or split system	<p>The installation, renovation, repair or replacement of air-conditioning for a residence or related roofed building is:</p> <p>NOT primary insurable work.</p> <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. <p>IS associated insurable work.</p> <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work. » the work will be completed as part of a non-completion claim. <p>Legislation: section 67WC(2)(d)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Aircraft Hangar	<p>Building work for an aircraft hangar that is used for <u>residential purposes</u> is insurable if the aircraft hangar constitutes a related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation:</p> <ul style="list-style-type: none"> • section 67WF of <i>Queensland Building and Construction Commission Act 1991</i> – defines a related roofed building. • section 67WC of <i>Queensland Building and Construction Commission Act 1991</i> and section 27 of the <i>Queensland Building and Construction Regulation 2018</i> state that construction of, or building work for a related roofed building is primary insurable work.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

<p>Aircraft runway (for a residence)</p>	<p>The installation, renovation, repair or replacement of an aircraft runway for a hangar that is a related roofed building for a residence is:</p> <p>NOT primary insurable work.</p> <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. <p>IS associated insurable work.</p> <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work. » the work will be completed as part of a non-completion claim. <p>Legislation: section 67WC(2)(d)(ii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Architraves</p>	<p>Building work for an architrave for a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Asbestos Removal</p>	<p>The removal of asbestos from a residence or related roofed building is not building work and therefore is:</p> <p>NOT primary insurable work.</p> <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. <p>IS associated insurable work.</p> <p>if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work.</p> <ul style="list-style-type: none"> » the work will be completed as part of a non-completion claim. <p>Legislation:</p> <ul style="list-style-type: none"> • section 37, schedule 1 of Queensland Building and Construction Regulation 2018 – asbestos removal is not building work. • section 67WD of the <i>Queensland Building and Construction Commission Act 1991</i> – additional work included in a contract for primary insurable work can be associated insurable work even where it is not building work.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Awnings

Building work for an awning for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(e) of the *Queensland Building and Construction Commission Act 1991* (other building work prescribed by regulation)
- section 27(b) of the Queensland Building and Construction Regulation 2018.

Bathrooms

Building work for a bathroom in a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Bench tops

Building work for a bench top in a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Boarding House	<p>Construction of a Boarding House, or building work for a Boarding House is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Boat	<p>Construction of a boat, or building work for or on a boat is not insurable. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Built-In Cabinets	<p>Building work (over \$3,300) for built-in cabinets for a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Cabins in caravan parks	<p>Building work on the site of a caravan park is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p>Manufactured home in a caravan park</p> <p>Caravan parks can be “mixed-use”. The park may have a mixture of manufactured homes, caravan sites, tents and holiday cabins, offering short and long-term accommodation.</p> <p>The construction of a manufactured home to be used as a residence which is located within a caravan park:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation:</p> <ul style="list-style-type: none"> • section 67WE(3) of the <i>Queensland Building and Construction Commission Act 1991</i> – a manufactured home fixed to land in a residential park is a residence. • section 67WC(1) of the <i>Queensland Building and Construction Commission Act 1991</i> – the construction of a residence is primary insurable work.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Caravan	<p>Construction of a caravan, or building work for a caravan is not insurable. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Caravan Parks	<p>Building work on the site of a caravan park is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p>Manufactured home in a caravan park</p> <p>Caravan parks can be “mixed-use”. The park may have a mixture of manufactured homes, caravan sites, tents and holiday cabins, offering short and long-term accommodation.</p> <p>The construction of a manufactured home to be used as a residence which is located within a caravan park:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation:</p> <ul style="list-style-type: none"> • section 67WE(3) of the <i>Queensland Building and Construction Commission Act 1991</i> – a manufactured home fixed to land in a residential park is a residence. • section 67WC(1) of the <i>Queensland Building and Construction Commission Act 1991</i> – the construction of a residence is primary insurable work.
Ceiling	<p>Building work for a ceiling for a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Church

Construction of a church, or building work for a church is not insurable. A church is not a **residence** or a **related roofed building**. Therefore this is not covered by the Queensland Home Warranty Scheme.

Legislation: section 67WC of the *Queensland Building and Construction Commission Act 1991*.

Residence or related roofed building on church land

The construction of, or building work for a **residence** or its **related roofed building** on church-owned land is insurable.

Legislation:

- section 67WE of the *Queensland Building and Construction Commission Act 1991* defines a **residence**.
- section 67WF of the *Queensland Building and Construction Commission Act 1991* defines a **related roofed building**.
- section 67WC states that building work for a **residence** or a **related roofed building** is **primary insurable work**.

Cladding**Internal cladding**

Building work for internal cladding for a **residence** or its **related roofed building**:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

External cladding

Building work (over \$3,300) for external cladding for a **residence** or its **related roofed building** is:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: Section 27(b) of the *Queensland Building and Construction Regulation 2018*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Commercial premises	<p>Building work on a commercial building, or building work on a site which constitutes commercial premises is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(viii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Concrete slabs	<p>The construction of a slab, not attached to a residence, related roofed building or the building envelope, is:</p> <p>NOT primary insurable work.</p> <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. <p>IS associated insurable work.</p> <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work. » the work will be completed as part of a non-completion claim. <p>Legislation: Section 28(1)(d) of the Queensland Building and Construction Regulation 2018.</p>
Cornices	<p>Building work for cornices for a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Covered Walkway	<p>Attached to residence</p> <p>Building work for a covered walkway that is attached to a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Covered Walkway**Not attached to residence**

Building work for a covered walkway that is a **related roofed building**:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- Section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**.
- Section 67WC(1)(a) of *Queensland Building and Construction Commission Act 1991* – states that construction of a **related roofed building** is **primary insurable work**.
- Section 67WC(1)(b) of *Queensland Building and Construction Commission Act 1991* and section 27(a) of the Queensland Building and Construction Regulation 2018 states that building work for a **related roofed building** is **primary insurable work**.

