

# APPRAISAL LOG

Queensland Building & Construction Commission (QBCC) Retention and Disposal Schedule

Date: 15 December 2023

# EXPLANATORY NOTES

## APPLICABLE LEGISLATION/STANDARDS FOR THE BUILDING AND CONSTRUCTION SECTOR IN QUEENSLAND

There are numerous regulatory and legislative requirements – as well as professional codes, standards, guidelines and policies that apply to creating, keeping and managing public records for the Building and Construction sector in Queensland. Below is a comprehensive listing of applicable legislation and standards that have been identified as relevant to public records that are managed under the Queensland Building and Construction Commission retention and disposal schedule:

### LEGISLATION THAT APPLIES TO QUEENSLAND BUILDING AND CONSTRUCTION COMMISSION:

- *Queensland Building & Construction Commission Act 1991*
- *Queensland Building & Construction Commission Regulation 2018*
- *Queensland Building and Construction Commission (Minimum Financial Requirements) Regulation 2018*
- *Queensland Building and Construction Commission (Mechanical Services Licences) and Other Legislation Amendment Regulation 2019*
- *Queensland Building and Construction Commission and Other Legislation (Fire Protection Licensing) Amendment Regulation 2021*
- *Queensland Building and Construction Commission (Mechanical Services Licences) Amendment Regulation 2021*
- *Building and Construction Legislation (Non-conforming Building Products - Chain of Responsibility and Other Matters) Amendment Act 2017*
- *Plumbing and Drainage Act 2018*
- *Plumbing and Drainage Regulation 2019*
- *Building Act 1975*
- *Building Regulation 2021*
- *Building Industry Fairness (Security of Payment) Act 2017*
- *Building Industry Fairness (Security of Payment) Regulation 2018*
- *Building Fire Safety Regulation 2008*
- *Electrical Safety Regulation 2013*
- *Building and Other Legislation Amendment Act 2022*

**PUBLISHED MATERIALS FROM QUEENSLAND GOVERNMENT DEPARTMENTS AND PROFESSIONAL BODIES INCLUDING, BUT NOT LIMITED TO, STANDARDS, GUIDELINES, POLICIES AND CODES:**

- Queensland Development Code
- National Construction Code
- Building Code of Australia
- Plumbing Code of Australia
- Queensland Development Code (QDC) MP 2.5 – Use of External Cladding
- Queensland Development Code (QDC) MP 3.4 – Swimming Pool Barriers
- Australian Standard AS 1926.1 – Swimming Pool Safety
- Australian Standard AS 1926.2 – Swimming Pool Safety Barriers

Title	Scope Note
<b>REGULATORY COMPLIANCE, STANDARDS, ENFORCEMENT AND RESOLUTION</b>	<i>The core functions for ensuring appropriate standards of conduct for building and construction industry participants. This is achieved through educating and advising building industry stakeholders and practitioners, monitoring compliance with legislation and regulatory codes, undertaking investigations and taking legal action where required</i>

Activity
<p><b>RESOLUTION MANAGEMENT</b></p> <p><i>The activities associated with the management of defective or incomplete building work. Includes: mediating and negotiating to resolve disputes, assessing matters and investigating case matters.</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2762	<p><b>Resolution Case Files</b></p> <p>Records relating to assessing and investigating complaints concerning residential building works that are defective or not completed. Includes matters relating to unlicensed builders.</p> <p><b>Disposal action –</b></p> <p>10 years after business action completed</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Covering the activities associated with responding to customers in relation to defective work claims for residential buildings. Includes mediating and negotiating to resolve matters, investigating and assessing cases, research, enforcing compliance responsibilities and providing expert technical advice.</p> <p>Examples of defective works includes but are not limited to:</p> <ul style="list-style-type: none"> <li>• The design of a building.</li> <li>• Inadequate or incorrect site drainage.</li> <li>• Extensive cracking or dislodgement of floor or wall tiles.</li> <li>• Leaks in roofs, showers, doors, windows or walls.</li> <li>• Defective building work that is both before and after the contract is complete.</li> <li>• Incomplete work due to bankruptcy, liquidation, death or the contractor not holding a current licence.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<ul style="list-style-type: none"> <li>• Property damage caused by building work carried out on a neighbouring property.</li> <li>• A pre-purchase or pest inspection report that did not identify possible defects.</li> </ul> <p>When the defective work has been investigated, a decision will be made whether to issue a formal Direction to Rectify to the complainant and any contracted builder / subcontractor.</p> <p><b>Why the records are retained for this retention period:</b></p> <p><i>QBCC Act 1991, s72A(4)</i> caps claims at 6 years and 6 months unless extended.</p> <p>A 10-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The 10-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 2.3 – Compliance, Investigations, Disciplinary Action, Reviews – Retain for 10 years - as issued by the Public Record Office Victoria (PROV).</i></p> <p><i>RA 2019/00447636 for the Australian Building and Construction Commission (ABCC), 62698, Investigation cases (Site Visits, Photographs, Notices Issued, Enforcable Undertakings) – Retain for 7 years after last action - as issued by the National Archives of Australia (NAA).</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule:</i></p> <ul style="list-style-type: none"> <li>• Resolution case files – insurance related – retain for 12 years after last action and finalisation of all appeals processes</li> <li>• 1.1.2 – Resolution case files – not insurance related – retain for 10 years after resolution application is received</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2763	<p><b>Resolution Case Files – Not Proceeded With</b></p> <p>Records relating to matters concerning building works issues and claims that do not proceed to being a formal case.</p> <p><b>Disposal action –</b> 2 years after business action completed</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>This covers records relating to proposed resolution cases that for various reasons do not proceed to the resolution stage.</p> <p>A case may not proceed in instances where:</p> <ul style="list-style-type: none"> <li>• Works are outside the scope of the <i>Queensland Building and Construction Commission Act 1991</i></li> <li>• Parties reach an equitable agreement / conclusion.</li> <li>• The owner withdraws the complaint before commencement of the resolution process.</li> <li>• An owner is required to lodge a fresh complaint form if they want to reopen a withdrawn case or a case that has not been proceeded with.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>A case may not proceed in instances where the works are outside the remit of the QBCC, parties reach an equitable solution, or the owner withdraws the complaint before the QBCC commences the resolution process. An owner is required to lodge a fresh complaint if they want to open a withdrawn case or one that has not been proceeded with. The recommended retention period is therefore appropriate for reference to cases that do not proceed.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule (GRDS)</i> – 1265 Projects that do not proceed – 2 years after business action completed.</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule - 1.1.3 Resolution case files – not proceeded with – retain for 2 years after last action</i></p>

**Activity****BUILDING PRODUCT STANDARDS**

*The activity of regulating building products to protect consumer safety and ensuring those involved in the production, supply and installation of building products are held responsible for the safety of the products and their use. This includes undertaking preliminary assessments to determine the safety risk of the potential non-conforming building product (NCBP) and utilising investigative powers to enter buildings, work sites etc. and gather evidence in accordance with s.74AB of the Queensland Building & Construction Commission Act 1991.*

Disposal Authorisation	Record class and retention period	Justifying the retention period
2764	<p><b><i>Building Product Assessments, Complaints and Investigations – Non-Conforming Building Products - Significant</i></b></p> <p>Records relating to the management of matters that involves major investigation and/or significant action that:</p> <ul style="list-style-type: none"> <li>• Create a precedent</li> <li>• Lead to major changes to policies and procedures</li> </ul> <p><b>Disposal action –</b></p> <p>Permanent. Transfer to QSA after business action completed</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>The purpose of building product compliance is to prevent sub-standard building materials from getting into the supply chain. A non-conforming building product (NCBP) is a building product that:</p> <ul style="list-style-type: none"> <li>• Is not, or will not be safe; or</li> <li>• Does not, or will not, comply with the relevant regulatory provisions or standards; or</li> <li>• The product does not perform, or is not capable of performing, for use to the standard it is represented to perform by or for a person in the chain of responsibility for the product.</li> </ul> <p>When the QBCC is made aware of a potential non-conforming building product, the Commission will undertake a preliminary assessment to consider the safety risk of the potential NCBP and respond based on the level of risk.</p> <p>Under section <i>74AF of the QBCC Act 1991</i>, each person within the chain of responsibility has a duty to ensure their actions do not lead to an NCBP being supplied and/or used in association with a building.</p> <p>Records relating to:</p> <ul style="list-style-type: none"> <li>• Testing and assessment of building and construction industry products and materials that fail to comply with Australian standards and codes which poses a significant risk to public safety through unsafe or structurally unsound buildings.</li> <li>• Inspections and providing detailed information or advice to affected persons.</li> <li>• Remedial and/or legal action against suppliers of defective non-conforming products.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><b>Why the records are retained for this retention period:</b></p> <p>Non-conforming building products (NCBPs) are a nation-wide issue that affects not just the building industry but the community as a whole. Queenslanders expect the buildings in which they live, work and visit to be safe, and the products used in their construction meet the relevant building standards and community expectations. Non-conforming building products (NCBPs) put lives at risk with defective building products posing a significant risk to public safety. This disposal authorisation covers records relating to the management of matters that involve major investigations and/or significant action that create precedent or lead to major changes to building policies and procedures. These records will have ongoing value to the people of Queensland as records of major incidents and investigations that involve serious risk to public safety (e.g., combustible cladding). The community would expect that records relating to significant building safety incidents are retained for a significant period to provide evidence of actions and decisions and support the rights and entitlements of any affected parties. A permanent retention ensures these records will also be available for ongoing accountability and legal requirements (e.g., major formal inquiries such as the Grenfell Tower Inquiry in the UK).</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>QSA permanent appraisal characteristics:</b></p> <p>These records provide evidence of the following characteristics from the Queensland State Archives Appraisal Statement and should be retained as archival records for future research:</p> <ul style="list-style-type: none"> <li>• 4 – significant impact on individuals</li> <li>• 5 – substantial contribution to community memory</li> </ul> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 480 v.4, Local Government Sector retention and disposal schedule – 24.3.4 – Investigations and Inspections – Major – Retain Permanently.</i></p> <p><i>GA39, Local Government Records – Compliance – Serious Breaches - 20.2.1 - Retain Permanently - as issued by NSW State Archives and Records Authority (SARA).</i></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 2.1 – Compliance Management – Substantive Matters - Retain Permanently - as issued by the Public Record Office Victoria (PROV).</i></p> <p><b>Other comments/factors for consideration:</b></p>



Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>Building and Construction Legislation (Non-Conforming Building Products – Chain of Responsibility and Other Matters) Amendment Act 2017, s.74AZ(3) ~ Recall Orders remain in force until the end of 2 years unless sooner revoked by the Minister.</i></p> <p><b>Previous schedule references:</b> New disposal authorisation.</p>
2765	<p><b><i>Building Product Assessments, Complaints and Investigations – Non-Conforming Building Products - Other</i></b></p> <p>Records relating to the management of assessments and/or complaints that require investigation and/or a specific response.</p> <p><b>Disposal action –</b> 10 years after conclusion of investigation  OR 10 years after the expiry of the related recall order, whichever is later.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b> A non-conforming building product (NCBP) is a building product that:</p> <ul style="list-style-type: none"> <li>• Is not, or will not be safe; or</li> <li>• Does not, or will not, comply with the relevant regulatory provisions or standards; or</li> <li>• The product does not perform, or is not capable of performing, for the use to the standard it is represented to perform by or for a person in the chain of responsibility for the product.</li> </ul> <p>When the QBCC is made aware of a potential non-conforming building product, the Commission will undertake a preliminary assessment to consider the safety risk of the potential NCBP and respond based on the level of risk.</p> <p>Everyone in the building product supply chain, including designers, importers, manufacturers, suppliers, architects, engineers, installers and homeowners are responsible for ensuring that all building products are fit for their intended purpose and are not NCBPs.</p> <p>Under section 74AF of the QBCC Act 1991, each person within the chain of responsibility has a duty to ensure their actions do not lead to an NCBP being supplied and/or used in association with a building.</p> <p>Each person in the chain of responsibility has a duty to:</p> <ul style="list-style-type: none"> <li>• Ensure a building product is not a non-conforming building product for an intended use.</li> <li>• Provide required information about the product and for its intended use.</li> <li>• Understand the product and its intended use.</li> <li>• Report non-conforming building products to the QBCC.</li> <li>• Give notice of a notifiable incident involving a non-conforming building product.</li> <li>• Comply with Recall Orders.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>Records relating to complaints about building products including the provision of detailed information or advice to clients and remedial action (undertakings) against suppliers of non-conforming products. Includes site inspections, proactive audits and evidence (photos etc.).</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Gathering of evidence for potential regulatory or legal action.</p> <p>A 10-year retention period for complaints ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The ten-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule (GRDS) – 1073 - Enquiries, Complaints and suggestions – Investigations or Legal significance – retain for 7 years after business action completed.</i></p> <p><i>RA 2019/00447636 for the Australian Building and Construction Commission (ABCC), 62698, Investigation Cases (Initial Complaint/s, Interviews, Site Visits, Photographs, Notices, Actions, Decisions), retain for 7 years - as issued by the National Archives of Australia (NAA).</i></p> <p><i>QDAN 480 v.4, Local Government sector retention &amp; disposal schedule -7.4.1 – Approval of Building Products – retain for 5 years after last action.</i></p> <p><b>Other comments/factors for consideration:</b></p> <p><i>Building and Construction Legislation (Non-Conforming Building Products – Chain of Responsibility and Other Matters) Amendment Act 2017, s.74AZ(3) ~ Recall Orders remain in force until the end of 2 years unless sooner revoked by the Minister.</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>

## Activity

### LICENSING AND PERMIT MANAGEMENT

The activities associated with granting licences in accordance with the QBCC Act 1991 for building and trade contractors. Includes approving and renewing business (commercial) and occupational licences, assessing and determining individual licence applications, annual renewal returns, issuance of license cards or certificates, updating licensee details, reporting and issuing owner builder permits.

