20 November 2015

Dr Gabrielle Wallace
Manager
Building Professionals Board
PO Box 3720
Parramatta NSW 2124

Dear Dr Wallace

ASSOCIATION OF ACCREDITED CERTIFIERS SUBMISSION

AMENDING REGULATION – E1 MINOR WORKS AND FEES

The Association of Accredited Certifiers (AAC) strongly disagrees with the proposed changes in the Building Professionals Amendment (E1 Certifiers) Regulation 2015.

The AAC has always held the view that the safety of the community, particularly children, is of paramount importance and the major issue that underpins the legislation introduced for swimming pool barrier inspections. Community safety must be the driving force behind whatever changes are introduced.

The AAC would like to make the following comments on these proposed amendments:

Proposed change 1

Amend the conflict of interest conditions to allow E1 certifiers who hold an endorsed licence or a qualified supervisors certificate issued under the Home Building Act 1989 that authorises the person to construct a swimming pool or structural landscaping, to carry out work on the swimming pool (to a value not exceeding $1,000 including the cost of materials and labour).

AAC comment

The AAC has a firm position in relation to this matter, that it is a conflict of interest for a Certifier to undertake any rectification work on a property where he/she has inspected and issued a certificate. It has been unacceptable for Accredited Certifiers to carry out any such work for the last 15 years and it should not be endorsed or encouraged in this instance. There is already confusion about the role of the Certifier and allowing Certifiers to undertake even ‘minor work’ will only further muddy the waters and create even greater confusion within the community.
Also, this proposed change creates an un-level playing field among certifiers. Only those E1 Certifiers with an endorsed licence or qualified supervisors certificate can undertake the work, which gives them an advantage over their non-licenced cohorts. This could also result in a loss of potential income for the A1, A2 and A3 Certifiers.

Even though the allowable work is classed as ‘minor’ and capped at $1,000, we believe that the system could be abused, with inspection fees and repair fees being manipulated. Who will police the work and the fees charged?

This change also raises other questions, such as:

- Who will manage the complaints about bad building work? Will this be the role of the Building Professionals Board?
- How will the standard of the building work affect the certifier’s E1 Accreditation?
- How will the community be educated about the disparity between the Certifier roles?

**Proposed change 2**

*Reduce the fee for the issue or renewal of a certificate of accreditation for category E1 from $1,500 to $750.*

**AAC comment**

The accreditation fees for all classes of accreditation should be the same. A cheaper rate of accreditation recognises the fact that this level of accreditation is the equivalent of a second class Accredited Certifier and thereby raises all the concerns raised previously about lack of skills, training, abilities, accountability and understanding of the role.

**General comments**

Accredited Certifiers have worked with both the State and Local Governments for close to 15 years to establish a professional reputation. There is the very real possibility that, with the introduction of these proposed changes, the actions of a dodgy few will have a serious adverse impact on the reputation and credibility of all Certifiers.

Again we state that there is nothing more serious than the lives of children. The AAC is very concerned that making these changes would weaken the Accreditation Scheme and without effective governance could result in a situation similar to the insulation scheme debacle.

We would be more than happy to meet with you to discuss our concerns. Please contact me on 1300 735 935 should you wish to set up a meeting.

Yours sincerely

![Jill Brookfield](signature)

Executive Officer

Association of Accredited Certifiers