

WATER FILTERS INCLUDING REPLACEMENT CARTRIDGES (IN A DRINKING WATER TREATMENT SYSTEM) AND NON-CONFORMING BUILDING PRODUCTS

EFFECTIVE FROM JANUARY 2026

A person who designs, manufactures, imports, supplies or installs **building products** is a **person in the chain of responsibility** and must ensure the **building products** they design, manufacture, import, supply or install, are not **non-conforming building products** (NCBP). This includes ensuring the **building product** meets **relevant regulatory provisions** and complying with relevant duties, such as to provide **required information**.

Under Queensland's non-conforming building product laws, a **building product** is any material or other thing associated with, or that could be associated with, a building.

A building product is a **non-conforming building product** for an intended use if it is:

- not, or will not be, safe; or
- does not, or will not, comply with the **relevant regulatory provisions**, including the National Construction Code (NCC); or
- the product does not perform, or is not capable of performing, for the use to the standard it is represented to perform by or for a person in the chain of responsibility for the product.

The **relevant regulatory provisions** under the *Queensland Building and Construction Commission Act 1991* (Qld) (QBCC Act) include the *Building Act 1975* (Qld) (Building Act) and *Plumbing and Drainage Act 2018* (Qld) (PD Act) which respectively incorporate Volume One and Volume Two of the NCC as the **Building Code of Australia (BCA)**, and Volume Three of the NCC as the **Plumbing Code of Australia (PCA)**. A building product must comply with the NCC as a **relevant regulatory provision**.

Required information, for a **building product**, means information about the product that for each intended use of the product, states or otherwise communicates, among other things, the suitability of the product for the intended use. All building products, imported into, or manufactured in Queensland, and supplied into Queensland must have evidence of suitability as prescribed in the NCC.

Compliance with the NCC is achieved by complying with the Governing Requirements and the **Performance Requirements**.

Under NCC 2022 Section A, Part A5 on design and construction documentation, subsection A5G1 – Suitability, it is required that, “a building and plumbing or drainage installation must be constructed using materials, products, plumbing products, forms of construction and designs fit for their intended purpose to achieve the relevant requirements of the NCC.” To be considered fit for purpose, these elements must be backed by suitable evidence in accordance with NCC Parts A5G2, A5G3 or A5G4, and must be properly constructed or installed.

For more information refer to the NCC 2022 parts:

- **A5G2 Evidence of suitability—Volumes One, Two and Three [NCC 2019: A5.1]**
- **A5G3 Evidence of suitability—Volumes One and Two - Building Code of Australia (BCA) [NCC 2019: A5.2]**
- **A5G4 Evidence of suitability—Volume Three - Plumbing Code of Australia (PCA) [NCC 2019: A5.3]**

Water Filters and Replacement Cartridges

Plumbing products, such as water filters and replacement cartridges are a building product for part 6AA of the QBCC Act.

For compliance of water filters and replacement cartridges having the intended purpose of being connected to a drinking water treatment system, **A5G4 Evidence of suitability—Volume Three (PCA)** applies.

PCA:

A5G4 states the following:

- (3) A **product** of a type listed on the **WaterMark Schedule of Products** is deemed to be fit for its intended purpose if it has a **WaterMark Licence** issued in accordance with the WaterMark Scheme Rules.
- (4) A **product** of a type listed on the **Watermark Schedule of Excluded Products** requires evidence of suitability in the form of—
 - (a) a current certificate issued by a **certification body** stating that the properties and performance of a **product** can meet the requirements of the PCA; or
 - (b) a report issued by an **Accredited Testing Laboratory** that—
 - (i) demonstrates that the **product** complies with the relevant requirements of the PCA; and
 - (ii) sets out the tests the **product** has been submitted to and the results of those tests and any other relevant information that has been relied upon to demonstrate suitability for use in a **plumbing** or **drainage** installation.
- (5) Any product that is not covered by (3) or (4) must be subjected to a risk assessment in accordance with the WaterMark Scheme Rules.

Water filters and replacement cartridges are a product of a type listed on the **WaterMark Schedule of Products** listed under the heading “Appliances” and are required to perform to Australian Standard: AS 3497:2021 – Drinking water treatment systems – Design and performance requirements (AS 3497).

Water filters and replacement cartridges are similar to water purifiers, which are complete standalone units connected to the reticulated water system, in that they all require WaterMark certification.

See QBCC factsheet: <https://www.qbcc.qld.gov.au/sites/default/files/documents/guide-ncbp-watermark-certification.pdf>

AS 3497 applies to point of use (POU) and point of entry (POE) drinking water treatment systems for drinking water and applies to both encapsulated and non-encapsulated cartridges as components or consumables in a drinking water treatment system.

Note: Non-encapsulated cartridges are a consumable.

AS 3497 provides the following relevant definitions:

Component: part (or a sub-assembly of parts) contributing to the construction of a total assembly by choice or design, offering variations of fitment for the application to the major element of the product, whether produced by the same manufacturer or not.

Consumables: medium or materials (including cartridges, filter elements and similar replacement components), added to or replaced within the drinking water treatment system which are intended as part of a maintenance process to restore the media or treatment process so that the appliance performs its stated water treatment function.

