

04/03/2019

Press Release - Certificate Withdrawals

Further to the influx of calls and emails chasing confirmation on the status of current and completed projects, CMI contacted the Australian Building Codes Board, being both the Scheme Owner and publisher of the National Construction Code and requested 'assurances that works approved (whether construction has commenced or otherwise) using the withdrawn Certificates of Conformity as Evidence of Suitability of compliance with the NCC can still be relied on for that purpose'.

The ABCB provided the below statement:

'The decision to withdraw a certificate is not retrospective. A certificate that was current is recognised as one form of evidence of compliance with the Building Code of Australia. The withdrawal of a certificate simply means that it can no longer be used as a form of evidence that the product complies with the BCA. If a product covered by a withdrawn certificate is to be used in a building in accordance with relevant State or Territory legislation, practitioners would need to satisfy themselves through another form of evidence of suitability that the use complies with the appropriate provisions of the NCC. However, the ABCB cannot provide specific advice in relation to the status of approved works because this is not a CodeMark scheme matter or something for which the ABCB has responsibility. It can vary depending on the State or Territory legislation that enacts the NCC and other administrative determinations that might apply in a jurisdiction. Some of the previously certified products may already be restricted in their application by the limited bans introduced by the States and Territories last year, irrespective of whether they had or have a CodeMark certificate. A definitive answer on a specific scenario can only be given with consideration of these factors and would need to be sought from the relevant approval authority or State or Territory building administration'.

With Kind Regards

CertMark International