

Scheme

for the

accreditation

of

building practitioners

July 2008

(Amended November 2012)



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Workplace Standards Tasmania
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This Scheme for the accreditation of building practitioners in Tasmania is approved in accordance with section 19 (1) of the *Building Act 2000*.

This scheme was gazetted on 23 July 2008.

OFFICE OF THE MINISTER FOR PLANNING AND WORKPLACE RELATIONS HOBART 6 July 2008	
<i>Building Act 2000</i>	
Section 19	
I HEREBY REVOKE the Scheme for the Accreditation of Building Practitioners in force pursuant to section 19 of the <i>Building Act 2000</i> and Schedule 1 of the <i>Building Amendment Act 2006</i>.	
I APPROVE pursuant to section 19 of the <i>Building Act 2000</i> a Scheme for the Accreditation of Building Practitioners dated July 2008.	
Hon David Bartlett MP, Minister for Planning and Workplace Relations	
<i>Explanatory Note:</i>	The Scheme for the Accreditation of Building Practitioners dated July 2008 may be obtained from the Workplace Standards Tasmania website: www.wst.tas.gov.au/building Printed copies of the Scheme may be obtained from the Workplace Standards Tasmania Helpline by telephoning: 1 300 366 322 (local rate inside Tasmania) or (03) 6233 7657 (outside Tasmania). Helpline email address: wstinfo@justice.tas.gov.au

The Director of Building Control may from time to time provide an Administrative Handbook to facilitate the administrative procedures used to manage this scheme.

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Introduction

A scheme is prescribed in section 19 of the *Building Act 2000* (the Act).

19. Approval of scheme

(1) The Minister after consulting with the Advisory Committee may, by notice published in the Gazette, approve a scheme for the accreditation of building practitioners.

(2) A scheme may relate to any of the following:

- (a) the accreditation of building practitioners in categories and classes;*
- (b) the minimum qualifications, experience or competence required for the categories and classes;*
- (c) a code of conduct with which accredited building practitioners must comply;*
- (d) a process for dealing with complaints relating to the conduct of accredited building practitioners;*
- (e) audits of accredited building practitioners;*
- (f) the requirements for professional development of accredited building practitioners;*
- (g) any other matter determined by the Minister.*

The terms 'building practitioner' and 'building work' are as defined in section 3 of the Act:

"building practitioner" means a person of one of the following categories:

- (a) a designer, other than a plumber, who is responsible for the design, documentation or certification of the design or inspection of building work, plumbing work, buildings or plumbing installations;*
- (b) a building surveyor or Building Surveyor Limited who is responsible for document assessment, certification, determination or inspection of building work or buildings;*
- (c) a builder who is responsible for the management, carrying out or certification of building work;*

"building work" means work relating to –

- (a) erecting, re-erecting, constructing, altering, repairing, underpinning, demolishing or removing a building; or*
- (b) adding to a building; or*
- (c) excavating or filling incidental to an activity referred to in paragraph (a) or (b); or*
- (d) any other prescribed work;*

1. Categories and Classes of Building Practitioners

The *Building Act 2000* provides for the accreditation of building practitioners as builders, building surveyors and designers.

This Scheme specifies the following Categories for accreditation:

As a Builder:

- Builder
- Construction Manager
- Fire Protection Services Builder
- Demolisher

As a Building Surveyor:

- Building Surveyor
- Building Surveyor Limited

As a Designer:

- Architect
- Building Services Designer
- Building Designer
- Engineer
- Civil Designer

The Classes within each accreditation Category and the associated scopes of work are outlined in the following pages.

Accreditation with Conditions or Restrictions

Section 26 (2) (a) of the *Building Act 2000* provides for accreditation of building practitioners with conditions.

The Director may decide that the combination of qualifications, competencies and experience held by the applicant are sufficient for limited accreditation.

In such cases the Director may impose restrictions on the Scope of Work associated with the accreditation or grant accreditation subject to conditions under Section 26.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited it is still critical to remember that the *Building Act 2000* requires an accredited building practitioner to act only within the area of his or her competence.

Undertaking a building project without adequate experience, resources or capability may result in circumstances where a person could make a complaint against an accredited building practitioner. Investigation into such a complaint may determine incompetence and could result in a finding of unsatisfactory professional conduct or professional misconduct.

Category: Builder

Classes and Scopes of Work

Class	Scope of Work
Builder – Low Rise	(1) Building work on a Class 1 and Class 10 building, and (2) Building work on Classes 2 to 9 buildings of Type C construction with a gross floor area not exceeding 2,000 m ² .
Builder – Medium Rise	(1) Building work on a Class 1 and Class 10 building, and (2) Building work to a maximum of 3 storeys, but not including Type A construction on classes 5 to 9 buildings.
Builder - Open	(1) Building work on all classes of buildings.

The holder of a Builder Low Rise or Builder Medium Rise accreditation can perform work in an existing building of a size greater than their level of accreditation would allow them to construct, provided the work undertaken does not alter or affect, or is not likely to alter or affect, the structure, access or fire safety of the building.