Disposable filter cartridge: drinking water treatment system, replaced at the end of each service cycle and having an estimated life of one year or less.

Encapsulated cartridge: filter cartridge within a disposable body, designed to fit into a proprietary head assembly.

Non-encapsulated cartridge: open-ended filter cartridge fitting into a filter housing.

Point of entry drinking water system (POE): in-line system used to treat all or part of the premises.

Point of use drinking water system (POU): tap/water outlet connected or mounted and used to treat water from a single outlet.

To identify an **encapsulated** cartridge, look for a cartridge which is a complete unit, i.e. with the filter media contained within a plastic or polypropylene shell/encasement, being the one complete unit.

To identify a **non-encapsulated** cartridge, look for a cartridge with double open ends, meaning it has openings at both the top and bottom.

Both the encapsulated type and the non-encapsulated type of cartridge, when used as components or consumables of a drinking water system, must have a WaterMark Licence issued in accordance with the WaterMark Scheme Rules.

For this reason, it's important that WaterMark is identified on products and or packaging before purchasing and installing. This ensures products are certified and authorised for use. When buying online, ask the supplier for this information if it's not readily available on their website.

According to the Manual for the WaterMark Certification Scheme, when a product is WaterMark certified, the following Mark of Conformity is required to be displayed on it or its packaging:



[Specification number]
[Licence number]



[Specification number]
[Licence number]

NORMAL AND SPECIAL PRESENTATIONS OF THE LOGO

Always refer to the Australian Building Codes Board (ABCB) website for current information regarding the Water Mark Scheme.

Plumbing products, such as Water Filters and Replacement Cartridges are a building product for part 6AA of the QBCC Act.

Useful links

[ABCB Handbook – Evidence of suitability](#)

[The WaterMark Schedule of Products](#)

[What is WaterMark](#)

Definitions

A **building product**¹ is any material or other thing associated with, or that could be associated with, a building.

Associated with,² in relation to a building, means incorporated into, or connected to, a building by the carrying out of relevant work.

Relevant work³ means—

- building work under the *Building Act 1975* (Qld) other than work mentioned in section 5(2) of that Act; or
- plumbing work under the *Plumbing and Drainage Act 2018* (Qld) directly connected to a building; or
- drainage work under the *Plumbing and Drainage Act 2018* (Qld) directly connected to a building.

A building product is a **non-conforming building product**⁴ for an intended use if—

- the association of the product with a building for the use—
 - is not, or will not be, safe; or
 - does not, or will not, comply with the relevant regulatory provisions; or
- the product does not perform, or is not capable of performing, for the use to the standard it is represented to perform by or for a person in the chain of responsibility for the product.

¹ QBCC Act, section 74AB(1).

² QBCC Act, section 74AA.

³ QBCC Act section 74AA.

⁴ QBCC Act section 74AB(2).

Intended use⁵ for a building product, means a use for which the building product is intended to be, or is reasonably likely to be, associated with a building.

Relevant regulatory provisions⁶ means —

- (a) in relation to relevant work mentioned in the definition relevant work, paragraph (a)—the building assessment provisions under the *Building Act 1975* (Qld); or
- (b) in relation to relevant work mentioned in the definition relevant work, paragraph (b) or (c) - the *Plumbing and Drainage Act 2018* (Qld).

Required information⁷ for a building product, means information about the product that —

- (a) for each intended use of the product, states or otherwise communicates the following—
 - (i) the suitability of the product for the intended use and, if the product is suitable for the intended use only in particular circumstances or subject to particular conditions, the particular circumstances or conditions;
 - (ii) instructions about how the product must be associated with a building to ensure it is not a non-conforming building product for the intended use;
 - (iii) instructions about how the product must be used to ensure it is not a non-conforming building product for the intended use;
- (b) complies with the requirements for the information, if any, prescribed by regulation for this definition.

A person is **a person in the chain of responsibility**⁸ for a building product if—

- (a) the person—
 - (i) designs, manufactures, imports or supplies the building product; and
 - (ii) knows, or is reasonably expected to know, the product will or is likely to be associated with a building; or
- (b) the person installs the product in a building in connection with relevant work; or
- (c) the person is an architect or engineer who, in designing a building, specifies that the product be associated with the building.

Certification Body⁹ means a person or organisation operating in the field of material, product, form of construction or design certification that has been accredited by the Joint Accreditation System of Australia and New Zealand (JAS-ANZ), and is accredited for a purpose other than as part of the CodeMark Australia Certification Scheme or [WaterMark Certification Scheme](#).

Disclaimer

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If you have any questions as to how the NCBP laws apply to you, you should obtain appropriate independent professional advice regarding how to discharge your duties under the QBCC Act and achieve compliance with relevant regulatory provisions for building products. This is especially important if you (or your company) intend to later rely upon that advice to demonstrate satisfaction of your duties under Part 6AA of the QBCC Act or other legislative obligations.

⁵ QBCC Act section 74AA.

⁶ QBCC Act section 74AA.

⁷ QBCC Act, section 74AG(7).

⁸ QBCC Act, section 74AE.

⁹ NCC 2022 Volume One, schedule 1 Definitions, Glossary.