Disposal Authorisation	Record class and retention period	Justifying the retention period
2766	<p><b>Licensing files</b></p> <p>Records relating to licences issued by the Queensland Building &amp; Construction Commission under s.30 of the <i>QBCC Act 1991</i> and granting of licences per s.12 of the <i>Plumbing and Drainage Act</i>.</p> <p><b>Disposal action –</b></p> <p>60 years after registration of licence</p> <p><b>OR</b></p> <p>12 years after cessation of a licence for a registered business or company</p> <p><b>OR</b></p> <p>3 years after death of licensee.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>To ensure that building and construction industry practitioners (including building certifiers) are suitably qualified and comply to codes of practice for licence holders covering both individuals and companies.</p> <p>Associated activities include approving and renewing business and occupational licences, assessing and determining licence applications, compulsory continuous professional development (CCPD) and skills accreditation, issuance of annual renewals etc.</p> <p>A licence can be terminated by cancellation, retirement, suspension, expiry or death of the licensee.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Records of licensees need to be kept for the working life of the licence holder. Retention is intended to represent this based on assumed average age of new licence holders to be approx 25-30 years old.</p> <p>This single record for the licensee holds the history of all actions associated with the industry practitioner and covers the initial registration process, any compulsory continuing professional development, reports to the agency, audits, caution notices, suspensions etc.</p> <p>Whilst this appears to be a significant difference in retention from the previous authorisation of 12 years after termination of licence, the assumption of the previous retention was that the licence is held for the majority of the licensee's working life. This assumption also underpins the current retention period but has been differentiated between individuals and corporations for clarity.</p> <p>The other driver for the retention of the licence record for the working life is for the purpose of mutual recognition processes. This covers individuals who move interstate and want to convert their Queensland licence to the nearest equivalent licence in the state or territory that they are moving to. This reciprocal arrangement also applies to New Zealand in certain circumstances.</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>Another aspect of retaining the licence record for working life is for instances of where the licensee has been suspended for a nominated period (usually 5 years). After the lapsing of a suspension, an individual may reapply for an (occupational) licence. If this is approved or not, this forms part of the original licence file.</p> <p>Records of commercial licensees, such as a registered business or company will be retained for 12 years after cessation of the licence in accordance with s.10(3) of the <i>Limitation of Actions Act 1974</i>.</p> <p>In summary, the retention of licence registration files for the working life of the licensee serves to promote confidence and continuity in the professional activities of licence holders and to ensure that persons involved in the Building and Construction Industry are held responsible for the standards and safety of their work. It also provides a consistent history of professional conduct across jurisdictions.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 1.2 – Licence Registration, retain for 75 years – as issued by the Public Record Office, Victoria (PROV).</i></p> <p><i>PROS 19/01, Gambling &amp; Liquor Regulation, 1.2 – Licensing Management, retain 65 years – as issued by the Public Record Office, Victoria (PROV).</i></p> <p><i>QDAN 742, v.2, Qld Racing Integrity Commission (QRIC) - 1.16.2 – Licences &amp; Permits Granted - Other - retain 25 years after licence/permit expires or ceases.</i></p> <p><b>Other comments/factors for consideration:</b></p> <p>The information exchanged between the corporate information management system (Content Manager) and the QBCC case management system (SalesForce) concerning history of licensees is not altogether comprehensive, so it's difficult to readily ascertain the current status of a licence holder. Using a retention period based on the assumed working life of a licensee is more practical and workable.</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission Retention and Disposal Schedule:</i></p> <ul style="list-style-type: none"> <li>• 1.2.1 – retain for 12 years after termination or refusal of licence.</li> <li>• 1.3.1 – retain for 12 years after termination or refusal of licence.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2767	<p><b><i>Licensing Exemptions</i></b></p> <p>Records relating to applications for exemption from licensing requirements per schedule 1(10) of QBCC Regulation 2018 for charitable or community organisations.</p> <p><b>Disposal action –</b> 7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Used for assessment of applications from charitable or community organisations for exemption from licensing requirements for building works.</p> <p>Under schedule 1, section 10 of the <i>QBCC Regulation 2018</i>, work performed by a charitable or community organisation for its' own use is not building work and does not require a contractor licence per the <i>QBCC Act 1991</i> if the Commission gives the organisation written notice that the work can be excluded from the definition of building work.</p> <p>In considering whether to give the notice, the QBCC must have regard to the qualifications and experience of the persons who are supervising the work. The QBCC also cannot give an exclusion for residential construction work.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>The recommended retention period allows building work that takes a considerable amount of time to be completed. Based on QBCC experience, projects of this nature are usually completed or discontinued within 7 years from the date of granting or refusing the exemption. This work is not covered by the Home Warranty Scheme.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>GA28, General Retention &amp; Disposal Authority for New South Wales Public Offices, 12.7.2 – Exemptions for Complying with Statutory Requirements – retain for 10 years – as issued by the NSW State Archive &amp; Records Authority (SARA).</i></p> <p><i>QDAN 711, General Retention and Disposal Authority for Administrative Records of National Bodies, 6.11.3 – Exemptions - Financial Management and Legislation – retain for 7 years after expiry or refusal of exemption.</i></p> <p><i>QDAN 480 v.4, Local Government Sector retention and disposal schedule - 7.10.1 - Approved Swimming Pool Fencing Exemptions - retain for 7 years after exemption ceases.</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>PROS 09/05, Var 2, Retention &amp; Disposal Authority for Local Government Functions, 6.1.2 – Exemptions for Registration by Council of a Business – retain for 7 years after last action - as issued by the Public Record Office Victoria (PROV).</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule - 1.2.2 - Exemptions – retain for 7 years after expiry or refusal of exemption.</i></p>
2768	<p><b>Owner Builder Permits</b></p> <p>Records relating to owner builder permits issued under s.44 of the <i>Queensland Building &amp; Construction Commission Act 1991</i>.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Assessment of applications for issuance of owner builder permits and any attendant activities for life of permit (usually 6 years).</p> <p>The Titles Office enters a Notice in the Property Register stating that building works have been performed by an owner builder. The amendment is held for seven (7) years.</p> <p><b>Why the records are retained for this retention period:</b></p> <p><i>QBCC Act 1991, s.44D</i> permit ends 6 years after issuance. A note is placed against the property by the Titles Office for 7 years. The statutory Home Warranty Insurance scheme does not apply to work done by owner builders.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 480 v.4 Local Government Sector Retention &amp; Disposal Schedule - 10.14.1 – Occupational Permits – retain for 7 years after permit expires.</i></p> <p><i>NI2015-359, Road &amp; Rail Management Records, 188.014.002 - Issue of Permits - retain for 7 years, as issued by the Territory Records Office (ACT).</i></p> <p><i>PROS 20/01 for the Victorian Building Authority, 3.3 - Applications for a Certificate of Consent to Operate as an Owner Builder – retain for 10 years - as issued by Public Record Office, Victoria (PROV).</i></p> <p><b>Previous schedule references:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule - 1.2.3 – Owner Builder Permits – retain for 7 years after termination or refusal of permit.</i></p>
2769	<p><b><i>Licence Enquiries, Liaison and Customer Communications</i></b></p> <p>Records relating to enquiries, general correspondence and liaison regarding licensing services.</p> <p><b>Disposal action –</b> 7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>General files used to support licensing services provided by the agency. Includes providing information on licence requirements, what sort of work a licensee can do, legacy transitional licence and mutual recognition matters, web reports and other information, mail-outs to notify clients of licensing process changes such as fees, reporting requirements and other licence conditions.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>RA 2019/00447636, Australian Building and Construction Commission (ABCC), 62697 - General Enquiries – retain for 3 years – as issued by the National Archives of Australia (NAA).</i></p> <p><i>GDS-30 v.2, General Disposal Schedule for State Government Agencies in South Australia, 3.4.1 – Enquiries requiring a routine or specific response – retain for 8 years - as issued by State Records of South Australia.</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule :</i></p> <ul style="list-style-type: none"> <li>• 1.2.4 - General Licence Enquiries – retain for 7 years after last action.</li> <li>• 1.2.7 – General Enquiries – retain for 2 years after last action.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2770	<p><b>Administration of Licensing</b></p> <p>General administrative records, primarily legacy working files, supporting processing of licence applications, renewals and production and/or issuance of licence registration identity ID cards.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Covers administrative processes supporting the licensing function of the QBCC. Includes legacy licensing administration files created by the former Building Services Authority (BSA).</p> <p><b>Why the records are retained for this retention period:</b></p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01 for the Victorian Building Authority</i>, 1.3 – Administrative records documenting and supporting the Registration and Licensing function – retain 10 years – as issued by the Public Record Office Victoria (PROV).</p> <p><i>PROS 19/01, Gambling &amp; Liquor Regulation, Licensing Management</i>, 1.3 – Licensing Management short term administrative records – retain for 7 years – as issued by the Public Record Office, Victoria (PROV).</p> <p><i>RA 2019/00447636 - Australian Building and Construction Commission (ABCC)</i>, 62698 – Routine Operational Administrative Tasks supporting Core Business Activities – retain for 7 years – as issued by the National Archives of Australia (NAA).</p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>
2771	<p><b>Industry Skills and Supply Shortages Mediation</b></p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p>



Disposal Authorisation	Record class and retention period	Justifying the retention period
	<p>Records relating to the Accelerated Builder &amp; Consumer Disputes (ABCD) program involving services aimed to address issues associated with materials and/or labour shortages in the (residential) construction industry largely caused by Covid-19.</p> <p><b>Disposal action –</b> 7 years after business action completed.</p>	<p>New service being offered by the QBCC from July 2021 in response to industry disruptions caused by Covid-19.</p> <p>Assistance to homeowners and builders facing rising costs and material shortages now have access to free help to get their homes built.</p> <p>The Accelerated Builder and Consumer Disputes (ABCD) service went live on 1 July 2021, with free professional mediators to help homeowners and embattled builders find a way to get their homes completed.</p> <p>The ABCD will give homeowners and builders a way to get together with the help of a professional problem solver to achieve what both sides ultimately signed up for – builders want to get the job done and homeowners want to get into their homes.</p> <p>Designed to open the lines of communication, this new framework will arm builders and their customers with the right information to discuss reasonable and realistic solutions and navigate the impact of these shortages, delays and cost escalations.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>FA430 for the Department of Customer Service</i>, 1.5.2 – Mediation Programs – retain 10 years - as issued by the NSW State Archive &amp; Records Authority (SARA).</p> <p><i>General Retention and Disposal Schedule (GRDS)</i> - 1026 - Client Relationships Management – 7 years after business action completed.</p> <p><b>Previous schedule references:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		New disposal authorisation

## Activity

### ***BUILDING CERTIFICATION***

*The activities associated with investigating complaints made against licensed building certifiers. Includes auditing certifiers and undertaking building site audits.*

Disposal Authorisation	Record class and retention period	Justifying the retention period
2772	<p><b><i>Building Certifier Complaints</i></b></p> <p>Records relating to complaints made about building certifiers per s.190 of the <i>Building Act 1975</i>. Includes matters concerning the conduct of building certifiers and allegations of unsatisfactory conduct or professional misconduct.</p> <p><b>Disposal action –</b> 12 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records used to assess and investigate complaints and collate corroborative information and/or evidence so as to take remedial or legal action where deemed appropriate to do so.</p> <p>The complaint action process is governed by s.204 of the <i>Building Act 1975</i>. The complaint may be resolved by mediation (if deemed to be an appropriate action) per s.192 and s.193 of the <i>Building Act 1975</i>.</p> <p>A building certifier's failure to act in the public interest may result in disciplinary action being taken. Examples of a building certifier failing to act in the public interest include:</p> <ul style="list-style-type: none"> <li>• Seeking or accepting a benefit to themselves or others for acting contrary to their statutory functions.</li> <li>• Acting contrary to their statutory functions.</li> <li>• Falsely claiming to hold the appropriate licence needed to carry out building assessments of a particular type.</li> <li>• Acting outside the scope of their legislated powers.</li> <li>• Contravening the Code of Conduct for Building Certifiers.</li> <li>• Acting in a grossly negligent or incompetent way.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>Under s.190(6a) of the <i>Building Act 1975</i> the cut-off period for complaints is 7 years.</p> <p>A twelve-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The twelve-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>FA430 for the Department of Customer Service</i>, 1.4.3 – Routine Complaints – retain for 10 years - as issued by the NSW State Archive &amp; Records Authority (SARA).</p> <p><i>QDAN 742 v.2 Queensland Racing Integrity Commission (QRIC)</i> - 1.8.1 – Complaints Resolution – retain for 7 years after action completed.</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule</i> - 1.3.3 – Licenced Building Certifier Complaints – retain 12 years after last action.</p>

Activity
<p><b>COMPLIANCE</b></p> <p><i>The activity of monitoring and auditing of statutory compliance and reporting to the Queensland Building and Construction Commission (QBCC).</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2773	<b>Industry Education and Technical Training</b>	<b>Date authorised:</b> 15 December 2023