Examples of prohibited changes include, but are not limited to:

- Structural changes or changes to floor load;
- Access for people with disabilities;
- Provisions for escape – fire exits and travel distances;
- Fire fighting systems – mains, valves, boosters, hydrants and hose reels;
- Fire detection and alarm systems – heat and smoke detectors, alarms, EWIS, sprinklers;
- Emergency lighting and exit signs;
- Compartmentation and Fire separation issues – penetration of fire compartments, fire and smoke walls, fire and smoke doors;
- Fire control centres and emergency lifts;
- Smoke exhaust systems and stairwell pressurisation.

A builder may not construct additions or extensions to an existing building that result in the total building exceeding the limitations of a builder's Scope of Work.

Definitions

Building work means work conducted in relation to the construction, demolition, alteration, addition, relocation or repair of any building.

An **accredited builder** means the person responsible for building work conducted on a building site (or on a building to be later placed on site).

A **building** is a building or a structure as classified within the Building Code of Australia.

Type of Construction is as defined within the Building Code of Australia. (Type A, B, or C)

Note: The scope of work does not include any building work for which State or Commonwealth laws require the person carrying out the work to hold an additional licence or registration (plumbing, electrical, gas, asbestos removal etc).

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a builder act only within the area of his or her competence.

Category: Builder

Classes and Scopes of Work

Class	Scope of Work
Construction Manager – Low Rise	(1) Manage building work on a Class 1 and Class 10 building, and (2) Manage building work on Classes 2 to 9 buildings of Type C construction with a gross floor area not exceeding 2,000 m ² .
Construction Manager – Medium Rise	(1) Manage building work on a Class 1 and Class 10 building, and (2) Manage building work to a maximum of 3 storeys, but not including Type A construction on classes 5 to 9 buildings.
Construction Manager - Open	(1) Manage building work on all classes of buildings.

The holder of a Construction Manager Low Rise or Construction Manager Medium Rise accreditation can manage work in an existing building of a size greater than their level of accreditation would allow them to construct, provided the work undertaken does not alter or affect, or is not likely to alter or affect, the structure, access or fire safety of the building.

Examples of prohibited changes include, but are not limited to:

- Structural changes or changes to floor load;
- Access for people with disabilities;
- Provisions for escape – fire exits and travel distances;
- Fire fighting systems – mains, valves, boosters, hydrants and hose reels;
- Fire detection and alarm systems – heat and smoke detectors, alarms, EWIS, sprinklers;
- Emergency lighting and exit signs;
- Compartmentation and Fire separation issues – penetration of fire compartments, fire and smoke walls, fire and smoke doors;
- Fire control centres and emergency lifts;
- Smoke exhaust systems and stairwell pressurisation.

A builder may not construct additions or extensions to an existing building that result in the total building exceeding the limitations of a builder's Scope of Work.

Definitions

Building work means work conducted in relation to the construction, demolition, alteration, addition, relocation or repair of any building.

An **accredited Construction Manager** means the person responsible for managing building work conducted on a building site (or on a building to be later placed on site).

A **building** is a building or a structure as classified within the Building Code of Australia.

Type of Construction is as defined within the Building Code of Australia. (Type A, B, or C)

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a builder act only within the area of his or her competence.

Category: Builder

Classes and Scopes of Work

Class	Scope of Work
Fire Protection Services Builder – Low Rise	(1) Fire Protection Services building work on a Class 1 and Class 10 building, and (2) Fire Protection Services building work on Classes 2 to 9 buildings of Type C construction with a gross floor area not exceeding 2,000 m ² .
Fire Protection Services Builder – Medium Rise	(1) Fire Protection Services building work on a Class 1 and Class 10 building, and (2) Fire Protection Services building work to a maximum of 3 storeys, but not including Type A construction on classes 5 to 9 buildings.
Fire Protection Services Builder - Open	(1) Fire Protection Services building work on all classes of buildings.

Definitions

Fire Protection Services Building work means work conducted in relation to the installation, alteration, addition, relocation or repair of any fire protection services in a building.

An **accredited Fire Protection Services Builder** means the person responsible for Fire Protection Services Building Work conducted on a building site (or on a building to be later placed on site).

A **building** is a building or a structure as classified within the Building Code of Australia.

Type of Construction is as defined within the Building Code of Australia. (Type A, B, or C)

Note: The scope of work does not include any building work for which State or Commonwealth laws require the person carrying out the work to hold an additional licence or registration (plumbing, electrical, gas, asbestos removal etc).

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a builder act only within the area of his or her competence.

Category: Builder

Classes and Scopes of Work

Class	Scope of Work
Demolisher – Low Rise	(1) Demolition work on a Class 1 and Class 10 building, and (2) Demolition work on Classes 2 to 9 buildings of Type C construction.
Demolisher – Medium Rise	(1) Demolition work on a Class 1 and Class 10 building, and (2) Demolition work on Classes 2 to 9 buildings to a maximum of 3 storeys.
Demolisher - Open	(1) Demolition work on all buildings.

Definitions

Demolition **work** means work conducted in relation to the demolition or removal of any building.

