

FORM 36 - NOTICE OF NO POOL SAFETY CERTIFICATE

EFFECTIVE OCTOBER 2022

Important Information

1. Pool owners, including bodies corporate, are responsible for ensuring the barrier complies with the pool safety standard at all times, even after giving or receiving this Form 36.
2. Pool owners may be committing an offence by failing to comply with their pool safety obligations and penalties of up to 165 penalty units may be applied.
3. The owner must complete this form if a pool safety certificate is not in effect when:
 - selling a premises with a regulated pool; or
 - entering into an accommodation agreement (e.g. written, oral or implied agreement for provision of accommodation) for premises associated with a shared pool.
4. It is recommended the seller maintain a record of giving this form to the required parties.

For the seller:

When selling without a pool safety certificate, you need to fill out this Form 36. A Form 36 is completed as part of the contract of sale.

Before settlement you must give a copy to:

- the buyer; and
- the QBCC; and
- body corporate (if you are selling a home, unit or townhouse, where there is a shared pool).

For the buyer:

If you buy a property without a pool safety certificate you must get one within 90 days of settlement. The seller must have given you a Form 36 – notice of no pool safety certificate, before entering into a contract of sale.

For the lessor - non shared (private) pool:

You must get a pool safety certificate before a lease is signed for a house or townhouse with its own non-shared pool.

For the body corporate - shared pool:

The body corporate must also ensure a pool safety certificate is in effect within 90 days of settlement OR the date an accommodation agreement is entered into. A pool safety certificate must be displayed at the main entrance to the premises or at any gate or door giving access to the pool.

GOVERNING LEGISLATION

Applicable under Sections 246ATF and 246ATI of the *Building Act 1975*.

PRIVACY NOTICE

The Queensland Building and Construction Commission is collecting personal information as required under the *Building Act 1975*.

This information may be stored by the QBCC and will be used for administration, compliance, statistical research and evaluation of pool safety laws. Your personal information will be disclosed to other government agencies, local government authorities and third parties for purposes relating to administering and monitoring compliance with the *Building Act 1975*.

Personal information will otherwise only be disclosed to third parties with your consent or unless authorised or required by law.

RIGHT TO INFORMATION (RTI)

The information collected on this form will be retained as required by the *Public Records Act 2002* and other relevant Acts and regulations, and is subject to the Right to Information regime established by the *Right to Information Act 2009*.

COMPLETING THIS FORM

- Use BLACK pen only
- Print clearly in BLOCK LETTERS
- DO NOT use correction fluid – cross out and initial amendments

RETURN YOUR COMPLETED FORM BY

Post: GPO Box 5099 Brisbane QLD 4001.

In person: QBCC service centres are listed on our website qbcc.qld.gov.au.

Email: poolsafety@qbcc.qld.gov.au.

1. DETAILS OF PROPERTY OWNER

Title ☐ Mr ☐ Mrs ☒ Miss ☐ Ms Other

Surname

First name

Postal Address

Mobile

Home Phone

Email

2. LOCATION OF THE SWIMMING POOL

Street address

State Postcode

Lot/s on plan

Local Government Area

3. SHARED OR NON-SHARED POOL

☐ Shared pool ☒ Non-shared pool

OFFICE	CRN:	<input type="text"/>	Licence no:	<input type="text"/>	Container:	<input type="text"/>
USE	Receipt no:	<input type="text"/>	Receipt amount:	\$ <input type="text"/>		
ONLY	Assignee:	<input type="text"/>	Received by:	<input type="text"/>		

4. DETAILS OF PROPERTY PURCHASER

Title ☐ Mr ☐ Mrs ☐ Miss ☐ Ms Other

Surname

First name

Postal Address

Mobile

Home
Phone

Email

State

Postcode

5. PROPOSED DATE OF SETTLEMENT OR ACCOMMODATION AGREEMENT

☒ Sale ☐ Lease

Date can be amended and initialed by the owner if the settlement or accommodation agreement date changes after this form is completed.

Date / /

6. PROPERTY OWNER'S DECLARATION

I declare that the information provided in this form is true and correct to the best of my knowledge; there is no pool safety certificate in effect for the pool; and I will give this form to the required parties in accordance with the *Building Act 1975*.

Name of
Owner

K E R Y N L O R R A I N E
W E L L S

Signature of
Owner

Date / /



FORM 36 IS NOT PROPERLY COMPLETED UNLESS ALL RELEVANT DETAILS ARE PROVIDED.
It is recommended the seller maintain a record of giving this form to the required parties.



The owner or authorised person acting on behalf of the owner must submit completed form to:

Email - poolssafety@qbcc.qld.gov.au

Post - GPO Box 5099, Brisbane, QLD. 4001

In person - QBCC service centres are listed on our website qbcc.qld.gov.au.