Note: If the contract for the covered walkway includes construction of a path, the value of the work on the path must not be included when determining the value of the covered walkway.

Reason: because the path is not **primary insurable work** – it can only be **associated insurable work** if the value of the work for the covered walkway exceeds \$3,300 (see section 67WC(2)(d)(ii) of *Queensland Building and Construction Commission Act 1991*).

Cubby House

The installation, renovation, repair or replacement of a cubby house is:

- **NOT primary insurable work**.
 - » premium is not payable on a contract for this work alone.
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- **IS associated insurable work**.
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work.
 - » the work will be completed as part of a non-completion claim.

Legislation: Section 28(1)(c)(i) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Decks - Attached

Building work for a deck attached to a **residence** or its **related roofed building**:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(d) of the Queensland Building and Construction Regulation 2018.

Decks - Freestanding

Building work for a free-standing deck which is not attached to a **residence** or its **related roofed building** is:

- NOT **primary insurable work**.
 - » premium is not payable on a contract for this work alone.
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**.
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work.
 - » the work will be completed as part of a non-completion claim.

Legislation: section 27(d) of Queensland Building and Construction Regulation 2018 clarifies that a deck is only **primary insurable work** if it is attached to a **residence** or **related roofed building**.

Disability access ramps

Building work for a disability access ramp providing access for, and permanently attached to, a **residence** or its **related roofed building** is:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme.
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(e) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

<p>Dog kennels</p>	<p>The installation, renovation, repair or replacement of a dog kennel is:</p> <ul style="list-style-type: none"> • NOT primary insurable work. <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work. <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work. » the work will be completed as part of a non-completion claim. <p>Legislation: Section 28(1)(c)(ii) of the Queensland Building and Construction Regulation 2018.</p>
<p>Doors</p>	<p>Building work for a door in a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Driveways</p>	<p>The installation, renovation, repair or replacement of a driveway for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work. <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone. » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work. <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work. » the work will be completed as part of a non-completion claim. <p>Legislation: Section 67WC(2)(d)(ii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Educational Institutions	<p>Building work on the site of an educational institution (eg: TAFE or a university) is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(vi) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Epoxy floor covering	<p>Building work for the application of an epoxy floor covering to the floor of a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Farm building

Work for a farm building is not insurable.

A farm building is a building:

- » on land used wholly or primarily for agricultural or pastoral purposes; and
- » used, or intended to be used, for agricultural or pastoral purposes; and
- » that is not a **residence**; and
- » that has completed value of not more than \$27,500.

Example of a farm building: a building on a farm used to store feed, farm equipment, fertilizer etc.

Reason:

- Work for a farm building is not building work, and therefore can never be **primary insurable work**.
- A farm building is neither a **residence** (the definition of farm building states this) nor a **related roofed building** (since it is not used for a purpose related to the **residence**) so it cannot be **primary insurable work**.
- Even if the farm building is included in a contract to construct a **residence**, it cannot be **associated insurable work** since **associated insurable work** requires the additional work to be “for residential purposes” and a farm building is not used for residential purposes.

Legislation:

- section 1, schedule 1 of Queensland Building and Construction Regulation 2018 – work for a farm building is not building work.
- See also section 67WF (definition of **related roofed building**) and section 67WD (definition of **associated insurable work**) of the *Queensland Building and Construction Commission Act 1991*.

Fascias

Building work for a fascia for a **residence** or its **related roofed building** is:

- if over \$3,300 **IS primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(b) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

**Fencing
(including pool
fencing)**

The installation, renovation, repair or replacement of a fence for a **residence** or **related roofed building** is:

- NOT **primary insurable work**.
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme
- IS **associated insurable work**.
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(a) of the *Queensland Building and Construction Commission Act 1991*.

Fire Bunker

Building work for a fire bunker that is a **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27(a) of Queensland Building and Construction Regulation 2018 state that construction of, or building work for a **related roofed building** is **primary insurable work**.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Flat-packs

Building work for the installation of flat-pack cabinets in a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Note:

- Where a licensed contractor enters a contract to install flat-pack cabinets in a **residence**, and the insurable value of the work is over \$3,300 a premium is payable for this work. The insurable value of the work is the total of the cost to install plus the cost of the cabinets
- Eg: a home owner buys flat-pack cabinets from a retail company for \$2,500. The licensed contractor agrees to install the cabinets: cost of the installation is \$2,000. The insurable value of this work is \$2,000 (cost of installation) + \$2,500 (cost of cabinets) = **\$4,500**
- In the example this is not a contract to provide “labour only”. Under the Queensland Home Warranty Scheme this is regarded as a contract to carry out insurable work and the insurable value of this work is the cost of installation **plus** the cost of the flat-pack cabinets. A premium is payable based on the **total** of these two amounts.