An **accredited Demolisher** means the person responsible for demolition building work conducted on a building site.

A **building** is a building or a structure as classified within the Building Code of Australia.

Type of Construction is as defined within the Building Code of Australia. (Type A, B, or C)

Note: The scope of work does not include any building work for which State or Commonwealth laws require the person carrying out the work to hold an additional licence or registration (plumbing, electrical, gas, asbestos removal etc).

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a builder act only within the area of his or her competence.

Category: Building Surveyor

Scope of Work

Class	Scope of Work
Building Surveyor	The statutory role of building surveyor for buildings of all classes and of unrestricted size.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a building surveyor act only within the area of his or her competence.

Category: Building Surveyor

Scope of Work

Class	Scope of Work
Building Surveyor Limited	The statutory role of building surveyor for buildings of Class 1 and 10 of any size, and Classes 2 – 9 up to three storeys with a maximum floor area of 2000 m ² .

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a building surveyor act only within the area of his or her competence.

Category: Architect

Scope of Work

Category	Scope of Work
Architect	Architectural design and documentation for all components of building work associated with buildings of unrestricted size.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a designer act only within the area of his or her competence.

Category: Building Services Designer

Scopes of Work

Class	Scope of Work
Mechanical - Restricted	Deemed to Satisfy designs for mechanical building services in buildings of all classes and of unrestricted size.
Mechanical - Limited	Deemed to Satisfy designs for mechanical building services in all Class 1 & 10 buildings, and Class 2 - 9 buildings of up to 2 storeys with a maximum floor area of 2000 m ² .
Mechanical - Domestic	Deemed to Satisfy designs for mechanical building services in Class 1 & 10 buildings.
Electrical - Restricted	Deemed to Satisfy designs for electrical building services in buildings of all classes and of unrestricted size.
Electrical - Limited	Deemed to Satisfy designs for electrical building services in all Class 1 & 10 buildings, and Class 2 - 9 buildings of up to 2 storeys with a maximum floor area of 2000 m ² .
Electrical - Domestic	Deemed to Satisfy designs for electrical building services in Class 1 & 10 buildings.
Hydraulic - Restricted	Deemed to Satisfy designs for hydraulic building services in buildings of all classes and of unrestricted size.
Hydraulic - Limited	Deemed to Satisfy designs for hydraulic building services in all Class 1 & 10 buildings, and Class 2 - 9 buildings of up to 2 storeys with a maximum floor area of 2000 m ² .
Hydraulic - Domestic	Deemed to Satisfy designs for hydraulic building services in Class 1 & 10 buildings.
Fire - Restricted	Deemed to Satisfy designs for fire related building services in buildings of all classes and of unrestricted size.
Fire - Limited	Deemed to Satisfy designs for fire related building services in all Class 1 & 10 buildings, and Class 2 - 9 buildings of up to 2 storeys with a maximum floor area of 2000 m ² .
Fire - Domestic	Deemed to Satisfy designs for fire related building services in Class 1 & 10 buildings.

A **Deemed to Satisfy** design solution means a building solution that meets the Deemed-to-Satisfy Provisions of the Building Code of Australia and is distinct from an Alternative Solution.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a designer act only within the area of his or her competence.

Category: Building Designer

Scope of Work

Class	Scope of Work
Architectural - Restricted	Architectural design and documentation of Classes 1&10, and Classes 2-9 up to 3 storeys with a maximum floor area of 2000m ² , and refurbishments of any storey.
Architectural - Limited	Architectural design and documentation of Class 1 & 10 buildings, and Class 2 - 9 buildings of up to 2 storeys with a maximum floor area of 2000 m ² .
Architectural - Domestic	Architectural design and documentation of Class 1 & 10 buildings.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a designer act only within the area of his or her competence.

Category: Engineer

Scopes of Work

Class	Scope of Work
Engineer – Fire Safety	<p>Engineer – Fire Safety is unrestricted in the field of Fire Safety Engineering and includes Alternative Solutions.</p> <p>Fire Safety Engineering is the application of engineering principles, rules and expert judgement based on a scientific appreciation of fire and its effects, and of the reaction and behaviour of people in the event of fire in order to:</p> <ul style="list-style-type: none"> • save life, protect property and preserve the environment and heritage from destructive fire; • quantify the hazards and risk of fire and its effects; • mitigate fire damage by proper design, construction, arrangement and use of buildings, materials, structures, industrial processes and transportation systems; • evaluate analytically the optimum protective and preventive measures, including design, installation and maintenance of active and passive fire and life safety systems, necessary to limit, within prescribed levels, the consequences of fire.

