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SPECIAL SUPPLEMENT

BUILDING PROFESSIONALS ACT 2005

Notice of Amendment of the Building Professionals Board Accreditation Scheme

I, the Minister for Planning, under section 4 (7) of the Building Professionals Act 2005, amend the Building Professionals Board Accreditation Scheme, from the date of publication in the *Gazette*, by adopting the amendments in the Schedule.

KRISTINA KENEALLY, M.P.
Minister for Planning

Sydney, 19 March 2009.

SCHEDULE

[1] Clause 1.2

Omit “person” and insert instead “individual”.

Omit “to be accredited under the Act as an accredited certifier.” and insert instead “a certificate of individual accreditation as an accredited certifier under the Act.”

[2] Clause 1.3

Insert “for a certificate of individual accreditation” after “Applicants”.

[3] Clause 1.4

Insert “individuals who are” after “for”.

[4] Clause 3.1

Omit clause 3.1 and insert instead:

3.1 The objectives of the Scheme are to specify:

- the qualifications, skills, knowledge and experience required for individuals to be accredited as an accredited certifier,
- the assessment process for accreditation for individuals,
- the code of conduct for individual accredited certifiers, and
- continuing professional development requirements for individual accredited certifiers.

[5] Clause 4.1

Omit “persons” and insert instead “individuals”.

Insert “individual” before “accredited certifiers”.

Insert after clause 4.1:

4.2 The Scheme does not apply to bodies corporate who seek a certificate of corporate accreditation, nor to accredited bodies corporate.

[6] Clause 5.1

In the opening paragraph of this clause:

Omit “section” and insert instead “clause”;

Omit “Board”;
Omit “2006” and insert instead “2007”.

Insert the following definition in alphabetical order:

Certification Short Course means the short course offered by the Centre for Local Government, University of Technology, Sydney, as approved by the Board.

Omit the definition of “Certification functions”.

[7] Clause 6.1

Insert “individual” after “certificates of”.

[8] Clause 6.3

Omit “Applicants” and insert instead “Individual applicants”.

[9] Clause 12.4

Omit clause 12.4.

[10] Clause 12.7

Omit clause 12.7 and insert instead:

12.7.1 An applicant for the issue of a certificate of individual accreditation who elects to undertake the Certification Short Course, or its equivalent, must undertake the course within six months prior to submitting an application for accreditation (but not an application for renewal of accreditation) to the Board. An Applicant may seek an exemption from the Board from the requirement to undertake a course if the Applicant has previously undertaken the Certification Short Course, or its equivalent, in connection with a previous application. The Board is not bound to grant an exemption.

12.7.2 An accredited certifier who held a current certificate of accreditation on 1 March 2007 who elects to undertake the Certification Short Course, or its equivalent, may undertake the course at any time prior to submitting an application for renewal of accreditation in which the accredited certifier has elected under Clause 3(2) of Schedule 4 of the Regulation, or is required under Clause 3 (3) of Schedule 4 of the Regulation, to be assessed for the purposes of section 7 (1) (b) of the Act.

[11] Clause 12.10

Delete “12.7” and insert instead “12.7.1 or 12.7.2”.

[12] Clause 12.11

Omit clause 12.11 and insert instead:

12.11.1 An applicant for the issue of a certificate of individual accreditation who elects to undertake the accreditation exam, must undertake the exam within six months prior to submitting an application for accreditation (but not an application for renewal of accreditation) to the Board. An Applicant may seek an exemption from the Board from the requirement to undertake the exam if the Applicant has previously undertaken the exam in connection with a previous application. The Board is not bound to grant an exemption.

12.11.2 An accredited certifier who held a current certificate of accreditation on 1 March 2007 who elects to undertake the accreditation exam, may undertake the exam at any time prior to submitting an application for renewal of accreditation in which the accredited certifier has elected under Clause 3(2) of Schedule 4 of the Regulation, or is required under Clause 3 (3) of Schedule 4 of the Regulation, to be assessed for the purposes of section 7 (1) (b) of the Act.

[13] Clause 12.14

Insert “The Board may vary the content and/or the format of the exam at any time.” after “by the Board”.

[14] Schedule 1

Insert “individual” before “applicants” in the opening paragraph.