Disposal Authorisation	Record class and retention period	Justifying the retention period
	<p>Records relating to the delivery, development and/or assessment of industry training courses, programs, seminars and workshops where the agency is not a Registered Training Organisation (RTO).</p> <p><b>Disposal action –</b> 7 years after business action completed.</p>	<p><b>Why are these records created:</b></p> <p>Records dealing with delivering, developing, reviewing and/or assessing of content for industry accredited courses. Includes liaison with and advice to RTOs and the Qld Department of Education and delivery of workshops designed to educate building and construction industry practioners.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Multimedia course material (DVDs, CD ROMs, Floppy Disks, printed materials etc.).</li> <li>• Handouts and follow-up activities.</li> <li>• Presentations and/or Programs.</li> <li>• Training Material and Facts Sheets.</li> <li>• Development and review of course content, brochures, pamphlets and booklets for use by the building and construction industry.</li> <li>• Liaison with and advice to RTOs delivering accredited industry training courses.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>RA 2019/00447636, Australian Building and Construction Commission (ABCC), 62697 – Development of Training or Education Materials – retain for 3 years - as issued by the National Archives of Australia (NAA).</i></p> <p><i>General Retention and Disposal Schedule (GRDS) – 2079 – Training Provision –7 years after business action completed.</i></p> <p><i>FA430, Department of Customer Service, 1.3.1 – Development of Industry Education Resources – retain permanently - as issued by the NSW State Archive &amp; Records Authority (SARA).</i></p> <p><b>Other comments/factors for consideration:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>New disposal authorisation created to cover older records as the QBCC and its predecessor bodies have been involved in reviewing and developing industry courses in collaboration with the Qld Education Department, TAFE and in conjunction with other private RTOs.</p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>
2774	<p><b>Register of Licensees</b></p> <p>Records in any format (physical books, digital or web-based) of registers of licensees kept in accordance with the <i>Queensland Building &amp; Construction Commission Act 1991</i>, the <i>Building Act 1975</i> and the <i>Plumbing and Drainage Act 2018</i>.</p> <p><b>Disposal action –</b></p> <p>Permanent. Transfer to QSA after business action completed</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Under relevant legislation, registers of licensees must be kept by the agency. Registers can include particulars in relation to each licensee or person (e.g. name, business address, licence details etc.) and also any disciplinary related information (e.g. directions to rectify, infringement notices for offences, demerit points, cancellations, suspensions etc.). The registers are kept electronically and are continually updated and amended – under relevant legislation, notes (e.g. directions to rectify, infringement notices etc.), must be removed from the register after varying time periods. Registers created and maintained in accordance with the relevant Act are available on the agency website for the general public to search.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>The registers are the main record of licensees in Queensland. They provide a good source of information on the development and practice of regulating the building and construction industry in Queensland. The information contained within the register of licensees is invaluable for researching family history and the development of the building profession in Queensland. Permanent retention of these registers is consistent with registration records for other professions like surveyors.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>QSA permanent appraisal characteristics:</b></p> <p>These records provide evidence of the following characteristics from the Queensland State Archives Appraisal Statement and should be retained as archival records for future research:</p> <ul style="list-style-type: none"> <li>• 2 – primary functions &amp; programs of government</li> <li>• 3 – enduring rights &amp; entitlements</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<ul style="list-style-type: none"> <li>• 4 – significant impact on individuals</li> <li>• 5 – substantial contribution to community memory</li> </ul> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 742, v.2, Qld Racing Integrity Commission (QRIC) - 1.21.1 - Register of Racing Control Bodies – Permanent - Transfer to QSA after business action completed.</i></p> <p><i>PROS 97/08, variation 7, Victorian Building Commission, 5.1.1 – Building Practitioners Board Registration – Permanent - Hold in agency for 25 years then transfer to PROV - as issued by Public Record Office Victoria (PROV).</i></p> <p><i>QDAN 615, v.2, Surveyors Board of Queensland - 4.1.1 - Register of Surveyors - Retain permanently</i></p> <p><i>QDAN 674, v.2, Queensland Law Society – 2739 - Register of Australian Legal Practitioners and Australian Registered Foreign Lawyers – Permanent - Transfer to QSA after business action completed.</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule - 1.2.5 - Licensee Register – Retain Permanently.</i></p>
2775	<p><b><i>Registers – Other</i></b></p> <p>Records in any format (physical books, digital or web-based) of registers of those associated with the building industry kept in accordance with the <i>Queensland Building &amp; Construction Commission Act 1991</i>, the <i>Building Act 1975</i> and the <i>Plumbing and Drainage Act 2018</i>.</p> <p><b>Disposal action –</b></p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Under relevant legislation, registers of those associated with the building industry (e.g. developers, owner builders, pool inspectors) must be kept by the agency. Registers can include particulars in relation to each licensee or person (e.g. name, business address, licence details etc.) and also any disciplinary related information (e.g. directions to rectify, infringement notices for offences, demerit points, cancellations, suspensions etc.) The registers are kept electronically and are continually updated and amended – under relevant legislation, notes (e.g. directions to rectify, infringement notices etc.), must be removed from the register after varying time periods.</p> <p>Registers created and maintained in accordance with the relevant Act are available on the agency website for the general public to search.</p> <p><b>Why the records are retained for this retention period:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
	Retain for 20 years after business action completed.	<p>The registers provide information concerning registration details and/or history of other industry practitioners in the State. They provide a good source of information on the practice of regulating the building and construction industry in Queensland.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 97/08, variation 7, Victorian Building Commission, 3.3</i> – Owner Builder Public Register – Destroy 10 years after action completed - as issued by Public Record Office Victoria (PROV)</p> <p><i>PROS 96/10, GRDA for Prison Records, 12.1.2</i> – Register of Prisoners' Telephone Calls – Destroy 7 years after last entry - as issued by Public Record Office Victoria (PROV).</p> <p><i>GA47 – Higher &amp; Further Education and Research, 6.0.3</i> – Register of Commercial Activities – Retain for 7 years after superseded - as issued by the NSW State Archive &amp; Records Authority (SARA).</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule:</i></p> <ul style="list-style-type: none"> <li>• 1.2.6 Other Registers – retain for 20 years after last action.</li> <li>• 1.3.2 Licenced Building Certifier Register – retain for 20 years after last action.</li> </ul>
2776	<p><b><i>Complaints, Investigations and Audits</i></b></p> <p>Records relating to the investigation of offences under the <i>Queensland Building &amp; Construction Commission Act 1991</i>, the <i>Building Industry Fairness Act 2017</i> and the <i>Plumbing and Drainage Act 2018</i>. Includes records relating</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records used to assess and investigate complaints and monitor compliance through regulatory audits and statutory reporting. Also supports decisions made by providing evidence of compliance outcomes and requirements.</p> <p>Audit records are created to support quality management processes, management controls and operational processes for compliance to Commonwealth and State regimes as per audit assessment requirements and criteria.</p> <p>Investigation records are created as part of compliance enforcement processes, where a duly authorised officer finds cause or evidence to open a case to investigate further with a view to successfully prosecute</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
	<p>to monitoring of enforcement of compliance.</p> <p><b>Disposal action –</b> 7 years after business action completed.</p>	<p>for an offence under relevant legislation. For more serious matters, a case may proceed to prosecution if there is strong evidence of the offence/s and is likely to succeed through the courts.</p> <p>Inspections and enforcement are part of the investigation process to ensure adherence to legislative requirements and take punitive action against offenders.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>These records are created and need to be retained for 7 years as they -</p> <ul style="list-style-type: none"> <li>• Support the decisions of the business by providing evidence of actions taken and outcomes from compliance and/or audit activities.</li> <li>• Ensure legal reference, including standard appeals of decisions, judicial review and other court processes under s.10 of the <i>Limitation of Actions Act 1974</i>.</li> <li>• Ensures that records are available for a sufficient period of time to be referred back to if required.</li> <li>• Form part of monitoring programs and conducting inspection or investigation processes where on-the-spot notices such as directives, orders, cautions, fines, penalties and exemptions are duly issued.</li> </ul> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule (GRDS):</i></p> <ul style="list-style-type: none"> <li>• 1073 – Enquiries, Complaints and suggestions – Investigations or Legal significance – Retain 7 years after business action completed.</li> <li>• 1008 - Audits – Other – retain 7 years after business action completed.</li> </ul> <p><i>QDAN 742 v.2 - Queensland Racing Integrity Commission (QRIC):</i></p> <ul style="list-style-type: none"> <li>• 1.9.2 - Compliance Audits, Reports and Registers – retain for 7 years after last action.</li> <li>• 1.12.1 - Regulatory Enforcement – retain for 7 years after action completed.</li> <li>• 1.15.2 – Investigations – Other – retain for 7 years after action completed.</li> </ul>



Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>RA 2019/00447636, Australian Building and Construction Commission (ABCC), 62698 – Compliance Monitoring activities (Audits, Inspections, Assessments, Notifications, Findings, Notices) – retain for 7 years after last action - as issued by the National Archives of Australia (NAA).</i></p> <p><i>FA430 for the Department of Customer Service, 1.4.3 – Routine Investigations – retain for 10 years after last action - as issued by the NSW State Archive &amp; Records Authority (SARA).</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>
2777	<p><b><i>Financial Compliance</i></b></p> <p>Records relating to the monitoring, auditing, assessment, reporting and enforcement of financial compliance for licensees in accordance with Minimum Financial Requirements Regulation (MFR) 2018.</p> <p><b>Disposal action –</b></p> <p>12 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records are used to manage financial submissions which applies to a licensee if -</p> <ul style="list-style-type: none"> <li>• The licensee is selected to be audited under an approved audit program; or</li> <li>• The commission is satisfied, because of information received, there are reasonable grounds for concern that the licensee does not satisfy the relevant minimum financial requirements; or</li> <li>• The licensee is not, or has not been, complying with the <i>Queensland Building &amp; Construction Commission Act 1991</i>.</li> </ul> <p>The Commission may give a written notice to the licensee requiring the licensee to give access to or submit copies of (a) the financial records described in the notice or (b) the documents described in the notice that relate to the licensee’s obligations.</p> <p>The written notice may describe only (a) the financial records of the licensee required for deciding whether the licensee satisfies the relevant minimum financial requirements or (b) documents required for deciding whether the licensee is, or has been, complying.</p> <p>The licensee must comply with the written notice within 21 days after the licensee receives the written notice unless the licensee has a reasonable excuse.</p> <p>If the licensee does not comply with the written notice within 21 days after the licensee receives it, the licensee is taken to have contravened a condition imposed under the licensee’s licence.</p> <p>Licensees who hold a contractor / builder grade of licence are required to meet the Minimum Financial Requirements (MFR) to obtain and maintain a QBCC licence.</p> <p>If a contractor licence is held, the licensee is required to comply with annual financial reporting requirements each year, as well as meeting the Minimum Financial Requirements (MFR) at all times.</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>If the licence holder is retired, not currently trading in the building industry, an employee or working for wages, the licensee may wish to amend the licence type to nominee supervisor by completing the change licence type form and paying the appropriate fee.</p> <p>A nominee supervisor licence will still allow the licence holder to be the employee for a licensed company, but the licensee is unable to contract to perform building work in their own right.</p> <p>An application for a contractor's licence under s.33 of the <i>QBCC Act 1991</i> must be accompanied by the following information -</p> <ul style="list-style-type: none"> <li>(a) if the applicant's proposed maximum revenue for a reporting year is not more than \$800,000, a declaration in the approved form about the applicant's compliance with the minimum financial requirements; or</li> <li>(b) if the applicant's proposed maximum revenue for a reporting year is more than \$800,00 - a MFR report.</li> </ul> <p>A licensee must ensure an MFR report is prepared by a qualified accountant with the information being no more than 4 months old and must be signed no more than 30 days before the day the report is submitted to the agency.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>As activities associated with managing compliance to Minimum Financial Requirements (MFR) can involve Deeds of Covenant (e.g. audits) held by the QBCC, the retention period of 12 years ensures that such records are available in the event of any legal claims brought in accordance with s.10 (3) of the <i>Limitation of Actions Act 1974</i>.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 2.3 – Compliance Audits: Compliance Certificates or Statements issued by practitioners – retain for 10 years – as issued by the Public Record Office Victoria (PROV).</i></p> <p><i>RA 2019/00447636 for the Australian Building and Construction Commission (ABCC), 62698 - Code Compliance Monitoring (Audits, Assessments, Reports etc.) – retain for 7 years - as issued by the National Archives of Australia (NAA).</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>
2778	<p><b>Swimming Pool Safety – Significant</b></p> <p>Records relating to the investigation of serious offences under the <i>Building Act 1975</i> involving matters which show consistent disregard to pool safety regulations and/or incidents of serious accidents, injury or death.</p> <p><b>Disposal action –</b></p> <p>80 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records used for inspections of and investigations into serious offences under the <i>Building Act 1975</i> involving matters which show consistent disregard to pool safety regulations and/or incidents of serious accidents, injury or death.</p> <p>A pool owner on regulated land is required to ensure their pool complies with the pool safety laws and must also continue to comply with either the pool safety standard or an approved pool safety management plan. Where owners elect to use a pool safety management plan to comply, applications to continue to use the plan must be made annually.</p> <p>A pool safety management plan must include details of the safety measures the owner intends to implement under the plan to appropriately provide for the safety of young children in and around the pool.</p> <p>The pool owner may be required by the QBCC to provide further information about the pool safety management plan and the measures the pool owner will implement to provide for the safety of young children in and around the pool.</p> <p>If the QBCC is no longer satisfied that the pool safety measures under an approved pool safety management plan appropriately provide for the safety of young children in and around the pool, it may cancel the approved plan or require the owner to amend the plan. However, the QBCC must first provide the pool owner with a show cause notice advising the owner that it intends to cancel or amend the approval.</p> <p>The owner has 20 business days after the show cause notice is given to make a submission as to why the proposed action should not be taken.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>The retention for these records has been aligned with notifiable incidents where there are incidents that involve the death of a person, a serious injury or a dangerous incident. The 80-year retention period allows for compensation claims that could potentially be lodged at any time during the lifetime of a claimant. It also ensures that information that may be required long term for future medical treatment is retained. Records of significant incidents relating to pool safety are also held by other investigating agencies including Queensland Police and the Coroner’s Office. The community would expect that</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>records relating to significant pool safety incidents would be retained for a significant period of time to provide evidence of actions and decisions and support the rights and entitlements of any affected parties.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule (GRDS) 1214 - Notifiable incidents – retain 80 years after business action completed</i></p> <p><i>QDAN 705 v1 Courts Sector Retention and Disposal Schedule 3.3.1 - Reportable deaths – Retain permanently</i></p> <p><i>GA39, Local Government Records – Compliance – Serious Breaches - 20.2.1 - Retain Permanently - as issued by NSW State Archives and Records Authority (SARA).</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>
2779	<p><b>Swimming Pool Safety – Other</b></p> <p>Records relating to the monitoring and enforcement of compliance and investigation of offences under the <i>Building Act 1975</i> and maintenance of the pools register. Activities associated are – advice, complaints, reporting, compliant barriers, regulated or shared pools and, show cause notices, pool</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records used to assess and investigate complaints and monitor compliance through regulatory audits and statutory reporting to the agency.</p> <p>Associated activities includes assessing and approving pool safety management plans and licensing of pool safety inspectors.</p> <p>The requirements for pool safety is that it is (1) entered into the QBCC pool safety register (2) the pool barrier fence is compliant to Queensland Development Code (QDC) MP 3.4 and Australian Standard AS-1926 and (3) needs to have a pool safety certificate when properties are sold or leased.</p> <p>An owner of a pool on regulated land is required to ensure their pool complies with the pool safety laws. Pool owners must also continue to comply with either the pool safety standard or an approved pool safety management plan. Where owners elect to use a pool safety management plan to comply, applications to continue to use the plan must be made annually.</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
	<p>fencing and all other pool related matters.</p> <p><b>Disposal action –</b></p> <p>10 years after business action completed</p> <p>OR</p> <p>10 years after any minor involved in a pool immersion incident turns 18, whichever is later.</p>	<p>A pool safety management plan must include details of the safety measures the owner intends to implement under the plan to appropriately provide for the safety of young children in and around the pool.</p> <p>Upon receiving a pool safety application, the QBCC has 20 business days in which to decide to approve or refuse the pool safety management plan. The pool owner may be required by the QBCC to provide further information about the pool safety management plan and the measures the pool owner will implement to provide for the safety of young children in and around the pool.</p> <p>If the QBCC is no longer satisfied that the pool safety measures under an approved pool safety management plan appropriately provide for the safety of young children in and around the pool, it may cancel the approved plan or require the owner to amend the plan. However, the QBCC must first provide the pool owner with a show cause notice advising the owner that it intends to cancel or amend the approval.</p> <p>The owner has 20 business days after the show cause notice is given to make a submission as to why the proposed action should not be taken.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Under the <i>Building Act 1975</i>, s.246AD, the minimum retention of Pool Safety Inspection Certificates and Notices is five (5) years. A ten (10) year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The ten-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 480 v.4, Local Government Sector retention and disposal schedule:</i></p> <ul style="list-style-type: none"> <li>• 7.3.3 Swimming Pool Fencing – Advice – retain for 7 years after demolition or removal of swimming pool fencing.</li> <li>• 7.12.2 Swimming Pool Fencing - Approved Inspection Programs – retain for 7 years after last action.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>GA39, Local Government Records – Infringements (19.2.1), Notices (19.6.1) and Inspections (24.6.2), retain for 7 years – as issued by the New South Wales, State Archives and Records Authority (SARA).</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>
2780	<p><b><i>Audits and Reporting – Other</i></b></p> <p>Records relating to reports and/or audits that do not require further action or investigation involving the building industry and/or builders, contractors, sub-contractors and certifiers licensed under the <i>Queensland Building and Construction Commission Act 1991</i>, the <i>Building Act 1975</i> and the <i>Plumbing and Drainage Act 2018</i>.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records relating to receiving statistical reports and/or conducting regulatory audits to monitor and measure compliance to applicable legislation where associated action is not significant and does not escalate to an investigation.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Records of regulatory reporting to the agency and audits undertaken by the agency which support the taking of possible remedial or legal action.</p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 (1) and (2) of the <i>Limitation of Actions Act 1974</i>.</p> <p>This is a reduction in retention from the previous schedule. QBCC have stated the previous retention was based on an erroneous interpretation based on s.10 (3) and/or (4) of the <i>Limitation of Actions Act 1974</i> which is specific to a specialty contract (a deed).</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General retention and disposal schedule (GRDS) 1008 – Audits – other – 7 years after business action completed.</i></p> <p><i>QDAN 742 v.2 Queensland Racing Integrity Commission (QRIC) - 1.6.2 – Audits – Other – Observation and Actions - retain for 7 years after action completed.</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><b>Other comments/factors for consideration:</b></p> <p>A record is created and maintained for every licensee, covers the entire period of being licensed which potentially could be retained for over 40 years being the working life of a licensee.</p> <p>This single record for the licensee holds the history of all actions associated with the industry practitioner and covers the initial registration process period, any compulsory continuing professional development, reports to the agency, audits, caution notices, suspensions etc.</p> <p>There can be general audits of licensees but these are based on targeted activities such as continuing professional development (CPD) and this is used to measure industry compliance to a general thing such as CPD etc. If a weakness is found through this process, educational programs can be launched to address any identified shortcomings.</p> <p>From the same general licensee audit, if a trend for higher-level or more endemic non-compliance is found, then specific audits would be conducted against individual licence holders. This may be a case where a particular regional locality is less compliant than the average, so specific measures, such as training, information forums or targeted auditing could be utilised.</p> <p>In view of this, a 7-year retention period is considered to be a reasonable measure of risk for covering all other regulatory audits conducted by the agency. This includes – audits of building certifiers, compliance audits (other than MFR audits), statutory insurance audits etc.</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule 1.4.1 Audits – Retain for 12 years after last action.</i></p>