Floors

Building work for a floor of a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
<p>Floor sanding / floor polishing</p>	<p>Building work for sanding and/or polishing a floor in a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Flyscreens</p>	<p>The installation, renovation, repair or replacement of fly screens or insect screens for a residence or related roofed building is not building work and therefore is:</p> <ul style="list-style-type: none"> • NOT primary insurable work. <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work. <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation:</p> <ul style="list-style-type: none"> • section 28(1)(a) of the Queensland Building and Construction Regulation 2018 • section 45, schedule 1 of Queensland Building and Construction Regulation 2018 – asbestos removal is not building work.
<p>Garage Doors</p> <p>“garage doors” includes, but is not limited to:</p> <ul style="list-style-type: none"> • roller doors • tilt doors • sectional overhead doors 	<p>Building work for a garage door in a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Gas installation**Gas Installation - internal**

Building work for gas installation within a **residence** or its **related roofed building** (unless it is for heating water) is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Gas hot water systems

The installation, renovation, repair or replacement of a gas hot water system in a **residence** or **related roofed building** is:

- NOT **primary insurable work**.
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**.
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(d)(iii) of the *Queensland Building and Construction Commission Act 1991*

Gas installation - external

Building work for external gas installation outside a **residence** or **related roofed building** is:

- NOT **primary insurable work**.
 - » premium is not payable on a contract for this work alone.
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work.
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WD(1)(a) of the *Queensland Building and Construction Commission Act 1991*

– **associated insurable work** includes any additional work included in a contract for **primary insurable work**, carried out on the site of the **residence** or **related roofed building** and which is for residential purposes.

Gazebo**Freestanding**

Building work for a free-standing gazebo that is a **related roofed building**:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27 of *Queensland Building and Construction Regulation 2018* – construction of a related roofed building, or building work for a **related roofed building** is **primary insurable work**.

Attached to a residence

Building work for a gazebo attached to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 27(a) of the *Queensland Building and Construction Regulation 2018*
- section 27(d) of the *Queensland Building and Construction Regulation 2018*

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Glass patio enclosures

Building work for a glass patio enclosure attached to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 27(d) of the Queensland Building and Construction Regulation 2018
- section 27(a) of the Queensland Building and Construction Regulation 2018

Greenhouses**Attached to a building**

Building work for a greenhouse attached to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 27(a) of the Queensland Building and Construction Regulation 2018
- section 27(d) of the Queensland Building and Construction Regulation 2018.
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27 of Queensland Building and Construction Regulation 2018 – construction of a related roofed building, or building work for a **related roofed building** is **primary insurable work**.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Greenhouses	<p>Freestanding</p> <p>Building work for a greenhouse that is a related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WF of <i>Queensland Building and Construction Commission Act 1991</i> – defines a related roofed building</p>
Group accommodation – for persons with a physical or mental disability	<p>Construction of a building, or building work for a building that provides group accommodation for persons with a physical or mental disability is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(vii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Guttering	<p>Building work for a gutter for a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(c)(iii) of the <i>Queensland Building and Construction Regulation 2018</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Gutter-guard

Building work for installation of gutter-guard for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 27(a) of the Queensland Building and Construction Regulation 2018
- section 27(c)(iii) of the Queensland Building and Construction Regulation 2018.

**Gyprock
(plaster board)**

Building work for plaster board in a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Handrails**Handrails – Internal**

Building work for handrails within a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Handrails – External

Building work for a handrail attached to the external part of a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(b) of the Queensland Building and Construction Regulation 2018.

Healthcare building

Construction of, or building work for, a healthcare building is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(a)(iii) of the *Queensland Building and Construction Commission Act 1991*.

Note: Example of healthcare building: doctor's surgery, specialist clinics etc.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Holiday accommodation	<p>Construction of a building used for holiday accommodation, or building work for a building used for holiday accommodation is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p>Multiple dwelling – units</p> <p>Where one unit in a multiple dwelling is used for short-term holiday rental (e.g.: Airbnb) that unit is classified as “holiday accommodation”. Any building work for that unit is not insurable under the Queensland Home Warranty Scheme.</p> <p>Where building work is carried out for other units in the building which are not being used for holiday accommodation, that work may be insurable if it is building work (over \$3,300) within a residence.</p> <p>Reason: The unit that is used for holiday accommodation is excluded from being insurable under the legislation – see section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>. Since the other units are not used for holiday accommodation, they are not excluded by this provision.</p>
Home office	<p>Building work for a home office or study in a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Horse stables	<p>The installation, renovation, repair or replacement of a horse stable for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work. <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work. <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation: section 28(1)(c)(ii) of the Queensland Building and Construction Regulation 2018</p>

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Hospital	<p>Construction of, or building work for, a hospital is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(iii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Hostel	<p>Construction of, or building work for, a hostel is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Hotel	<p>Construction of, or building work for, a hotel is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Indigenous Local Council work	<p>Residential construction work carried out by an independent licenced contractor for an indigenous local government (including an indigenous local council) is insurable and the contractor must pay a premium for this work.</p> <p>The obligation of an independent contractor to pay a premium includes the circumstance where they are carrying out residential construction work for an indigenous local government that is acting as a principal contractor for a State Government department.</p> <p>However, residential construction work performed by an indigenous local council using its own employees is not insurable if the council is classified as an indigenous local government under the <i>Local Government Act 2009</i>.</p> <p>Reason: Work performed <u>by</u> a local government is not building work, and is not insurable. However, work performed <u>for</u> a local government by an independent contractor is building work.</p> <p>Legislation: section 9 of Schedule 1 of the Queensland Building and Construction Commission Regulation 2018.</p> <p>Note: An “indigenous local government” is defined in the <i>Local Government Act 2009</i> to include the Northern Peninsula Area Regional Council, the Torres Strait Island Regional Council, or the local government for any of the following local government areas:</p> <ul style="list-style-type: none"> • Cherbourg • Doomadgee • Hope Vale • Kowanyama • Lockhart River • Mapoon • Napranum • Palm Island • Pormpuraaw • Woorabinda • Wujal Wujal • Yarrabah
Industrial premises	<p>Building work on (or on the site of) a building (or proposed building) that is, or forms part of industrial premises is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(viii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Kit Homes

Building work for the erection or construction of a kit home that is a **residence** or related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(a) of the *Queensland Building and Construction Commission Act 1991*

Note: For the purposes of deciding the insurable value of the work, the value of materials and cost of transport must be included regardless as to whether the contractor actually provided this (see definition of “insurable value” in section 67WA of the *Queensland Building and Construction Commission Act 1991*).

