

CONSTRUCTION PRODUCT ALLIANCE

Secretariat c/o Ai Group Suit 1, 265 Wharf Road Newcastle NSW 2300
Em: james.thomson@aigroup.org.au

WINTER 2015 NON – CONFORMING PRODUCT UPDATE

Welcome to an update on non – conforming product (NCP) matters from the Construction Product Alliance (Alliance). There has been action in the media and with Government on the issue in recent months. This has been precipitated by the Victorian Metropolitan Fire Brigade (MFB) report on the Docklands Lacrosse Fire, a Senate inquiry in Parliament, the ACCC campaign on Infinity Cables and of course concerns with the signing of the China FTA. The Alliance is holding an Industry Association forum on 2 July to discuss recommendations to be put to building Ministers at the Building Ministers Forum to be held on 31 July 2015.

Lindsay Le Compete
Ai Group
Chair

James Thomson
Ai Group
Secretariat

Call for a Senate Enquiry into NCP

The Senate will hold an inquiry into non-conforming building products called by independent senators Nick Xenophon, John Madigan and Jackie Lambie (see [here](#)). This follows the ACCC's announcement of a new campaign calling on builders, contractors and home owners to check whether they have used the now banned "Infinity" brand electrical cable in their homes between 2010 and 2013. The [HIA had also called](#) for a Federal government inquiry into the whole framework for building product compliance.

Building Ministers Forum

Building Ministers will be meeting on the 31 July to discuss a range of issues including non-conforming product. The Alliance is holding a forum for industry associations on 2 July to review all Government and industry NCP initiatives. Our purpose is to obtain agreement for messages and actions that industry wishes to provide to building ministers to ensure that we speak with a single voice.

Infinity Cables recall

The ACCC has launched a new campaign to lift the awareness of the Infinity / Olsent cable recall. The ACCC's testing indicates that the first batch of cables imported into Australia in 2010 may become at risk due to insulation deterioration by 2016. For more information please click [here](#)

CPA Working Group Update

WG1 Research

Working Group 1 is well underway in preparing a report which will identify how the building product supply chain operates from factory to finished building, who the players are and what role they have in ensuring products are fit for purpose. The report also identifies the gaps that exist in the current supply chain and suggest areas for improvement.

WG2/3 Surveillance and Certification

The Certification WG has developed a comprehensive overview of the certification/surveillance landscape and linked the level of risk of product non-conformance with the level of surveillance that

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should apply. This overview addresses three surveillance approaches.

The surveillance team have identified the elements of a practical surveillance process that can be put in place in a non-regulatory environment. This process, and similar, are already in place in a number of existing industry based surveillance schemes.

It is proposed the broad certification and surveillance methodologies developed by the teams will be included on the yet to be launched NCP portal.

WG5 Education

The Group is finalising a communications piece “**BUILDING PRODUCTS – THE RISKS OF NON-COMPLIANCE CHOOSE WISELY**” through the Steering Committee to highlight to Government and Industry the issues of NCP and the need to select compliant product.

Docklands Lacrosse Fire

In November 2014 a fire occurred in a high rise residential apartment building in Melbourne. Fortunately no lives were lost. However the recent [report](#) by the MFB and the subsequent response by the Victorian Building Authority (VBA) shine a light on the need for builders to be vigilant about the building materials they choose, buy and use.

Following the MFB report, questions are now being asked about how the wrong type of cladding was used in the building. More importantly the VBA is now working to determine whether other high rise buildings in Melbourne may have the same combustible cladding and be at risk. The VBA has announced an [audit of 170 high rise buildings](#) in Melbourne and it is expected that other state building departments may soon commence similar investigations.

China – Australia FTA

China and Australia signed a historic [trade agreement](#) on 17 June 2015. Industry has mixed views on about the [impacts of the agreement](#) particularly in relation to non-conforming product. Innes Willox, CEO of Ai Group, has stated that:

“We have to be vigilant to ensure that the boost to manufacturing imports driven by the FTA will not lead to a corresponding rise in Non-Conforming Products. This will be one of the tests of the FTA’s success.”

QLD Action on NCP

Industry has banded together to form the Queensland Steering Committee (chaired by MB QLD) including specifiers, installers, certifiers and manufacturers to examine what can be done to tackle the problem of NCP. The message they are seeking to send is ‘*not on our watch*’. In April 2015 a roundtable was held and a Queensland proposal was developed and submitted to the Commonwealth (see [here](#) for the submission).

Media – 7.30 Report

The ABC’s 7.30 Report covered the issue of non-conforming product in their program on Wednesday 24 June. See [here](#) for the transcript.