### Activity

#### INTERNAL REVIEW OF DECISIONS

*The activities involved with providing an independent internal review service to reduce the number of administrative reviews made through the Queensland Civil and Administrative Tribunal (QCAT) in accordance with the s.86 of the Queensland Building and Construction Commission Act 1991.*

Disposal Authorisation	Record class and retention period	Justifying the retention period
2781	<p><b><i>Internal Review of Decisions</i></b></p> <p>The activities involved with providing an independent internal review service to reduce the number of administrative reviews made through the Queensland Civil and Administrative Tribunal (QCAT) in accordance with s.86 of the <i>Queensland Building and Construction Commission Act 1991</i>.</p> <p><b>Disposal action –</b></p> <p>15 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records relating to requests to review a nominated Decision. Once an internal review decision has been made, the Decision cannot be changed by the QBCC.</p> <p>The QCAT can review a decision made by the QBCC, including a decision made by the Internal Review Unit (IRU) although not all decisions are reviewable by the QCAT.</p> <p>Licensing and Compliance Decisions Subject to Review –</p> <ul style="list-style-type: none"> <li>• Decision to refuse a licence application.</li> <li>• Decision to refuse a licence renewal.</li> <li>• Decision to impose or vary a licence condition.</li> <li>• Decision to suspend a licence.</li> <li>• Decision to cancel a licence.</li> <li>• Decision that there are reasonable grounds for concern that a licensee does not satisfy the financial requirements for their licence.</li> <li>• Decision that a person is an excluded individual for an insolvency event or a series of insolvency events.</li> <li>• Licence Application not approved.</li> <li>• Direction to Rectify.</li> <li>• Decision to decline insurance in full or in part under the Queensland Home Warranty Insurance Scheme.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>Records of review decisions made can have bearing to other similar matters or cases involving developers or licensees. As such, retention of 15 years is considered reasonable as this information has medium to long term business and/or reference value.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p>



Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>GDS-30 v.2, General Disposal Schedule for State Government Agencies in South Australia, 5.1.1 – Appeals – retain for 15 years - as issued by State Records of South Australia.</i></p> <p><i>GA39, Local Government Records, 7.1.2 (7 years), 22.31.1 (10 years) and 22.31.2 (5 years) – Appeals - as issued by the New South Wales, State Archives and Records Authority (SARA).</i></p> <p><i>QDAN 690 v.1 Maritime Safety Sector Retention and Disposal Schedule:</i></p> <ul style="list-style-type: none"> <li>• 4.8.1 - Buoy Mooring – Appeals – Retain for 10 years after conclusion of appeal process.</li> <li>• 4.8.2 - Development Applications – Tidal Works – Appeals – Retain for 10 years after conclusion of appeal process.</li> <li>• 6.18.1 - Appeals – Retain for 10 years after conclusion of appeal process.</li> <li>• 7.9.1 Marine licence – appeals – retain for 10 years after conclusion of appeal process.</li> <li>• 9.6.1 Registration – appeals – retain for 10 years after conclusion of appeal process.</li> </ul> <p><i>QDAN 731 v.1 Queensland Civil and Administrative Tribunal (QCAT) 1.3.1 Building Case files – Retain for 12 years after business action completed and finalisation of all appeal processes.</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation</p>

Title	Scope Note
<b>INSURANCE SCHEME MANAGEMENT</b>	<i>The function of managing the Queensland Building and Construction Commission Home Warranty Insurance Scheme and investigating defective work claims.</i>

Activity
<b>STATUTORY INSURANCE SCHEME</b> <i>The activities associated with managing claims and notifying and advising customers about the Queensland Home Warranty Scheme</i>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2782	<p><b><i>Insurance Scheme Management Claims</i></b></p> <p>Records relating to the assessment of claims made against the Queensland Home Warranty Insurance Scheme.</p> <p><b>Disposal action –</b> 10 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records documenting home insurance claims made, supporting evidence, inspections, decisions made, rectification and debt recovery measures. Includes contract notifications, construction notification letters, insurance premium refund applications and insurance notification forms.</p> <p>Most residential building work done in Queensland valued over \$3,300 (including labour and materials) must have home warranty insurance.</p> <p>As part of the building process, the contractor pays a premium to the QBCC to insure the construction. The amount is included as part of the contract and is paid before work begins.</p> <p>It may protect homeowners where:</p> <ul style="list-style-type: none"> <li>• A licensed contractor does not complete the contracted residential construction work and the contract has been terminated.</li> <li>• The contractor fails to rectify defective work.</li> <li>• The building suffers from subsidence or settlement.</li> </ul> <p>If the QBCC pays out on a claim, the claim amount is recovered from the building contractor.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Retention of 10 years is to cover for subsidence claims which can reoccur for the same property and further action is then required to remediate this.</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>Additionally s.72A(4) of the <i>QBCC Act 1991</i>, caps a Direction to Rectify or Remedy at 6 years and 6 months after the subject building work was completed or left incomplete.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/03, 2.4 for the Victorian Managed Insurance Authority (VMIA) for Defective and/or Incomplete building works, retain for 10 years, as issued by the Public Record Office Victoria (PROV).</i></p> <p><b>Other comments/factors for consideration:</b></p> <p>Home Warranty Insurance or Home Building Compensation Fund (HBCF) as it is now referred to in NSW, covers the homeowner (and subsequent owners) where the contracted building work is incomplete or defective and the builder has either died, disappeared, become insolvent during construction or has failed to respond to a rectification order within 30 days of it being issued. The cover lasts up to 6 years from completion of the domestic building work or termination of the domestic building contract (6 years for structural defects and 2 years for non-structural).</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule:</i></p> <ul style="list-style-type: none"> <li>• 2.1.1 - Insurance Scheme Management records – No Claim made – Retain for 7 years after last action.</li> <li>• 2.1.2 - Insurance Scheme Management records – Claim made – Retain for 12 years after settlement of claim.</li> </ul>
2783	<p><b><i>Actuarial Management and Administration of the Insurance Scheme</i></b></p> <p>Records relating to the operations of managing the Home Warranty Insurance scheme.</p> <p><b>Disposal action –</b></p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Activities relating to assessment of potential brokers and/or underwriters; forecasting and calculating insurance premiums; selection of preferred trade contractors to perform remedial works as directed by the agency; summary review reports on insurance scheme performance. Also includes administrative working files</p> <p><b>Why the records are retained for this retention period:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
	7 years after business action completed	<p>As these records are largely legacy and pertain to reporting, budgeting / cost forecasting and administrative management of the insurance scheme, retention of 7 years is considered to be reasonable.</p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/03 for the Victorian Managed Insurance Authority (VMIA), 1.2 - General Insurance Management, retain for 10 years, as issued by the Public Record Office Victoria (PROV).</i></p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>

Title	Scope Note
<b>ADJUDICATION</b>	<i>The function of dispute resolution to facilitate settlement of disagreements about progress payments and monies owed. Includes providing advisory services and collecting and reporting on statistical data.</i>