Kitchens

Building work for a kitchen in a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Laundry

Building work for a laundry in a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Lift**Internal**

Building work for a lift inside a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

External – attached

Building work for installation of an external lift which is attached to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

<p>Lift</p>	<p>External – not attached – roofed</p> <p>Construction of, or building work for, a lift external to a residence or its related roofed building, but not attached to the residence or related roofed building, that is a related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation:</p> <ul style="list-style-type: none"> • section 67WF of <i>Queensland Building and Construction Commission Act 1991</i> – defines a related roofed building • section 67WC of <i>Queensland Building and Construction Commission Act 1991</i> and section 27 of <i>Queensland Building and Construction Regulation 2018</i> – construction of a related roofed building, or building work for a related roofed building is primary insurable work. <p>Note: Building work for a lift which is not used primarily for a purpose related to the use of the residence is not insurable. See section 26(d) of the <i>Queensland Building and Construction Regulation 2018</i>.</p>
<p>Local Government work</p>	<p>Residential construction work carried out for a local government by an independent contractor is insurable and the contractor must pay the premium for this work.</p> <p>The obligation of an independent contractor to pay a premium includes the circumstance where they are carrying out residential construction work for a local government that is acting as a principal contractor for a State Government department.</p> <p>Work performed by a local government using its own employees is not building work and is not insurable.</p> <p>Reason: Work performed <u>by</u> a local government is not building work, and is not insurable. However, work performed <u>for</u> a local government by an independent contractor is building work</p> <p>Legislation: section 9 of Schedule 1 of the <i>Queensland Building and Construction Regulation 2018</i>.</p>
<p>Lodging house</p>	<p>Construction of a lodging house, or building work for a lodging house is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(i) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Manufactured homes**Manufactured home in a residential park**

Building work for a manufactured home in a residential park is insurable.

Reason: A manufactured home fixed to land in a residential park (whether or not permanently fixed) is a **residence** under the *Queensland Building and Construction Commission Act 1991* and is therefore insurable.

Legislation: section 67WE(3) of the *Queensland Building and Construction Commission Act 1991*.

Manufactured home in a caravan park

Caravan parks can be “mixed-use” – i.e.: the park may have a mixture of manufactured homes, caravan sites, tents and holiday cabins, offering short and long-term accommodation.

Building work for a manufactured home in a residential park which is located within a caravan park, is insurable.

Reason: A manufactured home fixed to land in a residential park (whether or not permanently fixed) is a **residence** under the *Queensland Building and Construction Commission Act 1991* and is therefore insurable. This is the case even where the residential park is located within a caravan park.

Legislation: section 67WE(3) of the *Queensland Building and Construction Commission Act 1991*.

Manufactured home on a residential block of land

Where a manufactured home is situated on a private block of land, it does not satisfy the requirements of section 67WE(3) of the *Queensland Building and Construction Commission Act 1991* since it is not fixed to land in a residential park.

However, it can still be a **residence** if it satisfies the following requirements:

- it is fixed to the land
- it is used for residential purposes
- it is a single detached dwelling.

If these requirements are satisfied, it is a **residence** as defined in the *Queensland Building and Construction Commission Act 1991* and is therefore insurable.

Legislation: section 67WE(1)(a) of the *Queensland Building and Construction Commission Act 1991*.

Motel

Construction of a motel, or building work for a motel is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(a)(i) of the *Queensland Building and Construction Commission Act 1991*.

Motor Homes or Motor vehicles

Construction of a motor home or motor vehicle, or building work for a motor home or motor vehicle is not insurable. This work is excluded from being a **residence** under the Queensland Home Warranty Scheme.

Legislation: section 67WE(5) of the *Queensland Building and Construction Commission Act 1991*.

Multiple dwellings and duplexes over 3 storeys

Construction of, or building work for, a multiple dwelling or a duplex that is over 3 storeys is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation:

- section 67WE(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 26(a) of the Queensland Building and Construction Regulation 2018.

Note: When calculating the number of storeys in a building, one storey may be excluded if more than 50% of its floor area is for parking of motor vehicles.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

<p>New House</p>	<p>Construction or erection of a new house, or building work for a new house:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work <p>Legislation: section 67WC(1)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Nun, priest or clergy residence</p>	<p>Construction or erection of a residence for a nun, priest or other members of the clergy, or building work for a nun, priest or clergy house:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p>Note: This work constitutes a residence even where it is on church-owned land.</p>
<p>Nursing homes</p>	<p>Construction of a nursing home, or building work for a nursing home is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(iii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Off-site prefabrication of buildings	<p>Off-site prefabrication of the whole of a building that could be a residence, or a related roofed building, is not insurable work when carried out under a contract for this work only. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(d) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Orphanages	<p>Construction of an orphanage, or building work for an orphanage is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(iv) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Over 50's Home Residential Parks	<p>Building work for a manufactured home fixed to land in a residential park is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WE(3) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p>Note: This is the case even where the residential park is an "Over 50's Village". However, if the "Over 50's Village" is a retirement village which comes under the <i>Retirement Villages Act 1999</i> then this work is not insurable. See below for information on "Retirement Villages".</p>
Owner builder	<p>Building work carried out by a building contractor for a person who is the holder of an owner builder permit covering the work is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Painting**External**

