

IMPORTED GLAZING, WINDOWS AND NON-CONFORMING BUILDING PRODUCTS

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If you import *building products* or supply them as a direct seller or as an agent into Queensland, are a builder or installer, you are a *person in the chain of responsibility*.

As a **person in the chain of responsibility**, you have a legislated duty to ensure a **building product** is not a **non-conforming building product**. This includes ensuring the **building product** meets **relevant regulatory provisions** and in turn, that you comply with relevant duties, such as the duty to provide **required information**.

In Queensland, a **building product** is any material or other thing **associated with**, or that could be associated with, a building.

Imported windows and glazing for building works are **building products**.

A building product is a non-conforming building product (**NCBP**) for an **intended use** if:

- the association of the product with a building for the use:
 - » is not, or will not be, safe; or
 - » does not, or will not, comply with the **relevant regulatory provisions**; or
- 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.

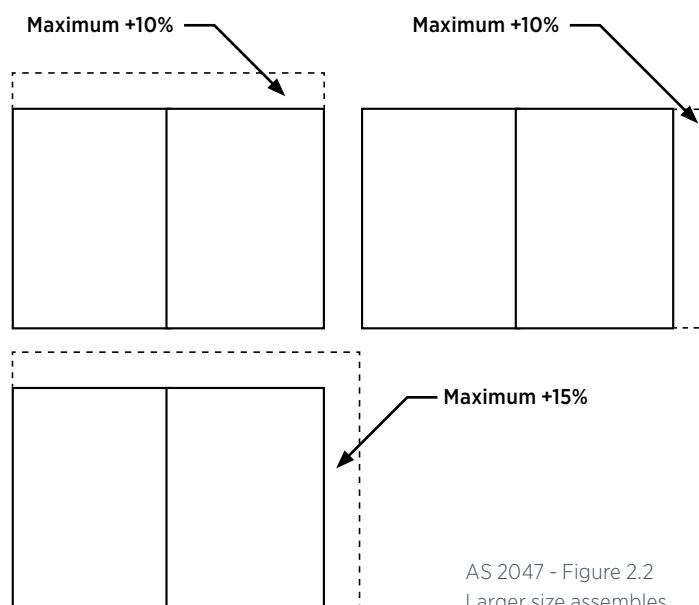
The **relevant regulatory provisions** under the Queensland Building and Construction Commission Act 1991 (**QBCC Act**) include the Building Act 1975 (**Building Act**) which incorporates Volume One and Volume Two of the National Construction Code (**NCC**) including the Building Code of Australia (**BCA**). A building product must comply with the NCC as a **relevant regulatory provision**.

Required information, for a **building product**, means information about the product that:

- for each intended use of the product, states or otherwise communicates:
 - » the suitability of the product for the intended use (including any restrictions or conditions on its suitability);
 - » instructions about how the product must be associated with a building;
 - » instructions about how the product must be used to ensure it is not a NCBP for the intended use; and
- complies with the requirements for the information, if any, prescribed by regulation (evidence of suitability as prescribed by the NCC forms part of the required information).

A **person in the chain of responsibility** should check and keep records demonstrating that:

- (a) the **Accredited Testing Laboratory (ATL)** is accredited, for when testing and reporting are completed;
- (b) the product certificate is current and verified on the website. Either the Conformity Assessment Body (**CAB**) website or the Joint Accreditation System of Australia and New Zealand (JASANZ) website can be used. It is recommended that reliance only on the certificate expiry date is not made, as certification may depend on ongoing surveillance, batch testing, traceability, or later amendments; and
- (c) the proposed products match the tested assembly and stay within allowable tolerances. For AS 2047 windows or external glazed doors, size must not exceed the tested product by more than 10% either horizontally or vertically, **and** not more than 15% in total area. See Figure 2.2 from AS 2047 below.



Windows

Imported windows and external glazed doors supplied for use in Queensland buildings must satisfy the relevant NCC Performance Requirements. These include:

- B1P1, B1P2, B1P3 and H1P1 for structural and human impact;
- F3P1 and H2P2 for weatherproofing; and
- D1P3 and H5P2 for barriers.

Meeting these requirements is part of demonstrating that the product is not a **non-conforming building product**.

Compliance with *AS 2047 Windows and external glazed doors in buildings*, supported by evidence of suitability, will help meet these Performance Requirements. This is demonstrated with either:

- a test report from an ATL [NCC A5G3(d)]; or
- a current product certificate [NCC A5G3(c)] issued by an accredited certification body, also known as a CAB, accredited by JASANZ.

