



# Clause 13.2A application for council accreditation

## For certifiers whose accreditation expired less than three months ago

Use this form if **all** of the following are correct:

- your BPB accreditation expired less than three months ago
- you are a council certifier (i.e. you have the word 'council' on your certificate of accreditation)
- you want to keep the same category and conditions (if any) of accreditation
- you have completed the required continuing professional development.

If your accreditation expired more than three months ago, you'll need to complete a new application and will be reassessed against the core performance criteria, specialty performance criteria, qualifications and experience requirements for the category you apply for.

The fastest way to submit your form is via email to [bpb-accreditation@bpb.nsw.gov.au](mailto:bpb-accreditation@bpb.nsw.gov.au)

| ✓ | Checklist: have you...?  | Where?       |
|---|--|--------------|
|   | Had any supporting documents certified by a Justice of the Peace or a Notary Public  | All sections |
|   | Attached a certificate of currency for your professional indemnity insurance, if you are a contractor working for the council        | Section 1    |
|   | Attached a certified copy of your driver's licence (front and back) if your address has changed                                      | Section 1    |
|   | Attached details if you answer yes to any question in the fit and proper person declaration ('suitability of the applicant' section) | Section 2    |
|   | Completed the statutory declaration in regards to the information in your form and any supporting documents                          | Section 3    |

Notes:

- Clause 13.2A of the [Accreditation Scheme](#) sets out a streamlined application process if your accreditation expired less than three months ago (visit [www.bpb.nsw.gov.au](http://www.bpb.nsw.gov.au) and navigate to 'Legislation and regulation' > 'The accreditation scheme').
- There is no accreditation fee payable for renewals of council accreditation made under clause 13.2A of the Accreditation Scheme.

|                                  |                |
|----------------------------------|----------------|
| Office use only – date received: | Our reference: |
|----------------------------------|----------------|

# 1. Your details

|                          |  |             |  |
|--------------------------|--|-------------|--|
| Title                    |  | Surname     |  |
| Given names              |  |             |  |
| BPB accreditation number |  | Expiry date |  |

## Council details – you must provide a street address, not just a PO Box

|  |                                |              |  |
|--|--------------------------------|--------------|--|
| <b>Unchanged?</b>  | Y / N (update below if needed) |              |  |
| Council name   |                                |              |  |
| Unit/ street no.   |                                | Street       |  |
| Suburb   |                                | Postcode     |  |
| Council mailing address (if different to street address) |                                |              |  |
| Work phone   |                                | Mobile phone |  |
| Email  |                                |              |  |

The following details **will not** be published on the Board's online register of accredited certifiers but are required for our records.

|                              |   |  |
|------------------------------|---|--|
| <b>Unchanged?</b>            | Y / N (update below if needed)  |  |
| Employment status at council | <input type="checkbox"/> Employee <input type="checkbox"/> Contractor |  |
| Home phone                   |   |  |
| Home address                 |   |  |



**If you are a contractor, attach** a certificate of currency for your professional indemnity insurance (the original certificate or a certified copy). The last page of this form has more information.



**If your home address has changed, attach** a certified copy your driver's licence (front and back), or other photo ID showing your current home address (not needed if your address is unchanged).

## 2. Suitability of the applicant

You must answer each question below. If you answer yes to any question, **attach** details on a separate page. You don't need to answer 'yes' for an excluded offence. Terms in **bold** below are defined on the next page.

|   |   |
|---|---|
| 1. Have you contravened a law (whether or not in New South Wales and whether or not the contravention is an offence) that relates to the functions or obligations of a council employee carrying out certification work in the past 12 months?                                      | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 2. Have you contravened a law (whether or not in New South Wales and whether or not the contravention is an offence) that relates to the functions or obligations of a council officer involving fraud or dishonesty in the past 12 months?   | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 3. Have you failed to comply with a statutory or other duty or a contractual obligation, imposed by or in accordance with a law (whether or not a New South Wales law) that relates to the functions or obligations of a council officer in the past 12 months?                     | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 4. Have you represented yourself as being an accredited certifier when you were not an accredited certifier in the past 12 months?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 5. Have you, whilst a council officer, engaged in any conduct in breach of council's Code of Conduct in relation to carrying out certification work in the past 12 months?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 6. Are you a <b>mentally incapacitated</b> person?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 7. Have you been found guilty of a criminal offence (other than an <b>excluded offence</b> ), whether or not in New South Wales and whether or not a conviction has been recorded in the past 12 months?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 8. Are you aware of any criminal proceedings pending against you (other than for an <b>excluded offence</b> )?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 9. Have you been found by a court or tribunal to have breached the <i>Environmental Planning and Assessment Act 1979</i> or the Regulations made under that Act in the past 12 months?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 10. Are there any proceedings pending before a court or tribunal in which it is alleged that you have breached the <i>Environmental Planning and Assessment Act 1979</i> or the Regulations made under that Act?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 11. Has the council you work for been involved in any civil litigation relating to your functions as a council employee carrying out certification work in the past 12 months?  | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 12. Have you been subject to any disciplinary action, proceedings or determination relating to carrying out of certification work for council in the past 12 months, including any investigations or actions that might lead to a disciplinary action, proceeding or determination? | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 13. Have you had an <b>equivalent authorisation</b> suspended or cancelled (other than at your request) under the NSW law or the law of another jurisdiction in the past 12 months?   | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |
| 14. Do you hold an <b>equivalent authorisation</b> that is subject to conditions imposed as a result of any criminal, civil or disciplinary proceedings under the law of NSW or another jurisdiction?   | <input type="checkbox"/> No <input type="checkbox"/> Yes (attach details) |

## **Interpretation: terms used in section 2 'suitability of the applicant'**

**'Equivalent authorisation'** means a certificate, accrediting registration or other authorisation or qualification issued or conferred under the laws of another jurisdiction that enables the holder to undertake similar functions to the holder of a certificate of accreditation under the *Building Professionals Act 2005*.

