



SEPTEMBER 2010

Legislative requirements: Q&A

What disciplinary procedures am I subject to?

Similar to private sector accredited certifiers, council accredited certifiers will be able to have a complaint made against them, or have their work and activities investigated by the Board under the BP Act.

Any person can make a complaint about the professional conduct of a certifier under the BP Act and the Board will investigate the complaint unless the Board considers the complaint is trivial, vexatious, misconceived or otherwise lacking in substance or has not been made in good faith.

The Board and the Administrative Decisions Tribunal have a range of powers available to discipline an accredited certifier who is found guilty of unsatisfactory professional conduct or professional misconduct however council accredited certifiers are exempt from fines and orders for compensation.

After I'm accredited, what information must I put on construction certificates when I issue them on behalf of my council?

[Clause 147](#) of the Environmental Planning and Assessment Regulation 2000 requires a construction certificate to include the name of the certifying authority issuing the certificate (i.e. the council), and if issued by an individual on behalf of the certifying authority, the signature of the individual (i.e. the council accredited certifier).

What records are council accredited certifiers required to keep?

Individual council accredited certifiers are not required to keep any records in relation to certification work carried out on behalf of a council. The responsibility of keeping these records is with the council.

However, council accredited certifiers are advised to keep a record of any continuing professional development (CPD) they have undertaken as required by the Accreditation Scheme. The Board may require this record from time to time.

Do I have to make a new application every time I change councils?

Once accredited, council accredited certifiers can carry out certification work in other council areas. Council accredited certifiers are not required to be reassessed by a subsequent employing council.

What personal details appear in the Board's accreditation register?

Once accredited, a certifier's details are listed in the Board's [accreditation register](#). Anyone can search for a certifier by area or by name or type of work. Data is restricted to the information the Board is required to maintain in the public register –



for council accredited certifiers, only contact details at council (rather than residential addresses) are listed.

I am a council accredited certifier and I do not want my mobile number to appear on the Board's website – can I have it removed?

Yes. Once accredited, a certifier's details are listed in the Board's accreditation register. Provided the certifier's contact phone number and email address at council are available on the Board's accreditation register, a council accredited certifier can make a written request to have their mobile number deleted from the accreditation register by emailing bpb@bpb.nsw.gov.au.

Also available:

Applications for accreditation: Q&A

Conflicts of interest: Q&A

Continuing Professional Development for council accredited certifiers

Council accredited certifiers: Q&A

Legislative requirements: Q&A

Responsibilities for council accredited certifiers

Responsibilities for councils

Transitional period

Transitional arrangements

For information call the hotline 1300 001 619

© State of New South Wales through the Building Professionals Board
September 2010
Level 3, 10 Valentine Avenue Parramatta NSW 2150
www.bpb.nsw.gov.au

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequence of anything done or omitted to be done in reliance upon the whole or part of this document.

This document will be regularly updated by the Building Professionals Board. Latest copies are available from www.bpb.nsw.gov.au