

# Building and Plumbing Newsflash 591

Queensland's Building Regulation 2021 commenced  
1 September 2021

## Purpose

To advise the remade Building Regulation 2021 (BR 2021) commenced on 1 September 2021 and to provide a summary of the new and amended building forms made under the BR 2021.

## Background

The Building Regulation 2006 (BR 2006) expired on 31 August 2021.

On 26 August 2021, the Governor in Council approved the BR 2021 for commencement on 1 September 2021. The BR 2021 continues to support the objectives of the *Building Act 1975* and generally maintains the obligations and requirements in the BR 2006.

Refer to [Building and Plumbing Newsflash 590](#) published on 26 August 2021 for information about the new BR 2021.

## Forms

The Department of Energy and Public Works revised all relevant building forms to ensure consistency with the BR 2021, including the revised numbering and new parts. All new and amended building forms are now published on the [Business Queensland website](#).

*The following is a summary of the new and amended **approved building forms**.*

Form number	Description	Summary of changes to existing forms and the purpose of the new forms
Form 9	Application to vary the <i>Building Act 1975</i>	<ul style="list-style-type: none"><li>Changes for consistency with the BR 2021.</li></ul>
<b>NEW FORM</b> Form 12	Aspect Inspection Certificate (Appointed Competent Person)	<ul style="list-style-type: none"><li>An appointed <u>competent person</u> (inspections) must complete this approved form (Form 12) and give it to the building certifier after they:<ul style="list-style-type: none"><li>(1) inspect the <u>aspect of work</u>, and</li><li>(2) are satisfied the aspect of work has been completed and complies with the <u>building development approval</u> (BDA).</li></ul></li><li>The BR 2006 requires the Form 16 – Inspection certificate to be issued to state the compliance of a stage of building or aspect of work.</li><li>An Appendix provides information to assist in the completion of the document.</li></ul>
Form 13	Application for the Certificate of Occupancy for a building or structure built before 30	<ul style="list-style-type: none"><li>Changes for consistency with the <i>Building Act 1975</i> and the BR 2021.</li></ul>



Form number	Description	Summary of changes to existing forms and the purpose of the new forms
	April 1998 / Change of Classification	
Form 15	Compliance certificate for a building design or specification	<ul style="list-style-type: none"> <li>• Changes for consistency with the BR 2021.</li> <li>• The appointed competent person (design – specifications) completes this form, which is used to inform the building certifier's decision when they are assessing a building development application and issuing the BDA for the building work the subject of the certificate (Form 15).</li> <li>• A new Appendix provides information about the form for the appointed competent person, the building certifier, building product manufacturers and suppliers, and industry.</li> </ul>
Form 16	Inspection Certificate	<ul style="list-style-type: none"> <li>• Changes for consistency with the BR 2021.</li> <li>• Revised to clarify that the form is used as the inspection certificate <u>for stages of building work</u>.</li> <li>• Aspect certificates for work that is subject to a BDA is now either a Form 12 (NEW) for a competent person, or Form 43 (NEW) for a QBCC licensee.</li> <li>• A new Appendix provides information to assist in the completion of the document.</li> </ul>
Form 17	Final inspection certificate swimming pools and swimming pool fencing	<ul style="list-style-type: none"> <li>• Changes for consistency with the BR 2021.</li> </ul>
Form 18	Notice to owner (where owner is not the client) that a private building certifier has been engaged	<ul style="list-style-type: none"> <li>• Minor amendment to the Appendix for consistency with other administrative forms made in 2020 when owners request additional compliance inspections.</li> </ul>
Form 21	Final inspection certificate	<ul style="list-style-type: none"> <li>• Changes for consistency with the BR 2021.</li> <li>• A new Appendix provides information to assist in the completion of the document.</li> </ul>
Form 24	Temporary accommodation buildings checklist	<ul style="list-style-type: none"> <li>• Changes for consistency with the BR 2021.</li> </ul>
<b>NEW FORM</b> Form 43	Aspect Certificate (QBCC Licensee)	<ul style="list-style-type: none"> <li>• A <u>QBCC licensee</u> completes this form, if they have carried out the <u>aspect work</u> (or authorised under the QBCC Regulation) that is <u>subject to a BDA</u> for a single detached class 1a building or a class 10 building or structure.</li> <li>• The QBCC licensee must complete the form informing the building certifier how the aspect work complies with the BDA.</li> <li>• Currently the Form 16 – Inspection certificate is issued to advise about the compliance of a stage of building or aspect work.</li> <li>• An Appendix provides information for the industry, including QBCC licensees and building certifiers.</li> </ul>

