

FAILING TO COMPLY WITH THE APPROVED WAY TO PROCESS A REPLACEMENT CHECKLIST

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Section 16ZQ of the *Building Regulation 2006* allows for a person who has already completed a Combustible Cladding Checklist either for Part 1, Part 2 or Part 3 to request a *Replacement Checklist*.

Using the Approved Form, an owner may at any time apply to the QBCC Commissioner to replace the *Original Checklist*.

If the QBCC Commissioner considers the replacement of the Original Checklist reasonable in the circumstances, the QBCC Commissioner may permit the owner to give a Replacement Checklist in the approved way and within a reasonable stated period.

If you have had a *Replacement Checklist* approved, you must complete it in the approved way. You must also complete the *Replacement Checklist* within the stated period in your approval email from the QBCC. If you do not follow the approved way and complete the *Replacement Checklist* within this period the *Replacement Checklist* request will be void and you will be required to proceed through the *Combustible Cladding Checklist* process using your *Original Checklist*.

This means, if you have not complied with legislative obligations in relation to completing the *Original Checklist*, including completing the *Original Checklist* within the legislated timeframes, penalties may apply. These penalties include possible commencement of a prosecution in the Magistrates Court where a monetary penalty and a court order compelling the owner to complete the Checklist can be sought.