Building work for external painting of a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Internal

Building work for internal painting for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Pergola or Patio**Attached**

Building work for a pergola or patio attached to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Not attached

Construction of, or building work for a patio that is a **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27 of Queensland Building and Construction Regulation 2018 – construction of a related roofed building, or building work for a **related roofed building** is **primary insurable work**.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Plumbing works**Plumbing works within a residence**

Building work for plumbing work within a **residence** or its **related roofed building** (unless it is for heating water):

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Hot water systems

The installation, renovation, repair or replacement of a hot water system for a **residence** or **related roofed building** is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(d)(iii) of the *Queensland Building and Construction Commission Act 1991*.

Plumbing – external

Building work for external plumbing for a **residence** or its related roofed building, if it is for a structure attached to the external part of the **residence** or **related roofed building** and is for any of the primary water supply, sewerage or drainage, or stormwater discharge:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 27(c) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Pre-fabricated home**Off-site prefabrication**

Off-site prefabrication of the whole of a building that could be a **residence**, or a **related roofed building**, is not insurable work when carried out under a contract for this work only. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(d) of the *Queensland Building and Construction Commission Act 1991*.

Installation on site

Building work for the installation of a prefabricated home that is a **residence** or related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(a) and section 67WE of the *Queensland Building and Construction Commission Act 1991*.

Note: The insurable value of the work includes the value of the construction offsite, the cost of transportation to the site and the cost of installation on site – see definition of “insurable value” in section 67WA of the *Queensland Building and Construction Commission Act 1991*.

A contract to construct a **residence** requires building materials to be obtained and delivered to the site so they can be used to build the **residence**. The delivery of a prefabricated **residence** is one of the building materials used.

Prison

Construction of a prison, or building work for a prison is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(a)(ii) of the *Queensland Building and Construction Commission Act 1991*.

Privacy screen

Building work for the installation of privacy screens for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 27(a) of the Queensland Building and Construction Regulation 2018
 - section 27(b) of the Queensland Building and Construction Regulation 2018.
- See also entry on “shutter screens”.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Related roofed buildings for multiple dwellings**Multiple dwellings that are no more than 3 storeys (excluding one storey if more than 50% of that storey is used as a car park)**

Construction of, or building work for, a **related roofed building** which is not attached to a multiple dwelling:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27 of *Queensland Building and Construction Regulation 2018* – construction of a related roofed building, or building work for a **related roofed building** is **primary insurable work**.

Note: Building work for a shed which is not used primarily for a purpose related to the use of the **residence** is not insurable. See section 26(d) of the *Queensland Building and Construction Regulation 2018*.

Rendering**External**

Building work for external rendering to a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the *Queensland Building and Construction Regulation 2018*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Rendering**Internal**

Building work for internal rendering for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Residential parks for manufactured homes**Manufactured home in a residential park**

Building work for a manufactured home that is fixed to land in a residential park:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WE(3) of the *Queensland Building and Construction Commission Act 1991*.

Resin injection

The injection of resin into foundation material under and around a **residence** or related roofed building, is not building work and therefore is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation:

- schedule 2 of the *Queensland Building and Construction Commission Act 1991* defines building work.
- section 67WD of the *Queensland Building and Construction Commission Act 1991* – additional work included in a contract for **primary insurable work** can be **associated insurable work** even where it is not building work.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Restumping

Building work for the restumping of a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(f) of the Queensland Building and Construction Regulation 2018.

Retaining walls**Retaining wall – supporting**

Building work for a retaining wall that supports a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(f) of the Queensland Building and Construction Regulation 2018.

Retaining wall – freestanding

The installation, renovation, repair or replacement of a free-standing retaining wall that does not support a **residence** or **related roofed building** is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Retirement villages

Building work for a retirement village which comes under the *Retirement Villages Act 1999* is not insurable. This is the case even if the retirement village is not listed in the register under this Act. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(a)(v) of the *Queensland Building and Construction Commission Act 1991*.

Note: The Retirement Villages Act applies where a person enters into a **residence** contract with the scheme operator, and under this contract:

- The person has an exclusive right to reside in the retirement village.
- The person has a right to use and enjoy the communal facilities.
- There are restrictions in how the right to reside in the retirement village may be disposed of during the resident's lifetime.
- There is a service agreement for the provision of services.

Roller doors**External**

Building work for an external roller door in a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Internal

Building work for an internal roller door for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

<p>Roof restorations (including painting)</p>	<p>Building work for the roof of a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme. • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.</p> <p>Note: Cleaning of a roof is not building work and therefore, in isolation, is not insurable work. However, if the work is carried out under a contract that includes primary insurable work (valued over \$3,300) (e.g. a contract which includes roof painting, repair work and/or repainting) it is insurable under the main contract.</p>
<p>Schools</p>	<p>Construction of a school, or building work for a school is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(vi) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
<p>Scout hall</p>	<p>Construction of a scout hall, or building work for a scout hall is not insurable. The Queensland Home Warranty Scheme only covers residential construction work (ie: residences or related roofed buildings). Since a scout hall is not used for residential purposes, it is not covered.</p> <p>Legislation:</p> <ul style="list-style-type: none"> • definition of residence: section 67WE of the <i>Queensland Building and Construction Commission Act 1991</i> • definition of related roofed building: section 67WF of the <i>Queensland Building and Construction Commission Act 1991</i>.
<p>Security door or grill</p>	<p>The installation, renovation, repair or replacement of a security door or grill (eg: a security screen) for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work: <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work: <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation: section 67WC(2)(d)(vi) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Sewerage treatment works

Building work for sewerage treatment works attached to a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 27(c)(ii) of the Queensland Building and Construction Regulation 2018.