To reduce the risk of human impact, as required by *AS 1288 Glass in buildings*, glazing materials must be safety glazing and comply with *AS/NZS 2208 Safety glazing materials in buildings*.

However, glass that is only certified against AS/NZS 2208 or AS 1288 alone, is not sufficient evidence that the complete window and door assemblies comply with the NCC Performance Requirements.

Test reports or certificates must be reproduced in full and include complete product details.

For AS 2047 complying windows, this must include details such as:

- both the overall size and the component element dimensions, e.g. awning, slider or fixed panel size;
- window performance in Ultimate Limit State (**ULS**) and Serviceability Limit State (**SLS**) pressures;
Note: For housing, that is, Class 1 and 10 buildings, N and C ratings may be acceptable only within the geometry constraints of *AS 4055 Wind loads for housing*. Please refer to QBCC Fact Sheet “How to Identify Selection Criteria for Windows and Glazed External Doors and Non-Conforming Building Products” noting who and how to provide the design pressure information.
- water penetration resistance (**WPR**) pressures;
- air infiltration rating;
- the date a window/door assembly was endorsed or added;
- window/door assembly fenestration type and description, e.g. horizontal sliding window, fixed window, awning, combination fixed and sliding window, etc.

A verifiable manufacturer’s compliance certificate must also be provided and include:

- the window manufacturers’ identification mark, and
- the wind pressure performance, both ULS and SLS, and
- the WPR pressure.

For housing, that is, Class 1 and Class 10 buildings, windows and doors, excluding timber ones, must also be labelled with the compliance certificate information in a location that can be viewed after installation.

For AS/NZS 2208 this must include:

- labelling on the glazing in accordance with clause 1.6 for marking; and
- testing in accordance with AS/NZS 2208 section 3.

Product certificates from JASANZ accredited CABs will demonstrate compliance where they note testing, safety glass classification, and glazing type in accordance with AS/NZS 2208, and are consistent with the product labelling.

Bushfire attack level (**BAL**) ratings may be achieved by using the specific compliance requirements in *AS 3959 Construction of buildings in bushfire-prone areas* or by testing to *AS 1530.8.1 Methods for fire tests on building materials, components and structures* carried out by an ATL. The report must be reproduced in full and include complete product details. The product must also be used and installed in the same manner as the tested product.

In Class 2–9 buildings where AS 1288 requires the risk of spontaneous glass fracture due to nickel sulphide inclusions to be addressed by heat soaking when using monolithic glass, written certification or window marking must be provided. The certification or marking must reference the heat soak process system in accordance with EN 14179 - 1:2016 including Clause 6 and Annex A and record the required test parameters. Compliance may be demonstrated through a test report from an ATL or product certificates from JASANZ accredited CABs, together with window labelling confirming compliance with EN 14179-1.

Glazing for other building products

Balustrades, pool fences, and shower screens must be able to withstand human impact and use. Safety glass for these uses must comply with AS 1288.

Glass used in pool fences must also meet AS 1926.1 and AS 1288. Appendix G of AS 1926.1:2024 provides an ATL a test method that can be used to show the glass meets pool fence loading requirements to satisfy the relevant performance provisions.

Balustrade glass has additional requirements under AS 1288. These requirements are not covered in this fact sheet.

See also the following QBCC Fact Sheets, which provide additional complementary information:

- **How to Identify Selection Criteria for Windows and Glazed External Doors and Non-Conforming Building Products**
www.qbcc.qld.gov.au/resources/guide/how-identify-selection-criteria-windows-glazed-external-doors-non-conforming
- **Imported Building Products Tested Outside Australia**
www.qbcc.qld.gov.au/resources/guide/imported-building-products-tested-outside-australia

Persons in the **chain of responsibility** must ensure the **building products** they import, manufacture, supply, install, or design are not **non-conforming building products**, or otherwise risk incurring significant penalties. This includes ensuring the **building product** meets **relevant regulatory provisions** which includes the NCC.

Compliance with the NCC is achieved by complying with the Governing Requirements and the Performance Requirements.

Definitions

QBCC ACT DEFINITIONS:

A **building product**¹ is any material or other thing associated with, or that could be associated with, a building.

Associated with,² in relation to a building, means incorporated into, or connected to, a building by the carrying out of relevant work.

Relevant work³ means—

- (a) building work under the *Building Act 1975* other than work mentioned in section 5(2) of that Act; or
- (b) plumbing work under the *Plumbing and Drainage Act 2018* directly connected to a building; or
- (c) drainage work under the *Plumbing and Drainage Act 2018* directly connected to a building.

Non-conforming building product⁴: A building product is a non-conforming building product for an intended use if—

- (a) the association of the product with a building for the use—
 - (i) is not, or will not be, safe; or
 - (ii) does not, or will not, comply with the relevant regulatory provisions; or
- (b) 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.