Activity
<p><b>ADJUDICATOR REGISTRATION</b></p> <p><i>The activities of registering adjudicators and maintaining a public register. Includes legacy Appointment of Approved Training Organisations (ATO) and Authorised Nominating Authorities (ANA) per the former Building and Construction Industry Payments Act 2004.</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2784	<p><b>Adjudicator Registration Files</b></p> <p>Records relating to the registration of adjudicators in accordance with s.159 of <i>the Building Industry Fairness (Security of Payment) Act 2017</i>.</p> <p><b>Disposal action –</b> 4 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>The activities of registering Adjudicators. Includes legacy Appointment of Approved Training Organisations (ATO) and Authorised Nominating Authorities (ANA) per the former <i>Building and Construction Industry Payments Act 2004</i>.</p> <p>The adjudication qualification is prescribed under s.201 of the <i>Building Industry Fairness (Security of Payment) Act 2017</i> (BIF Act) and the detail is prescribed under Part 5, s.18 of the <i>Building Industry Fairness (Security of Payment) Regulation</i> (BIF Regulation).</p> <p>Registration as an Adjudicator becomes effective on the day the Certificate of Registration is issued. It expires either three years after that day or on an earlier day decided by the Registrar and stated in the Certificate of Registration.</p> <p>Registration as an Adjudicator is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• The Adjudicator must comply with chapters 3 and 5 of the BIF Act.</li> <li>• The Adjudicator must complete continuing professional development (CPD) as prescribed by the BIF Regulation and the Continuing Professional Development for Adjudicators Policy.</li> <li>• The adjudicator must comply with any reasonable conditions that the Registrar considers appropriate as stated in the Certificate of Registration or in an Information Notice.</li> <li>• The Adjudicator must comply with the Code of Conduct for Adjudicators.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<ul style="list-style-type: none"> <li>Adjudicators must also complete transitional training for registered Adjudicators under the BIF Regulation to facilitate the transition between <b><i>Building and Construction Industry Payments Act 2004</i></b> and BIF requirements.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>Retention based on s.164 of the <i>Building Industry Fairness (Security of Payment) Act 2017</i>. Registration of Adjudicators is for a 3 year period, then subject to renewal.</p> <p>Adjudicators are required to complete annual training to maintain their registration status. If a registration is cancelled and an Adjudicator wishes to be reinstated, they must prove that this training has been maintained within the period of expiry. If it has been longer than three (3) years since the registration has been voided, the applicant is required to complete the required adjudication course again before being re-registered.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 3.3 – Administrative Records of Regulation Management – Destroy 10 years after action completed</i></p> <p><b>Other comments/factors for consideration:</b></p> <p>Retention unchanged as per QDAN 673, v.1 for the <i>Building and Construction Industry Payments Agency retention and disposal schedule</i>.</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule 1.1.2 - Registration files – retain for 4 years after last action.</i></p>
2785	<p><b><i>Adjudicator Register</i></b></p> <p>Entries in the register of adjudicators maintained in accordance with s.154(2)(b) of the <i>Building Industry</i></p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Register created in accordance to s.154(2)(b) of the <i>Building Industry Fairness (Security of Payment) Act 2017</i>.</p> <p><b>Why the records are retained for this retention period:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
	<p><i>Fairness (Security of Payment) Act 2017.</i></p> <p><b>Disposal action –</b> Retain permanently in agency.</p>	<p>The Adjudicator Register will essentially be retained indefinitely as it exists in digital form only (web-based). It's something that will continuously change over time as information is added, amended or notated.</p> <p><b>Applicable legislation/standards:</b> See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b> <i>Queensland Law Society Retention and Disposal Schedule, 2739 Roll of Members – Permanent.</i> Transfer to QSA after business action completed.</p> <p><b>Other comments/factors for consideration:</b> Retention unchanged as per <i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule.</i></p> <p><b>Previous schedule references:</b> <i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule</i> 1.1.1 Adjudication register – Retain permanently by the Building and Construction Industry Payments Agency.</p>
2786	<p><b><i>Adjudicator Decisions Register</i></b></p> <p>Register of adjudicator's decisions made in accordance with s.154 (2)(e) of the <i>Building Industry Fairness (Security of Payment) Act 2017.</i></p> <p><b>Disposal action –</b> Retain permanently in agency</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b> Register created in accordance to s.154(2)(e) of the <i>Building Industry Fairness (Security of Payment) Act 2017.</i></p> <p><b>Why the records are retained for this retention period:</b> The Adjudicator Register will be retained indefinitely as it exists in digital form only (web-based). It's something that will continuously change over time as information is added, amended or notated.</p> <p><b>Applicable legislation/standards:</b> See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><i>QDAN 731 v.1 Queensland Civil and Administrative Tribunal (QCAT) 2.1.3 – Case Register – Retail Permanently.</i></p> <p><b>Other comments/factors for consideration:</b></p> <p>Retention unchanged as per <i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule.</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule 1.1.3 Adjudicator’s decisions – retain permanently by the Building and Construction Industry Payments Agency (BCIPA).</i></p>

### Activity

#### DISPUTES AND REVIEWS

*The activities of adjudicating payment claim applications per s.79 of the Building Industry Fairness (Security of Payment) Act 2017.*

Disposal Authorisation	Record class and retention period	Justifying the retention period
2787	<p><b><i>Claims, Disputes and Reviews</i></b></p> <p>Records relating to disputes, claims and/or complaints requiring adjudication by the QBCC. Includes complex payment claims and matters that do not proceed, are withdrawn or discontinued</p> <p><b>Disposal action –</b></p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>To keep and maintain a record of adjudicating (progress) payment claims per s.79 of the <i>Building Industry Fairness (Security of Payment) Act 2017.</i></p> <p>A dispute relating to building and construction work may arise when parties to a contract or other agreement disagree about :-</p> <ul style="list-style-type: none"> <li>• The amount of money being claimed.</li> <li>• The amount of money proposed to be paid or that has been paid.</li> <li>• The date payment is due or is proposed to be paid.</li> <li>• Whether an amount required to be paid has not been paid in full or at all.</li> </ul>



Disposal Authorisation	Record class and retention period	Justifying the retention period
	Retain for 12 years after business action completed	<ul style="list-style-type: none"> <li>• The quality and satisfactory completion of work in accordance with the contract.</li> </ul> <p>When parties are in dispute about an amount owed for construction work, the person seeking payment can lodge an adjudication application with the Registrar. The Adjudication process provides:</p> <ul style="list-style-type: none"> <li>• Rapid decisions with disputes (timeframes for adjudicator making decisions apply).</li> <li>• The adjudicator’s decision is enforceable in court if not paid.</li> <li>• Non-payment of the decision is an offence enforced by the QBCC.</li> <li>• It is generally cheaper and faster than going to court (fees are capped for smaller claimed amounts under \$25,000).</li> <li>• Can be used at the same time as suspending work.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>Retention based on the <i>Limitation of Actions Act 1974</i>, s.10(3) as may involve matters pertaining to a deed (via a speciality contract) which caps the taking of action at twelve (12) years.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>PROS 20/01, Victorian Building Authority (VBA), 3.2</i> – Appeals and Disputes – retain for 99 years - as issued by the Public Record Office Victoria (PROV).</p> <p><i>PROS 11/04, Var 2, Victoria Consumer Affairs, 8.2.2 to 8.2.4</i> (retain 15 years after claim or appeal) and 8.2.5 (retain 7 years) – Property Fund Claims – as issued by Public Records Office Victoria (PROV).</p> <p><i>Office of Fair Trading retention and disposal schedule 1678 - Claims - Determination and Recovery</i> – retain 7 years from date of claim payment, recovery of debt or when debt is written off.</p> <p><b>Other comments/factors for consideration:</b></p> <p>New function/activity for the QBCC as per the <i>Building Industry Fairness (Security of Payment) Act (2017)</i>, so is not covered by QDAN 673 as that was under the repealed <i>Building and Construction Industry Payments Act 2004</i>.</p> <p><b>Previous schedule references:</b></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		New disposal authorisation.
2788	<p><b>Complaint records - Adjudicators</b></p> <p>Records relating to complaints about services and/or actions provided by an adjudicator registered under the <i>Building Industry Fairness (Security of Payment) Act 2017</i>. Includes matters that do not proceed, are withdrawn or discontinued.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records relating to complaints about the service and/or actions provided by an adjudicator registered under the <i>Building Industry Fairness (Security of Payment) Act 2017</i>. Includes matters that do not proceed or are withdrawn. Includes legacy complaints involving Authorised Nominating Authorities (ANAs).</p> <p><b>Why the records are retained for this retention period:</b></p> <p>A seven-year retention period ensures that the records are available in the event of any legal claims brought in accordance with s.10 of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 742 v.2 Qld Racing Integrity Commission (QRIC) - 1.8.1 - Complaints Resolution - Retain for 7 years after action completed.</i></p> <p><i>General Retention and Disposal Schedule (GRDS) – 1008 - Audits – Other – retain 7 years after business action completed.</i></p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 673 v.1 Building and Construction Industry Payments Agency retention and disposal schedule 1.3.1 Complaint record – retain for 4 years after last action.</i></p>