Sewerage/wastewater

Refer to wastewater/sewerage.

Shade sails

The installation, renovation, repair or replacement of a shade sail is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 28(1)(c)(iii) of the Queensland Building and Construction Regulation 2018.

Shade sail as a roof

Where a shade sail is installed as the roof to a building on the site of a **residence**, this work is not insurable because the building is not a related roofed building.

Legislation: section 67WF(2)(b) of *Queensland Building and Construction Commission Act 1991* states that a building is not a **related roofed building** if its roof consists of a shade sail.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Shed, carport, garage

Construction of, or building work for, a shed, carport or garage that is a **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WF of *Queensland Building and Construction Commission Act 1991* – defines a **related roofed building**
- section 67WC of *Queensland Building and Construction Commission Act 1991* and section 27 of *Queensland Building and Construction Regulation 2018* state that construction of a related roofed building, or building work for a **related roofed building** is **primary insurable work**.

Note: Building work for a shed which is not used primarily for a purpose related to the use of the **residence** is not insurable. See section 26(d) of the *Queensland Building and Construction Regulation 2018*.

Shipping container fixed to site

The installation on a residential site of a shipping container to be used as a **residence** or related roofed building, is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(a) and section 67WE of the *Queensland Building and Construction Commission Act 1991*.

Note: The insurable value of the work includes the purchase price of the shipping container, the cost of transportation to the site and the cost of installation on site – see definition of “insurable value” in section 67WA of the *Queensland Building and Construction Commission Act 1991*.

A contract to construct a **residence** requires building materials to be obtained and delivered to the site so they can be used to build the **residence**. The delivery of a shipping container is one of the building materials used.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Shutter screens	<p>The installation, renovation, repair or replacement of shutter screens for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work: <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work: <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation: section 67WC(2)(d)(v) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Skirting boards	<p>Building work for skirting boards for a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme. • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Skylights	<p>Building work for a skylight in the roof of a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme. • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(a) of the <i>Queensland Building and Construction Regulation 2018</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Soffits

Building work for a soffit for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(b) of the Queensland Building and Construction Regulation 2018.

Solar panels and solar hot water systems**Solar panels**

The installation, renovation, repair or replacement of solar panels for a **residence** or **related roofed building** is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(d)(vii) of the *Queensland Building and Construction Commission Act 1991*.

Solar hot water system

The installation, renovation, repair or replacement of a solar hot water system for a **residence** or **related roofed building** is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(d)(iii) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Solid plastering

Building work for solid plastering for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Specialist Disability Accommodation (SDA)

Construction of Specialist Disability Accommodation (SDA) type housing that qualifies for NDIS funding requires careful consideration to determine whether it is considered residential construction work that is covered by the Queensland Home Warranty Scheme (Scheme) or not.

We find there are generally two scenarios:

Scenario 1 – Contract to build a residential dwelling that is **owned and occupied by private individuals** (this could be a person with disability who constructs a new home that they own) – these are normally class 1a under the NCC.

Scenario 2 – Dwellings that are constructed by private investors/developers as SDA homes and are subsequently rented to the market (these homes typically accommodate multiple unrelated persons with disability who have significant care requirements through an approved care provider) – these are normally class 1b or 3 under the NCC, **but could be other classifications including 1a**.

The provisions of the *Queensland Building and Construction Commission Act 1991* (the Act) at section 67WB specifically excludes certain work from the Scheme based on the intended use of the building and/or NCC building classifications. It states:

67WB Work not covered under the statutory insurance scheme

- (1) The following work is not eligible for assistance from the statutory insurance scheme—
- (a) building work on, or on the site of, a building or proposed building that is or forms part of any of the following—
 - ...
 - (vii) group accommodation for persons with a physical or mental disability;
 - ...
 - (b) other work prescribed by regulation.
- (2) Any work mentioned in subsection one is taken not to be primary insurable work or associated insurable work.

In relation to section 67WB(1)(f) of the Act, the Queensland Building and Construction Commission Regulation 2018 provides:

26 Work not covered under the statutory insurance scheme—Act, s 67WB

For section 67WB(1)(f) of the Act, the following work is prescribed—

- ...
- (e) work on of for a class 1b, 3, 4, 5, 6, 7b, 8 or 9 building;

While the Scheme can cover class 1a, 2 or 10 buildings, not all such buildings are covered. The QBCC understands that the intended use of an SDA dwelling is normally to accommodate multiple unrelated persons with disability, which would cause the work to be excluded from cover under s.67WB(1)(a)(vii) of the Act.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Stair lifts

Building work for a stair lift in a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Stairs**Internal stairs**

Building work for internal stairs for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

External stairs

Building work for external stairs providing access for, and permanently attached to a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 27(e) of the Queensland Building and Construction Regulation 2018
- section 27(a) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Stormwater

Building work for a structure attached to the external part of a **residence** or **related roofed building** for stormwater discharge:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Example: repairing downpipes or gutters that drain stormwater from a **residence** or **related roofed building** to a stormwater drain.

Legislation: section 27(c)(iii) of the Queensland Building and Construction Regulation 2018.

