



Queensland

Queensland Building and Construction Commission and Other Legislation (Non-conforming Building Products) Amendment Regulation 2017

Subordinate Legislation 2017 No. 220

made under the

Queensland Building and Construction Commission Act 1991
State Penalties Enforcement Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Queensland Building and Construction Commission and Other Legislation (Non-conforming Building Products) Amendment Regulation 2017*.

2 Commencement

This regulation commences on 1 November 2017.

Part 2 Amendment of Queensland Building and Construction Commission Regulation 2003

3 Regulation amended

This part amends the *Queensland Building and Construction Commission Regulation 2003*.

4 Insertion of new ss 34AA and 34AB

After section 34A—

insert—

34AA Prescribed persons and ways to examine building products or samples—Act, s 106O

- (1) For section 106O(4) of the Act, the prescribed classes of person for examining a building product or sample are—
 - (a) if an Australian Standard states a way to examine the building product or sample—

- (i) persons accredited by NATA to examine the building product or sample; and
 - (ii) persons accredited by another entity to examine the building product or sample, if the accreditation is recognised by NATA under a written agreement between NATA and the entity; and
- (b) if paragraph (a) does not apply—persons the commissioner is satisfied are appropriately qualified to examine the building product or sample in the way mentioned in subsection (2)(b).
- (2) For section 106O(4) of the Act, the prescribed ways to examine a building product or sample are—
- (a) if an Australian Standard states a way to examine the building product or sample—the stated way; and
 - (b) if paragraph (a) does not apply—a way the commissioner is satisfied is appropriate for examining the building product or sample for the purposes of part 6AA of the Act.
- (3) In this section—
- NATA* means the National Association of Testing Authorities Australia ABN 59 004 379 748.

34AB Record keeping

The commissioner must keep a record of persons mentioned in section 34AA(1)(b).

ENDNOTES

- 1 Made by the Governor in Council on 26 October 2017.
- 2 Notified on the Queensland legislation website on 27 October 2017.
- 3 The administering agency is the Department of Housing and Public Works.

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