<p>Engineer – Building Services</p>	<p>Engineer – Building Services is unrestricted in the field of Building Services and includes Alternative Solutions.</p> <p>Building Services may include:</p> <ul style="list-style-type: none"> mechanical building services hydraulic building services electrical building services fire safety systems building acoustics energy management in buildings <p>In addition, those accredited as Engineer – Building Services may undertake Deemed to Satisfy solutions for any engineering designs that fall within the individual's area of competence.</p>
<p>Engineer – Civil</p>	<p>Engineer – Civil is unrestricted in the field of civil engineering and includes Alternative Solutions.</p> <p>Civil engineering may include:</p> <ul style="list-style-type: none"> civil structural geotechnical environmental engineering. <p>In addition, those accredited as Engineer – Civil may undertake Deemed to Satisfy solutions for any engineering designs that fall within the individual's area of competence.</p>

A **Deemed to Satisfy** design solution means a building solution that meets the Deemed-to-Satisfy Provisions of the Building Code of Australia and is distinct from an **Alternative Solution**.

An **Alternative Solution** means a building solution which complies with the Performance Requirements of the Building Code of Australia other than by reason of the Deemed-to-Satisfy Provisions of the code

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a designer act only within the area of his or her competence.

Category: Civil Designer

Scope of Work

Category	Scope of Work
Civil Designer	Deemed to Satisfy civil and structural engineering designs for buildings of all classes and of unrestricted size.

A **Deemed to Satisfy** design solution means a building solution that meets the Deemed-to-Satisfy Provisions of the Building Code of Australia and is distinct from an Alternative Solution.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited the *Building Act 2000* requires that a designer act only within the area of his or her competence.

2. Qualifications, Experience or Competence

Category: Builder

Qualifications, Experience or Competence

Class	Qualification
Builder – Low Rise	Certificate IV in Building and Construction (Building)
Builder – Medium Rise	Diploma of Building and Construction (Building)
Builder - Open	Advanced Diploma of Building and Construction Management, or Building Degree.

The Certificate IV, Diploma and Advanced Diploma qualifications are appropriate AQF IV – VI building construction qualifications awarded under a national training package.

The Director may specify the units of competency required to achieve accreditation.

The Director may determine that a combination of qualifications and experience held by an applicant are equivalent to those required for accreditation.

(a) Experience Requirement for Builder - Open

Three years in the scope of work for those applicants with a building trade qualification (carpentry, bricklaying etc.)

Six years in the scope of work for those applicants without a trade qualification.

(b) Experience Requirement for Builder – Medium Rise and Low Rise

Two years in the scope of work for those applicants with a building trade qualification (carpentry, bricklaying etc.)

Four years in the scope of work for those applicants without a trade qualification.

Each applicant for accreditation without a trade qualification and relevant experience will be treated on a case by case basis.

Transition to this Scheme

AQF IV - VI qualifications acceptable to the Director of Building Control prior to the commencement of this scheme will be acceptable qualifications for accreditation for five years from the commencement of this scheme provided the training commenced prior to the commencement of this scheme.

Builders already accredited under the previous scheme will be transitioned to the new builder accreditation levels in the following way:

Builder Domestic will be transferred to Builder Low Rise
Builder Commercial Limited 1 will be transferred to Builder Low Rise
Builder Commercial Limited 2 will be transferred to Builder Medium Rise
Builder Commercial Restricted 3 will be transferred to Builder Medium Rise
Builder Commercial will be transferred to Builder Open

Builders with a qualified or conditional accreditation will have the same restrictions and limitations that applied under the previous schemes transferred to their new conditions under this scheme.

Acting within the Area of Competence

Regardless of the Category and Classes in which a building practitioner is accredited it is still critical to remember that the *Building Act 2000* requires an accredited building practitioner to act only within the area of his or her competence.

Undertaking a building project without adequate experience, resources or capability may result in circumstances where a person could make a complaint against an accredited building practitioner. Investigation into such a complaint may determine incompetence and could result in a finding of unsatisfactory professional conduct or professional misconduct.

Progression

In recognition of the traditional progression of builders from smaller, less complicated building projects to more complicated projects, an accredited builder who demonstrates the achievement of 60% of the required competencies for the next highest category (Medium Rise or Open) and who has five or more years experience as a responsible builder, may be granted an additional Provisional Accreditation at the level above their current accreditation. Provisionally Accredited practitioners may be subject to increased levels of audits and compliance checking.

Provisional Accreditation is not transferable to another State under Mutual Recognition. The building practitioner will revert to the substantive level of accreditation if the full qualification is not obtained within two years.

Category: Builder

Qualifications, Experience or Competence

Class	Qualification
Construction Manager – Low Rise	Certificate IV in Building and Construction (Building)
Construction Manager – Medium Rise	Diploma of Building and Construction (Building)
Construction Manager - Open	Advanced Diploma of Building and Construction Management, or Building Degree, or Construction Management Degree.

The Certificate IV, Diploma and Advanced Diploma qualifications are appropriate AQF IV – VI building construction qualifications awarded under a national training package.

The Director may specify the units of competency required to achieve accreditation.

The Director may determine that a combination of qualifications and experience held by an applicant are equivalent to those required for accreditation.

(a) Experience Requirement for Construction Manager - Open

Three years in the scope of work for those applicants with a building trade qualification (carpentry, bricklaying etc.)

Six years in the scope of work for those applicants without a trade qualification.

(b) Experience Requirement for Construction Manager – Medium Rise and Low Rise

Two years in the scope of work for those applicants with a building trade qualification (carpentry, bricklaying etc.)

