

22 October 2021

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Hon Mick de Brenni
Minister for Energy, Renewables and Hydrogen
Minister for Public Works and Procurement
1 William Street
BRISBANE QLD 4001

VIA EMAIL: epw@ministerial.qld.gov.au

Dear Minister,

RE: AMENDMENTS TO THE QUEENSLAND CHAIN OF RESPONSIBILITY REGULATION

When Queensland's chain of responsibility legislation was introduced into the *Queensland Building and Construction Act 1991* back in 2017, it set Queensland at the forefront of the battle against non-conforming building products. For industry, it meant that there was much needed support in ensuring the appropriate use of building products.

When drafted, the legislation included two important provisions to be defined in the supporting regulation. That is the:

1. members of a 'Building Products Advisory Committee' (s20B); and
2. 'required information' to be passed along the supply chain (s74AG).

Neither of these has occurred, leaving a missed opportunity to improve the effectiveness of the legislation.

Establishing a 'Building Products Advisory Committee' would broaden the expertise available to tackle non-conforming building products. Specifically, the Committee would be responsible for providing advice to government on:

- the suitability of particular building products for particular uses;
- the safety of particular building products;
- the safety of a building with which a non-conforming building product has been associated;
- how to promote the safe use of building products in the industry;
- how to raise awareness of non-conforming building products; and
- enforcement action that may be appropriate for dealing with non-conforming building products.

Defining what constitutes the 'required information' is critical to establishing a shared understanding of the information provided along the supply chain, better ensuring it is transparent and verifiable and confirming how building products can be used in a way that conforms with the requirements of the NCC, its reference documents and Queensland legislation.

The Australian Building Codes Board, as part of the Building Confidence work, has further developed detail on what the 'required information' could include; specifically:

- description of the product and identifying details;
- declaration of performance, including the basis of the declaration;
- description of the intended use, including relevant limitations on its use;
- instructions for the safe handling, storage, installation and ongoing maintenance; and
- detail on the warranty and where to go for more information.

Under the legislation, establishing the 'Building Products Advisory Committee' would first require a change to the QBCC regulation to prescribe the members of the Committee. Similarly, defining the 'required information' would require a change to the regulation.

Adopting these two changes to the QBCC regulation will better enable the appropriate use of building products and help ensure that Queensland stays at the forefront of tackling non-conforming building products.

In making these changes, Master Builders stands ready to assist. Please contact Deputy CEO Paul Bidwell on 3225 6420 / 0488 088 528 or paul.bidwell@mbqlld.com.au if there is any more information that we can provide.

We look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Grant Galvin', with a stylized flourish at the end.

Grant Galvin
CEO