



Queensland

Building (Cladding) Amendment Regulation 2018

Subordinate Legislation 2018 No. 197

made under the

Building Act 1975

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1 Short title

This regulation may be cited as the *Building (Cladding) Amendment Regulation 2018*.

2 Regulation amended

This regulation amends the *Building Regulation 2006*.

3 Amendment of s 16S (Application of subdivision)

(1) Section 16S(1)—

insert—

(aa) a QBCC investigator—

(i) reasonably suspects that either the registration mentioned in section 16Q(1)(a) or the completed combustible checklist (part 1) for an owner's private building is false or misleading in a material particular; and

(ii) gives the owner notice of the suspicion;
or

(2) Section 16S(1)(aa) and (b)—

renumber as section 16S(1)(b) and (c).

4 Replacement of s 16ZN (Proof of agency)

Section 16ZN—

omit, insert—

16ZN Proof of agency

(1) This section applies if a person (an *agent*) does an act for an owner to comply with this part.

(2) Before the agent does the act, the agent must give to the QBCC, by using the online system, a copy of—

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- (a) if the owner's private building comprises 2 or more lots and the agent is the owner's body corporate manager—
 - (i) a document evidencing the body corporate manager's authority to act for the owner; and
 - (ii) another document, in the approved form, about the document mentioned in subparagraph (i); or
 - (b) otherwise—a document, in the approved form, evidencing the agent's authority to act for the owner.

Maximum penalty—20 penalty units.

- (3) In this section—

body corporate manager, for an owner of a private building comprising 2 or more lots, see—

- (a) if the building is subject to the *Body Corporate and Community Management Act 1997*—section 14 of that Act; or
- (b) if the building is subject to the *Building Units and Group Titles Act 1980*—section 7 of that Act; or
- (c) if the building is subject to the *Integrated Resort Development Act 1987*—schedule 7 of that Act; or
- (d) if the building is subject to the *Mixed Use Development Act 1993*—schedule 5 of that Act; or
- (e) if the building is subject to the *Sanctuary Cove Resort Act 1985*—schedule 9 of that Act; or
- (f) if the building is subject to the *South Bank Corporation Act 1989*—schedule 4, section 7 of that Act.

5 Insertion of new s 16ZP

After section 16ZO—

insert—

16ZP When owner not required to comply with part

An owner is not required to comply with a provision of this part in relation to the owner's private building if—

- (a) the building is owned by the owner and at least 1 other owner (*another owner*); and
- (b) another owner has complied with the provision in relation to the building.

ENDNOTES

- 1 Made by the Governor in Council on 22 November 2018.
- 2 Notified on the Queensland legislation website on 23 November 2018.
- 3 The administering agency is the Department of Housing and Public Works.

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