

# Building and Plumbing Newsflash 593

## Transitional arrangements and new approved forms for the Building Regulation 2021

### Purpose

To provide industry information about transitional arrangements and use of the new and revised building forms made under the Building Regulation 2021 (BR 2021).

### Background

The BR 2021, which remade the Building Regulation 2006 (BR 2006), commenced on 1 September 2021. It supports the objectives of the *Building Act 1975* and generally preserves the obligations and requirements prescribed through the expired BR 2006.

The building forms were updated to align with the BR 2021 and can be found on the [Business Queensland website](#).

### Changes to forms

All building forms have been revised and are in a new template design with references to the expired BR 2006 removed. While the forms look different, the content included in the majority of forms remains the same.

There are four new approved forms, and two forms were renumbered because of duplication in numbering.

#### **Certificate of Inspection forms**

Previously, a single Certificate of Inspection (Form 16) was completed for an aspect or stage of work, by the certifier, appointed competent people or Queensland Building and Construction Commission licensee, and for various building classes. The forms 16, 12, 30 and 43 separate the inspection responsibilities for a stage of work and an aspect of work and distinguish between who is responsible for completing the various forms as show in the table below.

	Old (BR 2006)	New forms (BR 2021)			
	Form 16	Form 16	Form 12	Form 43	Form 30
Building Development Approval (BDA)	Yes	Yes	Yes	Yes	No
Who completes the form	Certifiers Competent person QBCC licensee	Certifiers Competent persons (excluding corporations)	Competent person (excluding corporations)	QBCC licensees and corporations	

Building Class	All building classes	All building classes	All building classes	Single detached Class 1a and class 10 buildings and structures
Stage or aspect of work	Stage or aspect of work	Stage of work	Aspect of work	Aspect of work

The four new forms simplify and clarify the certification and inspection documentation requirements. To assist practitioners in completing the new forms an appendix has been included as the end of each new form and added to the Form 16.

### **Form 16 – Inspection Certificate**

The Form 16 is an ‘Inspection Certificate’ and is to be used to sign off on a stage of work for all building classes. It is to be completed by the relevant building certifier, another building certifier or an appointed competent person (approved by the building certifier) when inspecting a stage of the work for compliance with the BDA.

Each stage of the building work must be inspected and only the building certifier may complete a Form 16 for the footing stage, slab stage and final stage of the work.

As was already in place prior to the commencement of BR 2021, builders are prohibited from starting a new stage of building work if they haven’t received a Form 16 signed by the building certifier for the previous stage of work. This is not a new requirement.

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

Form 12 is to be completed by an appointed competent person after they have inspected an aspect of work and are satisfied the aspect has been completed and complies with the BDA. The form is given to the building certifier to assist them to finalise the stage of the building work. For example, it may be used by an electrician or engineer (whom the building certifier has deemed competent) for an aspect of the building stage relevant to their experience, skills, and qualifications (and licence/registration if applicable). A Form 12 cannot be issued by a licensed corporation. The functions and information in the Form 12 were previously included in the Form 16.

### **Form 30 - QBCC licensee aspect certificate for accepted development (self-assessable)**

Form 30 is to be completed by the QBCC licensee for an aspect of work for a single detached class 1a building or class 10 building or structure if the work is prescribed under Schedule 1 of the BR 2021 (not under a BDA). The QBCC licensee may give this completed form to the builder for the building work or to the owner of the building work. This information was previously included in the Form 16.

### **Form 43 - Aspect Certificate (QBCC Licensee)**

Form 43 is to be completed by a QBCC licensee carrying out the aspect work that is subject to a BDA for a single detached class 1a building or a class 10 building or structure. A Form 43 can be issued by either a licensed person or a licensed corporation and is given to the building certifier or competent person (inspections). The QBCC licensee must complete the form informing the building certifier how the aspect work complies with the BDA. This information was previously included in the Form 16.

### ***Other forms***

### **Form 62 - Notice that the stage of work does not comply (Appointed competent person)**

If the competent person appointed to inspect the stage of work is not satisfied the stage has been completed or that the work complies with the BDA, they must complete this form, and give it to the

builder for the work and also the building certifier. The competent person cannot issue a Noncompliance notice (Form 61) as this is a function of the building certifier only.

### [Form 15 – Compliance Certificate for a building design or specification](#)

The Compliance Certificate for a building design or specification (Form 15) was revised for consistency with the BR 2021.

The Form 15 is used by an appointed competent person (design - specifications) to confirm the building design or specification for the aspect of building work complies with the building assessment provisions, including any relevant standards and codes. The Form 15 is used to inform the building certifier's decision when they are assessing a building development application and issuing a BDA for the relevant building work.

A manufacturer or supplier of building materials is not required to complete a Form 15 or any aspect and inspection certificates. However, a manufacturer or supplier may give evidence of suitability such as a manufacturers statement for an aspect or material that it is compliant with to indicate its compliance with the relevant reference documents in the Building Code of Australia i.e. the applicable Australian Standard/s.

## Transitional arrangements

Forms that were signed before 1 September 2021 remain valid forms as they were signed prior to the commencement of the BR 2021. These forms can be accepted by the building certifier.

Building forms signed on or after 1 September 2021 should be the new forms, which are those currently available on the [Business Queensland website](#). However, to assist with transitioning to the new forms, old forms already correctly and sufficiently completed after 1 September 2021 are still legally sufficient for their purpose and can be accepted by a building certifier.

## More information

The department is working with industry stakeholders to increase awareness regarding the BR 2021 and the issues raised with the building forms. For more information on the building forms, please see the [Building and Plumbing Newsflash 591](#).

## Contact us

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