

The owner must complete this form if a pool safety certificate is not in effect for the pool when:

- selling a premises with a regulated pool or
- entering into an accommodation agreement (e.g. lease) for premises associated with a shared pool.

N.B. This form cannot be used for an accommodation agreement for premises with a non-shared pool (e.g. a private pool). For such premises, a pool safety certificate is required before an accommodation agreement can be entered into. This form only needs to be completed once, unless the required information changes after the form is completed.

**IMPORTANT:** the pool owner is responsible for ensuring the barrier is compliant with the pool safety standard at all times, even after giving or receiving this Form 36. Failing to do so can result in penalties.

**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. 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 – any amendment should be crossed out and initialled

**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](http://qbcc.qld.gov.au).  
Email: [poolssafety@qbcc.qld.gov.au](mailto:poolssafety@qbcc.qld.gov.au).

**1. DETAILS PROPERTY OWNER(S)**

**OWNER 1**

Title	Mr	Mrs	Miss	Ms	Other						
Surname											
First Name											
Postal Address											
						State			Postcode		
Mobile						Home Phone					
Email											

**OWNER 2**

Title	Mr	Mrs	Miss	Ms	Other						
Surname											
First Name											

**2. DETAILS PROPERTY PURCHASER(S)**

**PURCHASER 1**

Title	<input type="checkbox"/>	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other	
Surname											
First Name											

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

**2. DETAILS PROPERTY PURCHASER(S) CONTINUED**

Postal address

Mobile

Email

State  Postcode

Home phone

**PURCHASER 2**

Title      Mr      Mrs      Miss      Ms      Other

Surname

First name

**3. LOCATION OF THE SWIMMING POOL**

Street address

Lot/s on plan

Local Government Area

State  Postcode

**4. SHARED OR NON-SHARED POOL**

Non-shared pool - go to section 5 (e.g. house)

Shared pool for short-term accommodation - go to section 6 (hotel, backpacker hostel)

Shared pool - go to section 6 (body corporate pool in unit complex)

Sale      Lease

**5. NON-SHARED POOL - PURCHASER NOTICE**

**If no pool safety certificate is in effect for the pool at settlement, you are notified that:**

- the pool owner must ensure the pool complies with the pool safety standard
- the pool owner must obtain a pool safety certificate for the pool from a licensed pool safety inspector within 90 days of the settlement
- the owner of a non-shared pool must not enter into an accommodation agreement (e.g. a lease) for the property until a pool safety certificate is in effect for the pool

- the pool owner may incur costs in ensuring the pool complies with the pool safety standard and obtaining a pool safety certificate for the pool
- the pool owner commits an offence if they do not comply with their pool safety obligations, with penalties of up to 165 penalty units
- **Go to section 7.**

**6. SHARED POOL - OWNER, PURCHASER AND OCCUPIER NOTICE**

**If no pool safety certificate is in effect for the pool at settlement or the date an accommodation agreement is entered into, the shared pool owner (e.g. body corporate), purchaser and occupier (unless the shared pool is used with short-term accommodation only)\* are notified that:**

- the pool owner may commit an offence if they do not comply with their pool safety obligations, with penalties of up to 165 penalty units
- the pool owner must ensure the pool complies with the pool safety standard
- the pool owner must obtain a pool safety certificate for the pool from a licensed pool safety inspector within 90 days of the settlement or the date the accommodation agreement is entered into
- the pool owner and purchaser may incur costs in ensuring the pool complies with the pool safety standard and obtaining a pool safety certificate for the pool
- *If the shared pool is used in association with short-term accommodation only, then only the pool owner, the purchaser and the QBCC are required to be notified. For all other shared pools, the occupier should also be notified.*

**7. PROPOSED DATE OF SETTLEMENT OR ACCOMMODATION AGREEMENT**

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

Date      D    D      M    M      Y    Y    Y    Y  
 /  /

**8. PROPERTY OWNER'S STATEMENT**

It is recommended that the property owner(s) keep a record of giving this form to the required parties.

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 1     

Signature of Owner 1     

Date      D    D      M    M      Y    Y    Y    Y  
 /  /

Name of Owner 2     

Signature of Owner 2     

Date      D    D      M    M      Y    Y    Y    Y  
 /  /

**If no pool safety certificate is in effect for the pool, the property owner must give a copy of this notice to:**

- before entering a contract of sale of the premises
  - » the prospective purchaser
- before settlement of a contract of sale for the premises:
  - » the purchaser
  - » the QBCC
  - » for shared pools, the pool owner (e.g. body corporate)
- before entering into an accommodation agreement (shared pools only):
  - » the person who will be the occupier under the accommodation agreement (only for shared pools not used for short-term accommodation)
  - » the QBCC
  - » the pool owner (e.g. body corporate).

**Penalties of up to 165 penalty units apply for noncompliance.**