Intended use⁵, for a building product, means a use for which the building product is intended to be, or is reasonably likely to be, associated with a building.

Relevant regulatory provisions⁶ means—

- (a) in relation to relevant work mentioned in the definition relevant work, paragraph (a)—the building assessment provisions under the *Building Act 1975*; or
- (b) in relation to relevant work mentioned in the definition relevant work, paragraph (b) or (c) - the *Plumbing and Drainage Act 2018*.

Required information⁷, for a building product, means information about the product that —

- (a) for each intended use of the product, states or otherwise communicates the following—
 - (i) the suitability of the product for the intended use and, if the product is suitable for the intended use only in particular circumstances or subject to particular conditions, the particular circumstances or conditions;
 - (ii) instructions about how the product must be associated with a building to ensure it is not a non-conforming building product for the intended use;
 - (iii) instructions about how the product must be used to ensure it is not a non-conforming building product for the intended use; and
- (b) complies with the requirements for the information, if any, prescribed by regulation for this definition.

A person is a **person in the chain of responsibility**⁸ for a building product if—

- (a) the person—
 - (i) designs, manufactures, imports or supplies the building product; and
 - (ii) knows, or is reasonably expected to know, the product will or is likely to be associated with a building; or
- (b) the person installs the product in a building in connection with relevant work; or
- (c) the person is an architect or engineer who, in designing a building, specifies that the product be associated with the building.

National Construction Code definitions:

Accredited Testing Laboratory⁹ means one of the following—

- (a) An organisation accredited by the National Association of Testing Authorities Australia (NATA) to undertake the relevant tests.
- (b) An organisation outside Australia accredited to undertake the relevant tests by an authority recognised by NATA through a mutual recognition agreement.
- (c) An organisation recognised as being an Accredited Testing Laboratory under legislation at the time the test was undertaken.

Performance Requirement¹⁰ means - a requirement which states the level of performance which a Performance Solution or Deemed-to-Satisfy Solution must meet.

Performance Solution¹¹ means - a method of complying with the Performance Requirements other than by a *Deemed-to Satisfy Solution*.

Deemed-to-Satisfy Solution¹² means - a method of satisfying the *Deemed-to-Satisfy Provisions*.

Deemed-to-Satisfy Provisions¹³ means - provisions which are deemed to satisfy the *Performance Requirements*.

Product Technical Statement¹⁴ means - a form of documentary evidence stating that the properties and performance of a building material, product or form of construction fulfil specific requirements of the NCC, and describes—

- (a) the application and intended use of the building material, product or form of construction; and
- (b) how the use of the building material, product or form of construction complies with the requirements of the NCC Volume One and Volume Two; and
- (c) any limitations and conditions of the use of the building material, product or form of construction relevant to (b).

¹QBCC Act, section 74AB(1).

²QBCC Act, section 74AA.

³QBCC Act section 74AA.

⁴QBCC Act section 74AB(2).

⁵QBCC Act section 74AA.

⁶QBCC Act section 74AA.

⁷QBCC Act, section 74AG(7).

⁸QBCC Act, section 74AE.

⁹NCC 2022 Volume One, schedule 1 Definitions, Glossary.

¹⁰NCC 2022 Volume One, schedule 1 Definitions, Glossary.

¹¹NCC 2022 Volume One, schedule 1 Definitions, Glossary.

¹²NCC 2022 Volume One, schedule 1 Definitions, Glossary.

¹³NCC 2022 Volume One, schedule 1 Definitions, Glossary.

¹⁴NCC 2022 Volume One, schedule 1 Definitions, Glossary.

Useful links

[ABCB Handbook – Evidence of suitability](#)

www.abcb.gov.au/sites/default/files/resources/2024/NCC%202022%20Evidence%20of%20suitability%20handbook.pdf

This may assist with determining the appropriate level of robustness of evidence required, when not specifically nominated by NCC as to which form of evidence is required.

Disclaimer

The information provided in this fact sheet is for educational purposes only. Although the Queensland Building and Construction Commission (QBCC) endeavours to provide accurate and current information, it does not warrant, represent, or guarantee that the information communicated in this fact sheet is in all respects accurate, complete and current.

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If you have any questions as to how the NCBP laws apply to you, you should obtain appropriate independent professional advice regarding how to discharge your duties under the QBCC Act and achieve compliance with relevant regulatory provisions for building products. This is especially important if you (or your company) intend to later rely upon that advice to demonstrate satisfaction of your duties under part 6AA of the QBCC Act or other legislative obligations.