

# Building and Plumbing Newsflash 614

Amendments to existing mandatory Forms 12, 15, 16, 17 and 18  
New non-mandatory Form 73 - Product Technical Statement

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## Purpose

To advise industry that building forms 12, 15, 16, 17 and 18 have been updated and a new Form 73 - Product Technical Statement for manufacturers and suppliers has been published.

## Background

The Building Regulation 2021 (BR 2021) came into effect on 1 September 2021. This regulation continues to support the objectives of the *Building Act 1975* (Building Act) and generally maintains the obligations and requirements in the repealed building regulation.

As a consequence of the making of BR 2021, the Department of Energy and Public Works (the department) reviewed and updated the building forms to align with the new regulation. The department has been monitoring implementation and engaging with industry to identify potential enhancements to the forms, as well as ensuring the legislation is operating as intended.

Following industry feedback the department has developed a new Product Technical Statement and made some administrative amendments to the relevant forms.

## Transitional arrangements

### Forms 12, 15, 16, 17 and 18

Forms signed before publication of the amended forms on 10 March 2023 remain valid and can still be accepted by a building certifier, builder, competent person or owner. These are still considered to be substantially compliant which is sufficient from a legal perspective.

The amended forms should be used from 10 March 2023 with the expectation that only the new forms be used after 1 May 2023.

### Form 73 - Product Technical Statement

The new Product Technical Statement is now available for use.

## Amendments

Amendments made to forms 12, 15, 16, 17 and 18 are as follows.

### Form 12 - Aspect Inspection Certificate (Appointed Competent Person)

Form 12 is given by a competent person after they have inspected an aspect of work and are satisfied the aspect has been completed and complies with the building development approval.

**Changes to “Appendix – explanatory information”**

<b>When is this certificate needed?</b>	
Added section of BR 2021 to clarify use of form	“sections 74” added to header
Added text to clarify that the type of competent person is a competent person (inspection)	“(inspection)” added after “competent person”
Added text to match requirements of s.35 of the BR 2021 where an RPEQ is required	“or formwork and reinforcement for a slab” added
Amended incorrect name of guideline to match name in BR 2021	Guideline name updated to “Guidelines for inspection of class 1 and 10 buildings and structures”
<b>Competent person</b>	
Added name of the Act to clarify that section 10 is relevant to the Building Act	“of the Building Act and” added to header

**Form 15 - Compliance certificate for building design or specification**

Form 15 is given by a competent person for an aspect of work to state that a building design or specification, if installed or carried out under the certificate, will comply with the building assessment provisions.

Form 15 can be used by a manufacturer or supplier of building materials only if the manufacturer or supplier has also undertaken the design component of the product.

A manufacturer or supplier who has not undertaken the design component of a product can use the new non-mandatory Form 73 - Product Technical Statement.

**Changes to “Appendix – explanatory information”**

<b>What is the purpose of this form?</b>	
Added section of the Building Act to clarify use of form	“and 70” added to header
Added explanatory text to clarify use of form	Text added to clarify that form can also be used when amending the building development approval
<b>When can a manufacturer or supplier be required under the BR 2021 to complete and sign this Form 15, if requested?</b>	
Added explanatory text to clarify use of form	Text added to clarify that form can be used by a manufacturer/supplier if they have also undertaken the design component of the product.
<b>What is required if a manufacturer or supplier did not do the design work for the project?</b>	
Added section with explanatory text to clarify manufacturer/supplier responsibilities	New section added to clarify that manufacturers/suppliers who don’t do design work should use a product technical statement

## Form 16 - Inspection Certificate

Form 16 is given by an inspecting person for a stage of work after they have inspected a stage of work and are satisfied the aspects of the stage have been completed and comply with the building development approval.

### Changes within the form

9. Signature of building certifier or appointed competent person	
Amended incorrect reference	"section 4" replaced with "section 3"
Added certificate date	"Certificate date" field added

### Changes to "Appendix – explanatory information"

Restrictions for who can sign a Form 16	
Updated list of stages in line with amendments made to the BR 2021 on 27 May 2022	List of stages which must be signed by the certifier updated
Reordered paragraphs to improve readability	Paragraphs reordered

## Form 17- Final inspection certificate - swimming pools/swimming pool fencing

Form 17 is a final inspection certificate, given by a building certifier to state that the pool and pool fencing is compliant with the building development approval. Form 17 was updated as part of the remake of BR2021.

Legacy drafting references to the *Building Act 1975* have been rectified and minor edits for clarity have been made.

### Changes within the form

Introduction	
Updated legacy Building Act 1975 reference	"This Form 17 is made for the purposes of sections 98 and 99 of the <i>Building Act 1975</i> "
Added additional note	"The building certifier for the work must give this signed form to the owner as the final inspection certificate for a swimming pool or swimming pool fence certifying the work is compliant with the building development approval."
Updated references from 'fences' to 'barriers' to reflect legislative provisions	"swimming pool barrier" updated throughout the form
6. Performance solution	
"Safety" removed from "pool fencing safety barriers" to reflect legislative provisions	"swimming pool barrier"
7. Certification	
Updated legacy <i>Building Act 1975</i> reference	"pursuant to section 10 of the Building Act 1975 for the performance of building certification functions."

"Safety" removed from "pool fencing safety barriers" to reflect legislative provisions	"swimming pool barrier"
Removed duplicate information	Removed "The building certifier must give the owner and assessment manager a copy of the final inspection certificate."

### **Form 18 - Notice to the owner (where owner is not the client) that a private building certifier has been engaged to undertake private certifying functions.**

Form 18 is given by a private building certifier who has been engaged by a client who is not the owner of the building, to undertake private certifying functions.

#### **Changes within the form**

<b>Notify the owner of a building that a private certifier has been engaged</b>	
Updated list of stages in line with amendments made to BR 2021 on 27/5/2022	List of stages updated

#### **Changes to "Appendix – explanatory information"**

<b>Additional explanatory information about owner request for additional certifying functions</b>	
Amended heading as inspection documentation is not relevant to section	"and inspection documentation" removed
Combined two sections about additional certifying functions to improve readability	Section moved into "Owner request for additional certifying functions (certifying functions)" section
Replaced references to match legislative provisions	Replaced "additional certification inspections" with "additional certification functions" in various places
<b>What inspections will be done?</b>	
Updated list of stages in line with amendments made to BR 2021 on 27 May 2022	List of stages updated
Added information about pool fencing stages	Pool fencing stage details added
Added text about the use of competent persons	Text added to clarify that the use of competent person is subject to restrictions
<b>Owner request for inspection documentation</b>	
Amended references to using a mandatory form (form is recommended only)	"Must" replaced with "may", "the approved" removed

## **New form**

The new, non-mandatory **Form 73 - Product Technical Statement** may be given by a manufacturer or supplier who is not part of the design process to provide evidence of suitability in accordance with Part A5 of the Building Code of Australia (BCA) to demonstrate that a material, product or form of construction fulfils the specific requirements of the BCA.

## More information

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

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

## Contact us

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