Four years in the scope of work for those applicants without a trade qualification.

Transition to this Scheme

AQF IV-VI qualifications acceptable to the Director of Building Control prior to the commencement of this scheme will be acceptable qualifications for accreditation for five years from the commencement of this scheme provided the training commenced prior to the commencement of this scheme.

Construction Managers already accredited under the previous scheme will be transitioned to the new Construction Manager accreditation levels in the following way.

Construction Manager Domestic will be transferred to Construction Manager Low Rise
Construction Manager Limited 1 will be transferred to Construction Manager Low Rise
Construction Manager Limited 2 will be transferred to Construction Manager Medium Rise
Construction Manager Restricted 3 will be transferred to Construction Manager Medium Rise
Construction Manager Unrestricted will be transferred to Construction Manager Open

Construction Managers with a qualified or conditional accreditation will have the same restrictions and limitations that applied under the previous schemes transferred to their new conditions under this scheme.

Category: Builder

Qualifications, Experience or Competence

Class	Qualification
Fire Protection Services Builder – Low Rise	Certificate IV – (Building Fire Protection Services)
Fire Protection Services Builder – Medium Rise	Diploma – (Building Fire Protection Services)
Fire Protection Services Builder - Open	Advanced Diploma – (Building Fire Protection Services)

The Certificate IV, Diploma and Advanced Diploma qualifications are appropriate AQF IV – VI fire protection services qualifications awarded under a national training package.

The Director may determine that a combination of qualifications and experience held by an applicant are equivalent to those required for accreditation.

(a) Experience Requirement for Fire Protection Services Builder - Open

Three years in the scope of work for those applicants with a building trade qualification (plumbing, electrical, sprinkler fitter etc.)

Six years in the scope of work for those applicants without a trade qualification.

(b) Experience Requirement for Fire Protection Services Builder – Medium Rise and Low Rise

Two years in the scope of work for those applicants with a building trade qualification (plumbing, electrical, sprinkler fitter etc.)

Four years in the scope of work for those applicants without a trade qualification.

Transition to this Scheme

AQF IV - VI qualifications acceptable to the Director of Building Control prior to the commencement of this scheme will be acceptable qualifications for accreditation for five years from the commencement of this scheme provided the training commenced prior to the commencement of this scheme.

Fire Protection Services Builders already accredited under the previous scheme will be transitioned to the new Fire Protection Services Builder accreditation levels in the following way.

Fire Protection Services Builder Domestic will be transferred to Fire Protection Services Builder Low Rise

Fire Protection Services Builder Restricted will be transferred to Fire Protection Services Builder Medium Rise

Fire Protection Services Builder Unrestricted will be transferred to Fire Protection Services Builder Open

Fire Protection Services Builders with a qualified or conditional accreditation will have the same restrictions and limitations that applied under the previous schemes transferred to their new conditions under this scheme.

Progression

In recognition of the traditional progression of Fire Protection Services Builders from smaller, less complicated building projects to more complicated projects, an accredited Fire Protection Services Builder who demonstrates the achievement of 60% of the required competencies for the next highest category (Medium Rise or Open) and who has five or more years experience as a responsible builder, may be granted an additional Provisional Accreditation at the level above their current accreditation. Provisionally Accredited practitioners may be subject to increased levels of audits and compliance checking.

Provisional Accreditation is not transferable to another State under Mutual Recognition. The building practitioner will revert to the substantive level of accreditation if the full qualification is not obtained within two years.

Category: Builder

Qualifications, Experience or Competence

Class	Qualification
Demolisher – Low Rise	No formal qualifications are required however extensive evidence of competency to work within the designated Scope of Work, must be provided.
Demolisher – Medium Rise	No formal qualifications are required however extensive evidence of competency to work within the designated Scope of Work, must be provided.
Demolisher - Open	No formal qualifications are required however extensive evidence of competency to work within the designated Scope of Work, must be provided.

(a) Experience Requirement

Two years in the scope of work for those applicants with a building trade qualification (carpentry, bricklaying etc.)

Four years in the scope of work for those applicants without a trade qualification.

Transition to this Scheme

Demolishers already accredited under the previous scheme will be transitioned to the new Demolisher accreditation levels in the following way.

Demolisher Domestic will be transferred to Demolisher Low Rise
 Demolisher Restricted will be transferred to Demolisher Medium Rise
 Demolisher Unrestricted will be transferred to Demolisher Open

Demolishers with a qualified or conditional accreditation will have the same restrictions and limitations that applied under the previous schemes transferred to their new conditions under this scheme.