Form number	Description	Summary of changes to existing forms and the purpose of the new forms
Form 30 <b>NEW FORM</b>	QBCC licensee aspect certificate for accepted development (self-assessable).	<ul style="list-style-type: none"> <li>This form is completed by the QBCC licensee for an <u>aspect of work</u> for a single detached class 1a building or class 10 building and structures if the work is prescribed under Schedule 1 of the BR 2021 and <u>not under a BDA</u>.</li> <li>An Appendix provides information about the form to industry, including QBCC licensees, builders, and homeowners.</li> </ul>
Form 32	Relevant information for service providers	<ul style="list-style-type: none"> <li>Changes include minor edits for consistency with the numbering of the BR 2021 and to clarify the information (i.e. plans/part plans) the building certifier should provide in the form.</li> </ul>
Form 33	On-site water storage tanks under Queensland Development Code MP 3.7 – Farm buildings	<ul style="list-style-type: none"> <li>Changes for consistency with the BR 2021.</li> </ul>
Form 61	Noncompliance notice	<ul style="list-style-type: none"> <li>Under the BR 2021 the appointed competent person no longer issues this form, regardless whether they are the inspecting person.</li> <li>The BR 2021 clarifies the building certifier is the accountable person for the certification of a building and are the enforcement authority until they issue the final certificate or Certificate of Occupancy for the building.</li> <li>If the inspecting person is a building certifier, and they are not satisfied the stage of work complies with the building development approval then they must give the builder this Noncompliance notice (Form 61).</li> <li>Further if the building certifier receives a notice that a stage of work does not comply with the BDA (new <b>approved Form 62</b>) from the inspecting person, who is the appointed competent person, and the building certifier is not satisfied the stage of work has been rectified or does not comply with the BDA, they must issue a Noncompliance notice (Form 61) to the builder.</li> <li>A new Appendix provides information to assist in the completion of the document.</li> </ul>
Form 62 <b>NEW FORM</b>	Notice that the stage of work does not comply (Appointed competent person)	<ul style="list-style-type: none"> <li>If the <u>competent person</u> appointed to inspect the stage of work <u>is not satisfied the stage has been completed or that the work does not comply with the BDA</u>, they must complete this form, and give it to the builder for the work and the building certifier.</li> <li>The <b>competent person cannot issue a Noncompliance notice</b> (Form 61). Issuing a Form 61 is a function of the building certifier. This clarifies the policy intent of the BR 2006</li> </ul>

Form number	Description	Summary of changes to existing forms and the purpose of the new forms
		<ul style="list-style-type: none"> <li>An Appendix provides information to assist in the completion of the document.</li> </ul>

The following are non-mandatory administrative/recommended forms that have been updated to include the new section numbers from the BR 2021.

Form 31 <b>RENUMBERED FORM</b>	Additional certification notice	<ul style="list-style-type: none"> <li>This form was previously published as a Form 33 in 2020 (now has a new form number).</li> <li>Minor editorial changes in the Appendix to align the content with the BR 2021 and other approved forms.</li> </ul>
Form 35	Owner request for a copy of inspection documentation	<ul style="list-style-type: none"> <li>Minor changes to reflect the new forms and any changes to numbering i.e. renumbered forms – now Forms 31 and 42.</li> </ul>
Form 42 <b>RENUMBERED FORM</b>	Client (where the owner is not the client) gives owners details to the private certifier	<ul style="list-style-type: none"> <li>This form was previously published as a Form 39 in 2020 and now has a new form number.</li> <li>Minor editorial changes in the Appendix to align the content with the BR 2021 and other approved forms.</li> </ul>
Form 58	Notice for inspection for a stage of building work	<ul style="list-style-type: none"> <li>Minor edits and renumbering of provisions for consistency with BR 2021.</li> </ul>

For more information and to access all of the building forms please visit the [Business Queensland website](#).

## Guidelines

All guidelines made under section 258 of the Building Regulation are undergoing review for consistency with the BR 2021.

## More information

For more information on the new legislation please visit the [Department of Energy and Public Works website](#).

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

## Contact us

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