**'Mentally incapacitated person'** means a person who is a temporary patient, a continued treatment patient or a forensic patient within the meaning of the *Mental Health Act 1900*, or a protected person within the meaning of the *Protected Estates Act 1983*.

**'Excluded offence'** means any offence under the road transport legislation (within the meaning of the *Road Transport (General) Act 1999* other than:

- (i) an offence under section 42(1) of the *Road Transport (Safety and Traffic Management) Act 1999* relating to driving a motor vehicle negligently on a road or road related area if the accredited certifier concerned is, by way of penalty, sentenced to imprisonment or fined a sum of not less than \$200
- (ii) an offence under section 42(2) of the *Road Transport (Safety and Traffic Management) Act 1999* relating to driving a motor vehicle on a road or road related area furiously, recklessly or at a speed or in a manner dangerous to the public
- (iii) an offence under section 19(2) of the *Road Transport (General) Act 1999* (which relates to refusing to comply with a requirement to produce a driver licence, or to state name and home address, or stating a false name and home address).

Note: Under section 7 of the *Building Professionals Act 2005*, an application for renewal of accreditation can be refused if the applicant is not a fit and proper person.

### 3. Statutory declaration (Oaths Act 1900, NSW, Eighth Schedule)

I (your name), \_\_\_\_\_, do solemnly and sincerely declare that:

1. I have fully complied with the Building Professionals Board's continuing professional development requirements applicable to council accredited certifiers as set out in the Accreditation Scheme;
2. If required (contractors only), I am covered by current professional indemnity insurance that fully complies with the *Building Professionals Act 2005* and *Building Professionals Regulation 2007*. I will maintain this insurance during any period of accreditation granted by the Board and provide evidence to the Board upon request;

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at (place) \_\_\_\_\_ on (date) \_\_\_\_\_

Signature of declarant: \_\_\_\_\_

**in the presence of an authorised witness, who states:**

I (name of authorised witness) \_\_\_\_\_,

a (qualification of authorised witness) \_\_\_\_\_,

certify the following matters concerning the making of this statutory declaration by the person who made it (\*please cross out any text that does not apply)

1. \*I saw the face of the person **or** \*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had special justification for not removing the covering, **and**
2. \*I have known the person for at least 12 months **or** \*I confirmed the person's identity using an identification document and the document I relied on was

(describe identification document relied on): \_\_\_\_\_.

Signature of authorised witness: \_\_\_\_\_ Date: \_\_\_\_\_.

Notes:

- This statutory declaration must be signed in front of a Justice of the Peace, Notary Public, Commissioner of Affidavits or a solicitor currently practising in NSW.
- This statutory declaration must be an original document and not a copy.
- Incorrect or misleading information may lead to your accreditation being cancelled. Under the *Crimes Act 1900*, the maximum penalty for giving false or misleading information is two years imprisonment and/or a \$22,000 fine.

### Email your completed form with all required attachments

Email your form to [bpb-accreditation@bpb.nsw.gov.au](mailto:bpb-accreditation@bpb.nsw.gov.au) – the checklist on the first page lists all required attachments.

You may post the form to the address below but email submission will help us process it more quickly.

You will be notified when your form has been assessed.

## Professional indemnity insurance: certificate of currency requirements

You only need to provide a certificate of currency if you are working as a contractor for the council.

Give this page to your insurance broker to ensure your certificate of currency includes the following minimum information and is issued on the insurance company letterhead.

Do not prepare the certificate yourself – it must be issued by your insurance provider.

Under section 61 of the Building Professionals Act you must notify the Board in writing within seven days of becoming aware of any change to your insurance that is relevant to your accreditation (such as ceasing to hold insurance).

### Instructions for insurance provider:

Issue a certificate of currency on the insurance company letterhead. The certificate **MUST** have ALL the following details:

- Insurance company name
- Confirmation that the insurance is professional indemnity insurance and covers statutory liability for accredited certifiers (see note below)
- Policy number
- Name of the insured
- Whether the policy is for an individual, partnership, or company
- Policy start and end dates
- Retroactive date
- Limit of indemnity and whether it is inclusive/ exclusive of relevant expenses in respect of any one claim (see note below)
- Limit of indemnity and whether it is inclusive/ exclusive of relevant expenses in respect of all claims made in any one year (see note below)
- The professions that the policy covers (it must cover 'accredited certifier')
- Confirmation that the insurance has been issued and date of issue

Note: the *Building Professionals Regulation 2007* defines statutory liability for accredited certifiers in clause 9 and relevant expenses in clause 14(5)(c).