Category: Building Surveyor

Qualifications, Experience or Competence

Class	Requirements for Accreditation
Building Surveyor	<p>A degree (AQF 7) in Building Surveying and a knowledge and understanding of the requirements for building construction in Tasmania.</p> <p>A minimum of three years experience working within the scope of work for this category.</p>

Category: Building Surveyor

Qualifications, Experience or Competence

Category	Requirements for Accreditation
Building Surveyor Limited	<p>An Advanced Diploma (AQF 6) in Building Surveying and a knowledge and understanding of the requirements for building construction in Tasmania.</p> <p>A minimum of three years experience working within the scope of work for this category.</p>

Category: Architect

Qualifications, Experience or Competence

Category	Requirements for Accreditation
Architect	Registration as an Architect under the <i>Architects Act 1929</i>

Category: Building Services Designer

Qualifications, Experience or Competence

Class	Requirements for Accreditation
Mechanical - Restricted	<p>An appropriate Advanced Diploma (AQF 6).</p> <p>Three years experience in building services design within the scope of work for this class.</p>
Mechanical - Limited	<p>An appropriate Diploma (AQF 5).</p> <p>Two years experience in building services design within the scope of work for this class.</p>
Mechanical - Domestic	<p>An appropriate Certificate (AQF 4).</p> <p>Two years experience in building services design within the scope of work for this class</p>
Electrical - Restricted	<p>An appropriate Advanced Diploma (AQF 6).</p> <p>Three years experience in building services design within the scope of work for this class.</p>
Electrical - Limited	<p>An appropriate Diploma (AQF 5).</p> <p>Two years experience in building services design within the scope of work for this class.</p>
Electrical - Domestic	<p>An appropriate Certificate (AQF 4).</p> <p>Two years experience in building services design within the scope of work for this class</p>

Hydraulic - Restricted	<p>An appropriate Advanced Diploma (AQF 6).</p> <p>Three years experience in building services design within the scope of work for this class.</p>
Hydraulic - Limited	<p>An appropriate Diploma (AQF 5).</p> <p>Two years experience in building services design within the scope of work for this class.</p>
Hydraulic - Domestic	<p>An appropriate Certificate (AQF 4).</p> <p>Two years experience in building services design within the scope of work for this class</p>
Fire - Restricted	<p>An appropriate Advanced Diploma (AQF 6).</p> <p>Three years experience in building services design within the scope of work for this class.</p>
Fire - Limited	<p>An appropriate Diploma (AQF 5).</p> <p>Two years experience in building services design within the scope of work for this class.</p>
Fire - Domestic	<p>An appropriate Certificate (AQF 4).</p> <p>Two years experience in building services design within the scope of work for this class</p>

Category: Building Designer

Qualifications, Experience or Competence

Class	Requirements for Accreditation
Architectural - Restricted	An Advanced Diploma in Building Design (AQF 6). Three years experience in building design within the scope of work for this class.
Architectural - Limited	A Diploma in Building Design (AQF 5). Two years experience in building design within the scope of work for this class.
Architectural - Domestic	A Certificate in Building Design (AQF 4). Two years experience in building design within the scope of work for this class.

Category: Engineer

Qualifications, Experience or Competence

Class	Requirements for Accreditation
<p>Engineer – Fire Safety</p>	<p>Listing on the National Professional Engineers Register (NPER) with the specific area of practice of Fire Safety.</p> <p>or</p> <p>Recognition by Engineers Australia as a Chartered Professional Engineer in the specific area of practice of Fire Safety.</p> <p>or</p> <p>an appropriate degree (AQF 7) with a Graduate Diploma or higher qualification in Fire Safety such as <i>the Graduate Diploma of Building Fire Safety & Risk Engineering</i> from Victoria University or <i>Master of Fire Safety Engineering</i> from the University of Western Sydney and three years design experience in the area of fire safety engineering attested to by a senior engineer within the area of practice of Fire Safety.</p> <p>In addition to engineering degrees, ‘an appropriate degree’ may include degrees in Architecture or Building Surveying.</p>
<p>Engineer – Building Services</p>	<p>Listing on the National Professional Engineers Register (NPER) with the general areas of practice of Building Services.</p> <p>or</p> <p>Recognition by Engineers Australia as a Chartered Professional Engineer in the general areas of practice of Building Services.</p> <p>or</p> <p>A degree in engineering (AQF 7) with a graduate certificate (or higher post graduate qualification) in building services, building mechanical services, air conditioning, building electrical services, building hydraulic services, fire safety systems, building acoustics or energy management in buildings, and three years experience practising as a design engineer within the scope of work for Engineer – Building Services.</p> <p>or</p> <p>A degree in engineering (AQF 7) and five years experience practising as a design engineer within the scope of work for Engineer – Building Services attested to by a senior engineer within the area of practice of Building Services.</p>

Engineer – Civil	<p>Listing on the National Professional Engineers Register (NPER) with the general areas of practice of Civil, Structural or Environmental Engineering.</p> <p>or</p> <p>Recognition by Engineers Australia as a Chartered Professional Engineer in the general areas of practice of Civil, Structural or Environmental Engineering.</p> <p>or</p> <p>A degree in engineering (AQF 7) and a graduate certificate (or higher post graduate qualification) in civil, structural, geotechnical or environmental engineering, or soil science, and three years experience practising as a design engineer within the scope of work for Engineer – Civil.</p> <p>or</p> <p>A degree in engineering (AQF 7) and five years experience practising as a design engineer within the scope of work for Engineer – Civil attested to by a senior engineer within the area of practice of civil, structural, geotechnical or environmental engineering.</p>
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Category: Civil Designer

Qualifications, Experience or Competence

Category	Requirements for Accreditation
Civil Designer	A degree in engineering (AQF 7) and three years experience practising within the scope of work for Civil Designer. or A technical engineering qualification of at least AQF level 6 and five years experience within the scope of work for Civil Designer.

