

# **BUILDING REGULATORS' FORUM**

## **Terms of Reference**

State and territory building regulators and relevant Commonwealth agencies require an effective mechanism for the exchange of information, to establish coordinated responses to building industry issues that affect the building industry, building occupants and the community.

### **Introduction**

On 19 February 2016, the national Building Ministers' Forum (BMF) endorsed recommendations provided by the Senior Officers' Group (SOG) on non-conforming building products (NCBPs). The SOG had been established and tasked with investigating and identifying strategies to address the issue of NCBPs.

One of the recommendations of the SOG was to establish a national building regulators' forum to focus on the operational aspects of identifying, enforcing and potentially recalling NCBPs.

Building ministers have recognized the benefits of cooperation and alignment by building regulators and have established the Building Regulators' Forum with these broader terms of reference.

### **Purpose**

The Building Regulators' Forum will provide an intergovernmental forum for state and territory building regulators to work cooperatively and efficiently on regulatory responses to issues of national significance impacting building and construction in Australia.

### **Functions**

The Building Regulators' Forum will:

- advise the BMF on matters relating to building and construction regulation and implement relevant BMF decisions;
- share information on best practice regulation and enforcement activities between relevant regulators as appropriate, e.g. building regulators, consumer law regulators, other Commonwealth departments and agencies;
- enable improved national coordination of responses relating to NCBPs by:
  - cooperation and information sharing amongst building and consumer law regulators across jurisdictions on consumer law matters where appropriate, to enhance collaboration between building and consumer law regulators (SOG Recommendation 3b);
  - contributing to the development and implementation of a national website and education initiatives (SOG Recommendations 3c and 3d); and
  - evidence provision to relevant Commonwealth entities when all states and territories prohibit a NCBP (SOG Recommendation 4a).

## **Principles**

The Building Regulators' Forum will enhance information-sharing, collaboration and coordination amongst building regulators by:

- ensuring efficient use of resources and minimising unnecessary duplication of effort;
- enabling information to be shared between relevant parties in a timely manner and in accordance with agreed processes, including consideration of the confidential nature of the information shared;
- informing each other of proposals and issues of mutual interest in a timely manner; and
- promoting consistent responses to occurrences of NCBPs, whilst acknowledging jurisdictions may adopt differing approaches or face resource constraints.

## **Membership**

Membership will consist of the senior building regulator or their delegate from each jurisdiction and a senior representative from the Australian Government.

## **Governance**

The Building Regulators' Forum reports directly to the BMF, and will provide BMF papers to the secretariat for distribution.

The BMF may direct the Building Regulators' Forum to:

- undertake additional work as required;
- work with the SOG on matters of policy; and
- the Australian Building Codes Board on matters related to the National Construction Code.

The BMF will review the effectiveness of the Building Regulators Forum (including any work program) on an annual basis.

## **Meetings**

The responsibility for the Building Regulators' Forum is equally shared, with the Chair and Secretariat function being rotated on an annual basis amongst all jurisdictions.

The Building Regulators' Forum will hold at least two meetings each year and attendance is compulsory. Other meetings will be held on an as needs basis as convened by the Chair or those member jurisdictions which deem it necessary. Attendance at these out of session meetings will be optional and based on jurisdictional relevance. Information may also be circulated and decisions made out of session via written communications.

Significant issues with national implications will be reported to relevant entities or escalated to the Building Ministers' Forum.