

POOL SAFETY INSPECTIONS AND ADVISORY SERVICES

EFFECTIVE JUNE 2026

The Building Act 1975 (Building Act) establishes statutory functions and obligations for licensed Pool Safety Inspectors (PSIs) when inspecting regulated pools. This fact sheet clarifies the circumstances in which a PSI may provide advisory services and when statutory inspection requirements apply.

Key message

If a PSI inspects a regulated pool the inspection functions and statutory outcomes under the Building Act apply. A PSI cannot avoid these obligations by describing the engagement as a consultation, advisory visit or informal check.

PSI Function

When a PSI inspects a regulated pool, they cannot elect to step outside their licensed PSI capacity. Section 231C of the Building Act defines the pool safety inspection function as including:

- Inspecting a regulated pool to decide whether to give a pool safety certificate
- Carrying out minor repairs arising from that inspection
- Giving a pool safety certificate
- Giving a nonconformity notice

Where a PSI undertakes a pool safety inspection function, the statutory requirements associated with that function apply. Once a PSI inspects a regulated pool, they are performing a pool safety inspection and must issue the appropriate certificate or notice to the pool owner.

A PSI cannot avoid fulfilling statutory obligations simply by declaring they are “not acting as a PSI” during an inspection.

What activities may constitute an inspection

Whether an inspection has occurred will depend on the facts and circumstances of each engagement, including the activities undertaken by the PSI. Activities that may indicate an inspection has occurred include, but are not limited to:

- assessing the compliance of a regulated pool barrier;
- taking measurements of a barrier or its components;
- testing the operation of gates, latches or other barrier elements;
- assessing non-climbable zones or other requirements of the pool safety standard;
- identifying nonconformities against legislative requirements; or
- forming or communicating a view about whether a regulated pool complies, or is likely to comply, with the pool safety standard.

The substance of the activity, rather than the description given to it, determines whether an inspection has occurred.

Requirements after inspection

Once a PSI inspects a regulated pool, whether called a “consultation,” “advisory visit,” or “informal check”, the requirements of sections 246AA and 246AB of the Building Act apply.

Following an inspection of a regulated pool, the PSI must either issue a pool safety certificate or a nonconformity notice, depending on whether they are reasonably satisfied the pool complies.

The statutory inspection framework is intended to ensure pool owners receive a clear compliance outcome following an inspection. For this reason, where an inspection occurs, the relevant certificate or notice must be issued.

Previous guideline

Previous guidance referred to advisory and consulting services. Where activities amount to an inspection of a regulated pool, the Building Act requires the PSI to comply with the statutory inspection functions and outcomes. The updated Guideline for pool safety inspectors reflects this requirement and omits references that could suggest an inspection may occur without the relevant statutory outcome.

If a PSI is engaged to conduct an inspection of a regulated pool they must comply with all statutory outcomes, regardless of what the engagement is called.

What you can and cannot do

YOU MAY	YOU MUST NOT
Provide general advice on proposed fencing, landscaping or future designs	Conduct an inspection of a regulated pool and describe it as an informal check
Discuss legislative requirements in general terms	Inspect a regulated pool barrier and avoid issuing the required statutory outcome
Explain likely compliance issues for proposed works	Inspect a regulated pool and decline to issue a certificate or notice because it was “advisory” or “consultation”.

Frequently asked question

Can I attend a property and provide advice without issuing a certificate or nonconformity notice?

Yes, provided you are not inspecting the regulated pool barrier, undertaking measurements, or forming a view about whether the pool complies with the pool safety standard. General advice about proposed works, future compliance requirements or design options may be provided without triggering statutory inspection outcomes.