3. Code of Conduct

The *Building Act 2000* requires all accredited building practitioners to comply with a Code of Conduct. Compliance with the Code of Conduct is the means by which the Director of Building Control can measure the performance of an accredited building practitioner. This Code of Conduct addresses the definitions of unsatisfactory professional conduct and professional misconduct in the Act.

The Code of Conduct is not intended to create any legal right of redress for a person making a complaint against an accredited building practitioner as the Act only enables the actions prescribed in section 40 of the Act to be taken against the accredited building practitioner by the Director.

Objective

This Code of Conduct aims to ensure that the conduct of accredited building practitioners meets a reasonable standard, by setting out expectations for professional conduct, competence and integrity. Any member of the public is entitled to expect that an accredited building practitioner will exercise their functions in a way that will meet or exceed these reasonable standards.

Definitions and Application of the Code of Conduct

Accredited building practitioners must comply with this Code of Conduct as specified in section 19 (2) of the Act.

The Act defines:

unsatisfactory professional conduct as conduct which:

- falls short of a reasonable standard of competence, diligence and integrity or
- only partially fulfils requirements or
- wilfully disregards relevant and appropriate matters or
- fails to comply with this or any other Act or prescribed law

and **professional misconduct** which means unsatisfactory professional conduct that is sufficiently serious as to justify suspension or cancellation of accreditation.

For the purpose of this Code of Conduct:

- Competence is defined as demonstrating adequate ability to perform the functions of the category and classes for which a building practitioner is accredited
- Diligence is defined as a constant and earnest effort to accomplish what is undertaken
- Integrity is defined as soundness of moral principle and character

The application of the Code of Conduct includes, but is not limited to, the duties of building practitioners as prescribed in the Act.

Code of Conduct Expectations

1. Professional Responsibility

All accredited building practitioners should know and understand the professional responsibilities of the category and class in which they are accredited.

It is expected that all accredited building practitioners will undertake their responsibilities with appropriate professionalism.

Failure to meet community and industry expectations of their responsibilities will be considered as unsatisfactory professional conduct.

2. Compliance with Legislation

All accredited building practitioners must ensure they comply with all relevant and applicable legislation related to the work they undertake.

It is expected that all accredited building practitioners will have knowledge, familiarity and understanding of the legislation that applies to the categories and classes for which they are accredited.

Failure to comply with legislation relevant to the work undertaken will be considered as unsatisfactory professional conduct.

3. Communication with All Parties

All accredited building practitioners should ensure they communicate relevant aspects of the work to all parties involved.

It is expected that all accredited building practitioners will consider all reasonable methods to communicate with all parties involved.

Failure to communicate with other parties or to assume they already know of relevant matters without confirming that they are aware of these matters will be considered as unsatisfactory professional conduct.

4. Performance Management

All accredited building practitioners should perform the work for which they are accredited to a reasonable standard.

It is expected that all accredited building practitioners will ensure that any person they have engaged to undertake or assist with the work will also perform that work to a reasonable standard.

Failure to ensure that all work is performed to a reasonable standard will be considered as unsatisfactory professional conduct.

5. Conduct and Behaviour

All accredited building practitioners should ensure they conform to reasonable standards of acceptable behaviour while undertaking work for which they are accredited.

It is expected that all accredited building practitioners will behave with dignity and respect when dealing with clients, regulators, industry and the general public.

Failure to conform to reasonable standards of conduct and behaviour will be considered as unsatisfactory professional conduct.

Complementary Codes

When dealing with complaints against an accredited building practitioner, the Director may at his absolute discretion, use relevant industry Codes of Conduct and Codes of Practice to assist in measuring the conduct of the accredited building practitioner.

The following industry Codes of Practice as varied from time to time may be used in this way:

- Master Builders Association Australia Inc National Code of Practice
- Housing Industry Association Code of Ethics
- Royal Australian Institute of Architects Code of Practice
- Building Designers Association Code of Practice
- Engineers Australia Code of Conduct
- Australian Institute of Building Surveyors Accreditation Code of Professional Conduct
- The Australian Procurement and Construction Council National Code of Practice

The Director may also measure conduct against all relevant laws pertaining to the building and construction industry.

Breaches of the Code of Conduct

The Act provides that the performance of an accredited building practitioner will be measured against this Code of Conduct. As appropriate, the Director will review the accreditation of or take disciplinary action against any building practitioner who fails to comply with this Code of Conduct.

In the event that an accredited building practitioner has a number of complaints made against them in any 12 month period, the Director may require the practitioner to appear before the Director and two members of the Building Regulation Advisory Committee and any other persons the Director may consider appropriate to discuss the practitioner's conduct and accreditation.

