



New South Wales

Building and Development Certifiers Amendment Regulation 2022

under the

Building and Development Certifiers Act 2018

His Honour the Administrator, with the advice of the Executive Council, has made the following Regulation under the *Building and Development Certifiers Act 2018*.

ELENI PETINOS, MP
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Building and Development Certifiers Regulation 2020* to—

- (a) prescribe a ground to suspend registration if the Secretary is satisfied that a person is not adequately insured, and
- (b) extend by 1 year the exclusion period for a professional indemnity policy for certain claims made in relation to cladding, and
- (c) make miscellaneous updates to the qualifications referred to in Schedule 2 of the Regulation.

This Regulation is made under the *Building and Development Certifiers Act 2018*, including sections 16(g), 26, 47 and 120, the general regulation-making power.

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1 Name of Regulation

This Regulation is the *Building and Development Certifiers Amendment Regulation 2022*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Building and Development Certifiers Regulation 2020

[1] Clause 9A Prescribed grounds for suspension of registration

Omit “and” from clause 9A(a).

[2] Clause 9A(c)

Insert after clause 9A(b)—

- (c) the Secretary is satisfied the registered certifier is not adequately insured.

[3] Clause 19 Exclusion for claims made in relation to cladding

Omit “30 June 2022” from clause 19(2). Insert instead “30 June 2023”.

[4] Schedule 2 Qualifications and experience

Insert “or to be granted an additional or different class of registration,” after “time,” in clause 2(5).

[5] Schedule 2, clause 3(1)(a)(vii)

Omit the subparagraph. Insert instead—

- (vii) NVR approved Advanced Diploma of Building Surveying (CPC60121), including successful completion of the CPPACC6002A (Apply performance-based codes and risk management to assessing buildings for access) competency from the Local Government Training Institute.

[6] Schedule 2, clause 5(1)(e)

Omit the paragraph. Insert instead—

- (e) NVR approved Advanced Diploma of Building Surveying (CPC60121), including successful completion of the CPPACC6002A (Apply performance-based codes and risk management to assessing buildings for access) competency from the Local Government Training Institute,

[7] Schedule 2, clause 6(1)(b)

Omit “CPCSS00004”. Insert instead “CPCSS00005”.