Title	Scope Note
<b>PROJECT TRUST ACCOUNTS</b>	<i>The function of monitoring compliance with project and retention trust account obligations which together aim to protect payments to sub-contractors and reduce contractor insolvencies.</i>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2789	<p><b>Management of Trust Accounts</b></p> <p>Records of notifications for Project or Retention Trust accounts (PTA / RTA) received in accordance with the <i>Building Industry Fairness (Security of Payment) Act 2017</i>.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Keep and maintain records of trust account notifications in accordance with part 1, section 7 of the <i>Building Industry Fairness (Security of Payment) Act 2017</i>. The main purpose of the trust account is to ensure that funds paid to the contracted party for particular contracts are held in a trust to protect the interests of subcontractors. Management of trust account notifications include:</p> <ul style="list-style-type: none"> <li>• Web based registers are maintained in accordance with the <i>Building Industry Fairness (Security of Payment) Act 2017</i>.</li> <li>• Records of regulatory audits undertaken by the agency which support the taking of possible remedial or legal action and supports compliance based metrics and measurables.</li> <li>• Records used to assess and investigate complaints and collate corroborative information and/or evidence so as to take remedial or legal action where deemed appropriate to do so.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>This is a new business activity for the QBCC that is still being developed.</p> <p>A seven-year retention period supports the gathering of evidence for potential regulatory or legal action and ensures that the records are available in the event of any legal claims brought in accordance with s.10 (1) and (2) of the <i>Limitation of Actions Act 1974</i>.</p> <p>The seven-year retention period supports the decisions of the business by providing evidence of actions taken and ensures that records are available for a sufficient period of time to be referred back to if so required.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule</i> – 1110 - Trusts – Establishment of – retain 7 years after the disbursement of all assets \ funds.</p> <p><i>QDAN 651. v.1 Public Trust Office of Queensland 7.1.6</i> – Trusts (sub-files) – retain for 10 years after last action - as issued by Queensland State Archives (QSA).</p> <p><i>RA 2019/00447636 for the Australian Building and Construction Commission (ABCC), 62698</i> - Investigation cases (initial complaint/s, interviews, site visits, photographs, notices, actions decisions), retain for 7 years, as issued by the National Archives of Australia (NAA).</p> <p><i>QDAN 742 v.2 Queensland Racing Integrity Commission (QRIC) 1.8.1</i> – Complaints Resolution – retain for 7 years after action completed.</p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>

Title	Scope Note
<b>SAFER BUILDINGS</b>	<i>The function of monitoring and enforcing compliance with the use and application of combustible cladding in accordance with the Building Act 1975, Building Regulation 2021 and Building and Other Legislation (Cladding) Amendment Regulation 2018. Includes registration of affected private buildings and lodging of the combustible cladding checklist.</i>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2790	<p><b><i>Building Registration</i></b></p> <p>Records relating to submitting completed combustible cladding checklists for affected private buildings to the QBCC.</p> <p><b>Disposal action –</b></p> <p>Retain for 7 years after building has been substantially rebuilt and made safe or is demolished.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records created and maintained in accordance with the Qld Government Building Safer Buildings [and Audit] Taskforce which was established to identify buildings with potentially combustible cladding.</p> <p>Not all cladding is dangerous and there are a number of factors which are considered when determining whether cladding on a building may pose a higher risk including the total coverage, vertical coverage, positioning around balconies, windows or doors, as well as the types of building and the way it is used.</p> <p>Building owners who meet all of the following criteria need to register:</p> <ul style="list-style-type: none"> <li>• Privately owned</li> <li>• Class 2 - 9 building</li> <li>• Type A or B construction; and</li> <li>• Building development approval that was given after 1 January 1994 but before 1 October 2018 for works to construct the building or to alter the cladding on the building.</li> </ul> <p><b>Why the records are retained for this retention period:</b></p> <p>Until an affected building is made safe in terms of cladding fire risk, core records need to be retained until subject building is made safe or demolished.</p> <p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 480 v.4 Local Government sector Retention &amp; Disposal Schedule:</i></p>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<ul style="list-style-type: none"> <li>• 7.12.1 Budget Accommodation Buildings – Inspections – retain until the building is removed or demolished</li> <li>• 7.3.1 Budget Accommodation Buildings – Advice – retain until the building is removed or demolished</li> </ul> <p><b>Other comments/factors for consideration:</b></p> <p>Building Regulation 2006 s.16ZR - The QBCC Commissioner may remove a document or in relation to a private building from the online system if the Commissioner considers the removal is reasonable in the circumstances.</p> <p>Owners to keep checklists as submitted to the agency for 7 years in accordance to s.16R, s.16U and s.16Y of the Building Regulation 2006.</p> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>
2791	<p><b><i>Compliance, Reporting, Auditing and Investigations</i></b></p> <p>Activities relating to monitoring and enforcing compliance with safer buildings requirements for combustible cladding.</p> <p><b>Disposal action –</b></p> <p>7 years after business action completed.</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Records relating to notifications of changes to building ownership, auditing and reporting to the Safer Buildings Taskforce and investigating offences in accordance with s.96 of the Building Regulation 2021.</p> <p>Enforcement related records are created during compliance monitoring processes to ensure adherence to legislative requirements and take action against offenders.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>These records are created and need to be retained for 7 years as they -</p> <ul style="list-style-type: none"> <li>• Support the decisions of the business by providing evidence of actions taken and outcomes from compliance and/or audit activities.</li> <li>• Ensure legal reference, including standard appeals of decisions, judicial review and other court processes under s.10 of the <i>Limitation of Actions Act 1974</i>.</li> <li>• Ensures that records are available for a sufficient period of time to be referred back to if needed.</li> <li>• Forms part of ongoing monitoring, auditing and conducting inspections or investigations as required.</li> </ul>

Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p><b>Applicable legislation/standards:</b></p> <p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>General Retention and Disposal Schedule (GRDS) :</i></p> <ul style="list-style-type: none"> <li>• 1073 – Enquiries, Complaints and suggestions – Investigations or Legal significance – retain 7 years after business action completed.</li> <li>• 1008 - Audits – Other – 7 years after business action completed.</li> </ul> <p><i>QDAN 480 v.4 Local Government sector Retention &amp; Disposal Schedule:</i></p> <ul style="list-style-type: none"> <li>• 7.12.1 - Budget Accommodation Buildings – Inspections – retain until the building is removed or demolished.</li> </ul> <p><i>QDAN 742 v.2 Queensland Racing Integrity Commission (QRIC):</i></p> <ul style="list-style-type: none"> <li>• 1.9.2 - Compliance Audits, Reports and Registers – retain for 7 years after last action</li> <li>• 1.12.1 - Regulatory Enforcement – retain for 7 years after action completed.</li> <li>• 1.15.2 – Investigations – other – retain for 7 years after action completed.</li> </ul> <p><b>Previous schedule references:</b></p> <p>New disposal authorisation.</p>

Title	Scope Note
<b>COMMON ACTIVITIES:</b>	<i>Records of activities common to many agency functions. Each common record class from this section can be combined with the functions identified by the agency.</i>

Disposal Authorisation	Record class and retention period	Justifying the retention period
2792	<p><b>Industry Research</b></p> <p>Records relating to detailed industry research to support the activities of the organisation. Includes gathering information to support developing or updating of standards, guidelines or codes.</p> <p>Excludes research relating to dispute resolution.</p> <p><b>Disposal action –</b> 10 years after business action completed</p>	<p><b>Date authorised:</b> 15 December 2023</p> <p><b>Why are these records created:</b></p> <p>Facilitative records of internal research used to support projects, reports and analysis of industry trends. For research records that are used to support investigations refer to Resolution Case Files.</p> <p><b>Why the records are retained for this retention period:</b></p> <p>Industry research is used to strengthen evidence-based decision making and contributes to effective operation of the organisation through supporting business activities of the agency. These records need to be retained for 10 years as they are:</p> <ul style="list-style-type: none"> <li>• Used to develop, improve or enhance agency activities, services and other business initiatives.</li> <li>• Collecting, collating, managing, maintaining, processing and analysing research data, including applying quality control and quality assurance processes. Includes ingesting data received through exchanges with other groups or entities.</li> <li>• Summarisations on progress and outcomes of research and development activities, including providing or receiving final research reports and/or deliverables.</li> <li>• Promotion and support of research and development, including development of assistance for research projects.</li> <li>• Disseminating research and development findings and providing access to research data, including via the agency website.</li> <li>• Facilitate the development of research reports. Includes - statistics, raw data and information acquired from surveys and consultation process that has been analysed and reported upon.</li> <li>• Supports decision making of the agency.</li> </ul> <p><b>Applicable legislation/standards:</b></p>



Disposal Authorisation	Record class and retention period	Justifying the retention period
		<p>See the list of applicable legislation and standards for public records created, kept and managed by the Building and Construction sector located at the beginning of this appraisal log.</p> <p><b>Comparison with other schedules' retention period:</b></p> <p><i>QDAN 742 v.2 Qld Racing Integrity Commission (QRIC) 1.22.2 Research – Other – Retain for 10 years after action completed.</i></p> <p>GRA-37, General Records Authority, 63003 - Research &amp; Development – retain for 7 years after last action – as issued by the National Archives of Australia (NAA).</p> <p><b>Previous schedule references:</b></p> <p><i>QDAN 185 v.2 Queensland Building and Construction Commission retention and disposal schedule 1.4.2</i> Research records – retain for 12 years after legal advice received.</p>