

17 August 2022

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Ms Anissa Levy  
CEO and Commissioner  
Queensland Building & Construction Commission  
299 Montague Road  
West End Qld 4101

VIA EMAIL: [anissa.levy@qbcc.qld.gov.au](mailto:anissa.levy@qbcc.qld.gov.au)

Dear Ms Levy,

**RE: NOMINEE SUPERVISORS**

Over the past year or so, Master Builders has been approached by a significant number of its members experiencing a common problem. Namely, builders and trade contractors, who are qualified and experienced and have previously held the relevant contractor class of licence, but changed their licence to nominee supervisor type when working as employees (or director) or a licensee company, being unable to change back to a contractor type.

The reason for changing licence type can be to avoid duplicate MFR annual reporting and/or avoid higher licence renewal fees. Affected Master Builders members have informed us that the change of licence type was often as a result of active encouragement by QBCC (and formerly BSA) staff who assured licensees at the time of the change to nominee supervisor that it was an easy process to upgrade back to contractor type at any time.

If the company closes, employment ceases and/or the person would like to once again contract with the public, the person will need to once again hold a contractor type licence with the QBCC.

According to our membership, over a period of around 20 years (prior to the last year or so), the active nominee supervisor licence and the previously-completed technical qualification were together accepted as an 'equivalent qualification' for the contractor type licence.

Unfortunately, it appears this long-standing practice has recently changed (in the past 12 – 24 months) and an active licence together with a previously-completed qualification is no longer accepted by the QBCC as an 'equivalent qualification'. That is, it would appear that the QBCC's current practice is that once a contractor licence is relinquished, even though the nominee supervisor licence is held, the technical qualifications for licensing must be met afresh.

For example, if a builder completed the relevant vocational course in 1990, and has been working in the industry ever since, that builder will not be able to meet the technical qualifications for licensing to obtain a builder contractor licence today as the currently specified course in the technical qualifications is different


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to the one completed in 1990. This is despite over 30 years continuous experience and continuous licence status (even though there was a change from contractor to nominee supervisor to work for a company).

Master Builders Queensland considers this outcome is unfair, unjust and unintended.

Numerous qualified builders and trade contractors are being disadvantaged and unable to work in Queensland, despite relying on advice from the QBCC at the time of changing to a nominee supervisor licence that it would be a simple process to change back to a contractor licence at any time.

While a potential solution may be for the nominee supervisor to create a company and apply for a contractor licence in the company's name, this seems absurd, requiring two licences and other administrative costs.

At a time when trades are in such short supply, it seems counter-intuitive to disallow qualified persons to work in the Queensland building industry.

We are requesting the QBCC review its practice in this regard and permit an active nominee supervisor licence and the previously-completed technical qualification as an 'equivalent qualification' for the relevant contractor licence.

Yours Sincerely,

**Paul Bidwell**  
**CEO**  
**Master Builders Queensland**