Swimming pool**Swimming pool – inground or above ground – fixed structure**

The erection, construction or installation of a fixed swimming pool, including a spa for a **residence** or proposed **residence**:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(d) of the *Queensland Building and Construction Commission Act 1991*.

Note: A swimming pool/spa is regarded as a fixed structure when:

- it is connected to the stormwater system for a building; or
- it is fixed to the ground by a physical system that fixes it to the land – eg: concrete foundations, permanently stumped, tie-downs attaching it to the ground or a footing system.

A swimming pool or spa is not a fixed structure if:

- It is simply immovable due to its own weight.
- This includes, but is not limited to the weight of the water in the swimming pool or spa.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Swimming pool**Swimming pool – not fixed**

A swimming pool that is not a fixed structure is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 26(h) of the Queensland Building and Construction Regulation 2018.

Container pool - fixed

Typically a “container pool” contains the pool shell together with the filtration unit. The container pool is transported to site.

The erection, construction or installation of a “container pool” that is a fixed structure, for a **residence** or proposed **residence** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(d) of the *Queensland Building and Construction Commission Act 1991*.

Renovation or repair of existing pool

The renovation or repair of an existing pool is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone.
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Reason: the *Queensland Building and Construction Commission Act 1991* states that it is only the initial erection, construction or installation of the pool that is insurable.

Legislation: section 67WC(1)(d) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Telephone or data cables	<p>The installation, renovation, repair or replacement of telephone or data cables for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work: <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work: <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation: section 28(1)(c)(iv) of the Queensland Building and Construction Regulation 2018.</p>
Temporary building eg: demountable home	<p>A building designed as a temporary building, including a demountable building, that is used as a residence is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Tennis court	<p>The installation, renovation, repair or replacement of a tennis court for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work: <ul style="list-style-type: none"> » Premium is not payable on a contract for this work alone » Defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work: <ul style="list-style-type: none"> » If included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » The work will be completed as part of a non-completion claim. <p>Legislation: section 67WC and section 67WD of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Tent	<p>Building work for a tent that is used as a residence is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme because it is not a residence.</p> <p>Construction of a tent, or building work for a tent is not insurable. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Termite barrier**Physical barrier**

Building work for installation of a physical termite barrier for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Chemical barrier

Building work for installation of a chemical termite barrier for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Tiling

Building work for tiling inside a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Tilt doors	<p>External</p> <p>Building work for installation of a tilt door for a residence or its related roofed building:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.</p>
	<p>Internal</p> <p>Building work for a tilt door inside a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation: section 67WC(1)(b) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Trailer	<p>Construction of a trailer, or building work for a trailer is not insurable. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Train	<p>Construction of a train, or building work for a train is not insurable. This work is excluded from being a residence under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WE(5)(a) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Transporting or moving a building**Transportation of a building**

A contract for the transportation only of a completed building (whole or in parts) to a residential site is not insurable work. This is excluded from being insurable under the legislation.

Legislation: section 67WB(1)(c) and (e) of the *Queensland Building and Construction Commission Act 1991*.

Installation on site

The installation of a transportable building on site that is a **residence** or related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(a) and section 67WE of the *Queensland Building and Construction Commission Act 1991*.

Note: The insurable value of the work includes the value of the construction offsite, the cost of transportation to the site and the cost of installation on site – see definition of “insurable value” in section 67WA of the *Queensland Building and Construction Commission Act 1991*.

A contract to construct a **residence** requires building materials to be obtained and delivered to the site so they can be used to build the **residence**. The delivery of a prefabricated **residence** is one of the building materials used.

The appropriate premium table to be used is that for new constructions – on the basis the contractor is constructing/installing a **residence** on a block of land that was previously vacant.

Transportable home

The purchase, transportation to site, and installation on site of a “transportable home” is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(a) and section 67WE of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Transporting or moving a building**Transportable home**

Note: The insurable value of the work includes the purchase price of the “transportable home”, the cost of transportation to the site and the cost of installation on site – see definition of “insurable value” in section 67WA of the *Queensland Building and Construction Commission Act 1991*.

A contract to construct a **residence** requires building materials to be obtained and delivered to the site so they can be used to build the **residence**. The delivery of a “transportable home” is one of the building materials used.

The appropriate premium table to be used is that for new constructions – on the basis the contractor is constructing/installing a **residence** on a block of land that was previously vacant.

Umbrellas

The installation, renovation, repair or replacement of a fixed umbrella is:

- NOT **primary insurable work**.
 - » premium is not payable on a contract for this work alone.
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**.
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work.
 - » the work will be completed as part of a non-completion claim.

Legislation: section 28(1)(c)(iii) of the Queensland Building and Construction Regulation 2018.

Umbrella as a roof

Where an umbrella is installed as the roof to a building on the site of a **residence**, this work is not insurable. This work is excluded from being a **related roofed building** under the Queensland Home Warranty Scheme.

Legislation: section 67WF(2)(b) of *Queensland Building and Construction Commission Act 1991* states that a building is not a **related roofed building** if its roof consists of an umbrella.

Underpinning

Building work for the underpinning of a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(f) of the Queensland Building and Construction Regulation 2018.

University

Construction of a university, or building work for a university is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.

Legislation: section 67WB(1)(a)(vi) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Vinyl Cladding

Building work for vinyl cladding for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(b) of the Queensland Building and Construction Regulation 2018.

Walk-in robe

Building work for a walk-in robe for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

Wall

Building work for an internal wall for a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 67WC(1)(b) of the *Queensland Building and Construction Commission Act 1991*.