[15] Schedule 2 Accreditation Statements – Category A1

Insert, in respect of the Accreditation Statement for Category A1 - Accredited certifier - building surveying grade 1, in the right hand column after the words “EP&A Act.” (opposite the left hand column headed “Authorities conferred”):

Carrying out of inspections under clauses 129B and 143B of the EP&A Regulation.

[16] Schedule 2 Accreditation Statements – Category A2

Insert, in respect of the Accreditation Statement for Category A2 - Accredited certifier - building surveying grade 2, in the right hand column before the words “However, does not include the issue of compliance certificates” (opposite the left hand column headed “Authorities conferred”):

Carrying out of inspections under clauses 129B and 143B of the EP&A Regulation.

[17] Schedule 2 Accreditation Statements – Category A3

Insert, in respect of the Accreditation Statement for Category A3 - Accredited certifier - building surveying grade 3, in the right hand column before the words “However, does not include the issue of compliance certificates” (opposite the left hand column headed “Authorities conferred”):

Carrying out of inspections under clauses 129B and 143B of the EP&A Regulation.

[18] Schedule 2 Accreditation Statements – Category B1

Insert, in respect of the Accreditation Statement for Category B1 - Accredited certifier – subdivision certificate, in the right hand column after the words “subdivision certificates.” (opposite the left hand column headed “Authorities conferred”):

Carrying out of inspections under clause 129B of the EP&A Regulation.

[19] Schedule 2 Accreditation Statements – Category D1

Insert, in respect of the Accreditation Statement for Category D1 - Accredited certifier – strata certification, in the right hand column after the words “under those Acts.” (opposite the left hand column headed “Authorities conferred”):

Carrying out of inspections referred to in section 37AA of the Strata Schemes (Freehold Development) Act 1973 and section 66AA of the Strata Schemes (Leasehold Development) Act 1986.

[20] Schedule 3, Introduction

Insert “individual” before “applicant”.

Omit “or the equivalent (as determined by the Board)” and insert instead “or a qualification that achieves learning outcomes that address the speciality performance criteria for the relevant category of accreditation”.

[21] Schedule 3

Omit “with” wherever occurring and insert instead “within”.

[22] Schedule 4, Introduction

Omit “The Building Professionals Board” and insert instead “This” in the first paragraph.

Insert “who hold a certificate of individual accreditation” after “professionalism expected from, accredited certifiers” in the first paragraph.

Omit “performing” and insert instead “undertaking” in the first paragraph.

Omit “person” and insert instead “individual” in the fifth paragraph.

[23] Schedule 4

Omit “certification functions” wherever occurring and insert instead “certification work”.

[24] Schedule 4, Relationship of the Code to legislation

Insert “individual” before “accredited certifiers” in the first paragraph.

Insert “individual” after “against an” in the second paragraph.

[25] Schedule 4, Code of Conduct requirements

Insert “individual” before “accredited certifier shall comply” in the first paragraph.

[26] Schedule 5, Introduction

Omit “a person” and insert instead “an individual” in the first paragraph.

Insert “individual” after “certificate of” in the first paragraph.

Insert the following new paragraph after “to their practice.”:

“This CPD program does not apply to accredited bodies corporate.”.

[27] Schedule 5, CPD Program requirements

Insert “who holds a certificate of individual accreditation” after “each accredited certifier”.

Insert after “(see below)” where first appearing, “, if any, as required by the Board”

[28] Schedule 5, Approved CPD activities

Delete “The approved CPD activities are listed in Table 2.”

Delete “The activities relate to one or more of the following areas:” and insert instead

“The approved CPD activities may include training in one or more of the following areas:

- professional practice”

Insert “The Board may determine different course content for different categories of accreditation, as appropriate.” after “from time to time.”.

After “total for all of the activities.” insert the following paragraph:

“The approved CPD activities required to be undertaken by individual accredited certifiers will be listed on the Board’s website (www.bpb.nsw.gov.au).”

Delete Table 2.

[29] Schedule 5, Professional associations, institutes and organisations

Delete “Table 3” wherever occurring and insert instead “Table 2”.

[30] Schedule 5, Equivalent training or education

Delete “Table 3” and insert instead “Table 2”.