

Building and Plumbing Newsflash 617

Extension of the professional indemnity insurance exemption period and new Queensland Private Building Certifier Course

Purpose

To advise industry the Building Regulation 2021 (BR 2021) has been amended to:

- extend the arrangements that allow private building certifiers to hold an external cladding related exclusion on their professional indemnity insurance policies
- prescribe the new Queensland Private Building Certifier Course and course provider to enable building certifiers to obtain a Building Development Approval (BDA) endorsement on their licence.

Background

Since commencement, the BR 2021 has been amended to better support industry and to provide additional clarity for building certifiers.

These 2023 amendments extend existing professional indemnity insurance exemption arrangements for private building certifiers. They also update the details prescribed in the BR 2021 regarding the course requirements to be eligible for the BDA endorsement on a building certifier's licence.

What are the key changes to expect?

The BR 2021 continues to support the objectives of the *Building Act 1975* and generally maintains the obligations and requirements that were in the BR 2006. The Building Amendment Regulation 2023 will make the following changes to the BR 2021.

Professional indemnity insurance

The exemption period that allows building certifiers to hold professional indemnity insurance with an exclusion relating to external cladding has been extended from 30 June 2023 to 30 June 2025.

The BR 2021 amendment will:

- extend the exemption period for a further 24-months that allows private building certifiers to hold an external cladding related exclusion on their professional indemnity insurance policies.
- give certifiers clarity on when their licences will be effective following the expiry of the exemption period on 30 June 2025.
- ensure that if a private certifier's licence has professional indemnity insurance exemption for cladding in force when the exemption period ends (30 June 2025), the exemption will continue to apply until the end of the one-year period after the licence was granted or last renewed, unless the licence is earlier cancelled, suspended, amended or surrendered.

For example, if the licence was renewed on 8 September 2024, the professional indemnity insurance cladding exemption will apply to the licence until 8 September 2025, even though the exemption period will end on 30 June 2025, unless the licence is earlier cancelled, suspended, amended or surrendered.

New Queensland Private Building Certifier Course

Under the *Building Act 1975*, for a private certifier to lawfully issue a Building Development Approval (BDA) they must have a BDA endorsement on their licence.

The Queensland Building and Construction Commission (QBCC) may make this endorsement on a private certifier's licence only if the certifier has, among other things, satisfactorily completed the course prescribed in BR 2021.

AssentTECS delivered the prescribed course since 2004 but is no longer a registered training organisation and delivered the last course in February 2022.

A new course provider, the College of Professional Development (CPD), was selected following a tender process and developed the Queensland Private Building Certifier Course to meet the requirements for a BDA endorsement on a certifier's licence.

The BR 2021 has been amended to:

- update the details of the new course and course provider to enable building certifiers to meet the legislative requirements for obtaining a BDA endorsement on their licence
- provide transition arrangements to ensure certifiers who previously completed the AssentTECS course continue to be eligible for the BDA endorsement on their licence.

More information

For more information on the new legislation visit the [Department of Energy and Public Works website](#).

For more building industry information visit the [Business Queensland website](#).

For more information on the Queensland Private Building Certifier Course visit the [CPD website](#).

Contact us

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