



NON-CONFORMING BUILDING PRODUCTS

Home owners

INTRODUCTION

The use of non-conforming building products in the buildings in which we work, live and play, puts lives and property at risk. On 1 November 2017, the Queensland Parliament commenced new laws to cover the sale and use of building products.

These laws create a chain of responsibility for building products.

This means that all parties involved in the building product supply chain, from the manufacturers and importers to the suppliers and installers, will now be held accountable for building products that are not compliant or fit for their intended purpose.

Information about the building product and its intended use must be provided by each person in the supply chain to the next person in the chain.

WHAT IS A NON-CONFORMING BUILDING PRODUCT?

The new laws state that a building product is regarded as non-conforming if it is unsafe, does not comply with the relevant regulatory provisions (e.g. the National Construction Code), or its performance does not meet the claimed standard or performance.

A building product is also regarded as non-conforming if it claims to be something it is not and is marketed and supplied with the intent to deceive consumers.

WHAT DO THE CHANGES MEAN FOR ME?

The new laws aim to eliminate the use of NCBPs by imposing responsibilities on those involved at the earliest stages of a typical building supply chain.

They will help provide greater safety and certainty for home owners and save money by preventing costly rectification works.

The Queensland building regulator, the Queensland Building and Construction Commission (QBCC) now has enhanced powers to deal with non-conforming building products.

HOW CAN I MINIMISE THE RISK OF NON-CONFORMING BUILDING PRODUCTS IN MY HOME?

There are many steps that you can take to reduce the likelihood of non-conforming building products being installed in your home.

Choosing a tradesperson – Choosing a licensed tradesperson will ensure they are properly qualified and insured. They also have a legal requirement to use only building products that comply with the standards under the National Construction Code.

See <http://www.onlineservices.qbcc.qld.gov.au/FindLocalContractor/Default.aspx> to identify licensed tradespeople in your area.

Choosing the right building products for the job – The new laws require that building products are accompanied by information that allows you to determine whether the product is fit for its intended use. If you are purchasing building products make sure you check the information with a licensed tradesperson. If your builder is supplying the product, check with them that the product meets the required standards. Check that plumbing products have the relevant WaterMark certification.

WHAT SHOULD I DO IF I SUSPECT A NON-CONFORMING BUILDING PRODUCT?

If you are concerned that a non-conforming building product has been used in your home, you should raise this with the tradesperson who installed it.

Ask them for the information showing that the building product meets the required standards. If they don't provide this information, contact the QBCC.

HOW WILL THESE NEW LAWS BE ENFORCED?

It takes many thousands of products to complete a building and most people involved in the design, manufacture, importation, supply and installation of these products do the right thing.

But the use of non-conforming products puts lives and property at risk so the Queensland Government has taken steps to ensure that risk is minimised.

The new laws enhance the powers of the QBCC so that it can take disciplinary action for offences relating to NCBPs.

WHERE CAN I GO FOR HELP OR MORE INFORMATION?

More information on the new building product laws can be obtained from the Queensland Building and Construction Commission (QBCC) at

- www.qbcc.qld.gov.au/about-us/non-conforming-building-products
- Email: ncbp@qbcc.qld.gov.au.