

Professional Engineers and Other Legislation Amendment Bill 2014

Amendments during consideration in detail to be moved by
The Honourable the Minister for Housing and Public Works

1 After clause 33

Page 20, after line 28—

insert—

33A Omission of s 246CZ (Review of PSC's decision)

Section 246CZ—

omit.

2 Clause 34 (Replacement of ch 8, pt 9 (Pool Safety Council))

Page 23, line 15, '256(6)'—

omit, insert—

256(6) or (7)

3 Clause 36 (Amendment of s 256 (Prosecution of offences))

Page 24, lines 19 and 20—

omit, insert—

(5) Section 256(2)(g) and (h)—

omit, insert—

(g) for an offence against section 246AP(2)—the QBCC commissioner or a local government; or

(h) for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2)—the QBCC commissioner, a local government or a

person authorised by a local government; or

4 Clause 36 (Amendment of s 256 (Prosecution of offences))

Page 25, after line 4—

insert—

- (7) All penalties recovered as a result of an infringement notice served under the *State Penalties Enforcement Act 1999* for an offence against this Act and for which QBCC is the administering authority for the infringement notice must be paid to the QBCC commissioner.
- (8) In this section—
administering authority, for an infringement notice, see the *State Penalties Enforcement Act 1999*, schedule 2.

5 Clause 47 (Insertion of new pt 2, div 3)

Page 44, lines 1 to 4—

omit, insert—

- (2) The following must be applied toward the administration of this Act, including monitoring and enforcing compliance with this Act—
 - (a) revenue received under subsection (1);
 - (b) a monetary penalty recovered for an offence and paid to QBCC.

6 Clause 52 (Amendment of s 138 (Offences under Act are summary))

Page 46, after line 3—

insert—

- (5) All penalties recovered as a result of proceedings for which the QBCC commissioner, or a person authorised by the commissioner, is the complainant must be paid to QBCC.
- (6) All penalties recovered as a result of an infringement notice served under the *State Penalties Enforcement Act 1999* for an offence against this Act and for which QBCC is the administering authority for the infringement notice must be paid to QBCC.
- (7) In this section—
administering authority, for an infringement notice, see the *State Penalties Enforcement Act 1999*, schedule 2.

7 **Clause 63 (Amendment of s 86 (Reviewable decisions))**

Page 59, after line 9—

insert—

- (3) Further, a decision of the commissioner relating to the accumulation of demerit points by a pool safety inspector under the *Building Act 1975* is a *reviewable decision*.

8 **Schedule 1 (Minor and consequential amendments)**

Page 78, amendment 16, table after line 5, entries for section 246CZ, heading and section 246CZ(1)—

omit.