

Building and Plumbing Newsflash 570

Advice on the responsibilities of building certifiers requesting and issuing Forms 15 and 16

Purpose

To advise building industry practitioners about the role of Forms 15 and 16 in building assessment approval process and the responsibilities of individuals using these forms in the inspection processes. Two new guidelines have been published to clarify the obligations of building certifiers obtaining help from plumbers as competent persons and for competent giving help for fire protection work.

Background

Industry has sought clarity regarding the issuing and use of Forms 15 and 16. A focus has been on the use of these forms for plumbing work and fire services, as well as the roles, responsibilities and licensing requirements of individuals issuing the forms.

When and how do Forms 15 and 16 apply?

The *Building Regulation 2006* (BR) enables competent persons, including Queensland Building and Construction Commission (QBCC) licensees to give help to building certifiers in the assessment of a building application and inspection of building work. The BR enables certifiers to rely on competent persons to assess and certify those components of the building application, outside of the expertise of the building certifier.

The decision to seek the help of a competent person or rely on a QBCC licensee can only be made by the building certifier assessing the application or inspecting the building work.

Only after the building certifier has assessed the person as competent can the building certifier use the help of a competent person. This help is defined in the BR as design/specification help and inspection help.

Competent persons give design/specification help and inspection help by certifying that:

- Form 15 – A design of a building component or system will, if installed or carried out under the certificate, comply with the relevant building laws; or
- Form 16 – That an aspect of building work complies with the building approval and the relevant building laws.

The BR also states that if under the relevant laws an individual must be licensed or registered to be able to give help the competent person must also be licensed or registered.

New guidelines to assist building certifiers about the use of plumbers and other licensees as competent persons

[Two new guidelines](#) have been published to inform building certifiers understand their responsibilities in assessing the licensing requirements, qualifications and experience of competent persons.

The guidelines inform building certifiers on:

- how to meet their responsibilities under the *Building Regulation 2006* (BR) when requesting certificates (e.g. Form 16s) from licensed plumbers and obtaining help from competent persons;
- the criteria for assessing the qualifications and experience of plumbers, who carry out the installation of plumbing systems for fire services as part of a building development approval (BDA), as 'competent persons' for the purposes of the BR.
- the criteria for assessing the qualifications and experience of licensees, who carry out and assess fire protection work as part of a building development approval (BDA), as 'competent persons' for the purposes of the BR.

[Guideline: Building certifiers obtaining help from competent persons for fire protection work](#)

[Guideline: Certificates from plumbers relating to building work](#)

Legal status

The guidelines are made under:

- section 258 of the Building Act 1975 (BA) which provides for guidelines to be made to help achieve compliance with the BA.
- section 133A of the BA requires a building certifier, in performing a function under the BA, to have regard to the guidelines made under section 258 of the BA.

Evidence of regard to guidelines made under the BA may assist a building certifier in the event of a complaint about the performance of a building certification function.

Contact for further information

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