1. The Queensland Building and Construction Commission’s (QBCC) compliance and enforcement powers include the ability to direct a person to rectify defective or incomplete building works or remedy consequential damage.
2. From 1 October 1999, the rectification period, within which a person must comply with the direction, was legislated in the *Queensland Building and Construction Commission Act 1991* (QBCC Act) to be at least 28 days, unless QBCC was satisfied there was a significant hazard, or a substantial loss might otherwise be incurred.
3. In 2019, amendments to the QBCC Act commenced to provide for the rectification period to be prescribed by regulation. At the time, no regulation was made. In the absence of a prescribed rectification period, QBCC continued its existing practice of generally providing 35 days for a person to rectify building work, from the day the direction is issued. This provides a minimum 28-day period for the work to be completed and allows for the postage and receipt of directions.
4. Cabinet noted the Queensland Building and Construction Commission (Rectification of Building Work) Amendment Regulation 2021 was being progressed concurrently for Governor in Council consideration, to prescribe that a period of 35 days must be stated in a direction.
5. Cabinet approved the preparation of amendments to the *Queensland Building and Construction Commission Act 1991* to retrospectively validate directions (and any necessary validation of consequential actions taken arising from those directions) that have been made on or after
11 November 2019.
6. Cabinet approved the amendments be introduced as an amendment during consideration in detail.
7. *Attachments*:
* [Justice and Other Legislation Amendment Bill 2021 amendments during consideration in detail (part 8A)](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)
* [Statement of Compatibility](Attachments/SoC.PDF)