TYPE OF WORK	IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?
Wastewater/ sewerage/septic tanks/septic systems	<p>Building work for a wastewater or sewerage system for a residence or its related roofed building is:</p> <ul style="list-style-type: none"> • if over \$3,300 IS primary insurable work: <ul style="list-style-type: none"> » premium is payable on the whole contract value for the works » the work will be completed as part of a non-completion claim » defects in this work are covered by the Queensland Home Warranty Scheme. • if \$3,300 or less and: <ul style="list-style-type: none"> » included in a contract for other primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim <ul style="list-style-type: none"> – defects in this work are covered by the Queensland Home Warranty Scheme – undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work. <p>Legislation:</p> <ul style="list-style-type: none"> • section 67WC(1)(c) of the <i>Queensland Building and Construction Commission Act 1991</i> • section 27(c)(ii) of the Queensland Building and Construction Regulation 2018. <p>Note: This work will also be insurable if its value is \$3,300 or less and it is carried out under a contract that includes primary insurable work.</p>
Watch house	<p>Construction of a watch house, or building work for a watch house is not insurable. This work is excluded from being insurable under the Queensland Home Warranty Scheme.</p> <p>Legislation: section 67WB(1)(a)(ii) of the <i>Queensland Building and Construction Commission Act 1991</i>.</p>
Water meters	<p>The installation, renovation, repair or replacement of a water meter for a residence or related roofed building is:</p> <ul style="list-style-type: none"> • NOT primary insurable work: <ul style="list-style-type: none"> » premium is not payable on a contract for this work alone » defects in this work are not covered by the Queensland Home Warranty Scheme. • IS associated insurable work: <ul style="list-style-type: none"> » if included in a contract for primary insurable work, premium must be paid on the value of all works, including this work » the work will be completed as part of a non-completion claim. <p>Legislation: section 28(1)(c)(v) of the Queensland Building and Construction Regulation 2018.</p>

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Water tanks**Water tank for primary water supply**

Building work for a water tank attached to a **residence** or its **related roofed building** is:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation:

- section 67WC(1)(c) of the *Queensland Building and Construction Commission Act 1991*
- section 27(c)(i) of the Queensland Building and Construction Regulation 2018.

Water tank not for primary water supply

The installation, renovation, repair or replacement of a water tank which is not part of the primary water supply for a **residence** or **related roofed building** is:

- NOT **primary insurable work**:
 - » premium is not payable on a contract for this work alone
 - » defects in this work are not covered by the Queensland Home Warranty Scheme.
- IS **associated insurable work**:
 - » if included in a contract for **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim.

Legislation: section 67WC(2)(d)(viii) of the *Queensland Building and Construction Commission Act 1991*.

**Window hood/
window cover/
window decoration**

Building work for a window hood/cover for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(b) of the Queensland Building and Construction Regulation 2018.

TYPE OF WORK

IS IT INSURABLE UNDER THE QUEENSLAND HOME WARRANTY SCHEME?

Window replacement

Building work for a window for a **residence** or its related roofed building:

- if over \$3,300 IS **primary insurable work**:
 - » premium is payable on the whole contract value for the works
 - » the work will be completed as part of a non-completion claim
 - » defects in this work are covered by the Queensland Home Warranty Scheme.
- if \$3,300 or less and:
 - » included in a contract for other **primary insurable work**, premium must be paid on the value of all works, including this work
 - » the work will be completed as part of a non-completion claim
 - defects in this work are covered by the Queensland Home Warranty Scheme
 - undertaken under a contract for this work alone, premium is not payable because the work does not meet the value threshold to be residential construction work.

Legislation: section 27(a) of the Queensland Building and Construction Regulation 2018.

Work carried out on own home vs speculative work for licenced contractors

Where a licensed building contractor carries out residential construction work under their licence on their own property and does not intend to sell the property within 6 years and 6 months after commencement of construction, there is no legislative obligation to pay an insurance premium for this work.

The licensed contractor must provide a statutory declaration to the Commission stating that the property is not intended for sale. The statutory declaration should also include an undertaking that a premium will be paid if the property is, for some reason, listed for sale at any time during the 6 years and 6 months after commencement of construction.

Reason:

- A premium is payable where a licensed contractor carries out residential construction work under a contract with a consumer
- A premium is also payable where a licensed contractor carries out speculative residential construction work
- However, where a licensed contractor carries out work on his own property and does not intend to sell, there is no contract with a consumer and this is not speculative residential construction work (because there is no intention to sell)
- Therefore there is no legislative obligation to pay premium.

Legislation:

- section 68B(1) and (2) of the *Queensland Building and Construction Commission Act 1991* – a premium must be paid where a licensed contractor carries out residential construction work under a contract with a consumer.
- section 68B(3) of the *Queensland Building and Construction Commission Act 1991* – a premium must be paid where a licensed contractor carries out speculative residential construction work.

Note: The owner of the land must be the licensed contractor who is actually carrying out the work. See the following examples:

If the land is owned by A, who is a licensed contractor, and the work is carried out by A (under an individual contractor's licence) – that is sufficient. Providing A does not intend to sell the property for the next 6 years 6 months, and signs the relevant statutory declaration, there is no legislative obligation to pay premium.

If the land is owned by the individual A, who is a director of licensed contractor XYZ Pty Ltd, and the work is carried out by XYZ Pty Ltd (under their company contractor's licence) – that is not sufficient. In this case A will have to enter a contract with XYZ Pty Ltd and the appropriate insurance premium will have to be paid.

For more information

Visit qbcc.qld.gov.au or call us on **139 333**.



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