Accredited building practitioners subject to complaints made against them will be considered as primary candidates in audit schedules.

4. Complaints

Complaint handling

A person may make a complaint to the Director in respect of the professional misconduct or the unsatisfactory professional conduct of an accredited building practitioner.

Complaints will be received in accordance with section 32 of the Act.

The Director will determine whether the complaint contains sufficient information to undertake an investigation and whether or not the matter is within the authority of the Director to handle.

If the matters are not within the authority of the Director to handle, the complainant will be notified that the matter may be referred to another authority with jurisdiction to handle the matters contained in the particulars.

Referral of the matter to another authority will not limit the Director from investigating whether the matter also breaches the Code of Conduct for accredited building practitioners.

The Director will ensure the complaint is handled in accordance with the provisions of Part 4 Divisions 4 and 5 of the Act.

Matters raised in complaints against accredited building practitioners may be used to consider improvements and facilitate training.

Responsibility regarding complaints

As specified in section 39 of the Act, it is an offence not to assist and co-operate with an investigation into a complaint or to mislead or obstruct the Director or an approved investigator investigating a complaint.

Complaints made against an accredited building practitioner will be noted on the practitioner's file as a performance indicator to establish patterns of complaints, frequencies and to identify trends that may be used in audits.

The Director may disseminate information about the type of complaints made, the outcomes of any investigations and the penalties imposed. Any information provided in this regard will be done without identifying the particulars of the accredited building practitioners involved.

Appeal against Decision of Director

A complainant or an accredited building practitioner may appeal a decision or action of the Director.

5. Audits

Purpose of an Audit

Audits will be undertaken to review and examine an accredited building practitioner's compliance with the Act, the Code of Conduct and this Accreditation Scheme. Efforts will be made to ensure audits will be undertaken in such a manner that they do not interfere with the normal business activity of an accredited building practitioner.

Audits undertaken by the Director are not financial audits of accounting records.

Sufficient notice will be provided before an audit takes place. Section 30 (3) of the Act requires that an accredited building practitioner must assist in and cooperate with the audit.

In addition to audits conducted as part of a routine audit cycle, performance indicators such as complaints made against accredited building practitioners may be used to determine whether additional audits are to be conducted.

Additional audits may be undertaken if the Director identifies triggers such as topical events, inappropriate building practice or clusters of poor performance.

Audit cycle

Audits will be undertaken as part of a cycle to ensure a proportionate sample of accredited building practitioners are audited at regular intervals.

All aspects of the accredited building practitioner's work will be checked during the audit cycle including site visits and records to ensure that the practitioner is working within the scope of work for which they are accredited and any conditions imposed.

Audits will be undertaken by the Director, a person appointed by the Director or any person the Director may invite to participate in an audit.

Audit process

Any audit undertaken will consider adequate communication of the audit time, audit location and audit purpose to all parties involved.

The audit will seek to identify opportunities for improvement in the professional performance of accredited building practitioners.

Audit outcomes

The findings of any audit may be used to assist the accredited building practitioner to improve their professionalism and enable the Director to identify training and information dissemination opportunities to fulfil the Director's General Functions as specified in section 7 of the Act.

6. Professional Development

Continuing Professional Development (CPD) for Accredited Building Practitioners

Professional development is a personal matter that is specific to an individual's needs for maintaining awareness, knowledge and skills of the industry, technology, products and practices related to the category for which they are accredited.

Under the provisions of the *Building Act 2000*, application for renewal of accreditation requires that practitioners have undertaken professional development which is referred to as Continuing Professional Development. CPD broadly includes, but is not restricted to: –

- Formal education and training activities;
- Informal learning activities;
- Conferences and meetings;
- Presentations and papers; and
- Service activities.

CPD consists of a variety of learning activities and must be relevant to the practitioner's area of practice. CPD may include any activity that enables the practitioner to: –

- Extend or update their knowledge, skill or judgment;
- Become more productive;
- Understand and apply advances in technology;
- Face changes in the industry;
- Improve their individual career paths and opportunities for advancement;
- Better serve the community.

CPD Requirements

One CPD point equates to one hour of learning activity.

Category of Accredited Building Practitioner	CPD Points Required per year
Builder	12
Construction Manager	12
Fire Protection Services Builder	12
Demolisher	12
Architect	20
Building Surveyor	30
Assistance Building Surveyor	30
Building Services Designer	20
Building Designer	20
Engineer	30
Civil Designer	20

Where a practitioner is accredited in multiple categories, the CPD points for each category must be gained. CPD relevant to more than one category may be counted for each relevant category.

An accredited building practitioner must retain a record of proof for the CPD activities they have undertaken.

Professional Institutes, Associations or industry bodies may, with the permission of the Director, undertake to collate CPD points and maintain a record of CPD activities on behalf of their members.

The Director may develop CPD Models for Categories and Classes of accredited building practitioner or may recognise existing CPD requirements of Professional Institutes, Associations or industry bodies.

The Director may introduce a register of providers of CPD and/or formal training activities.

The Director may require particular categories of accredited building practitioner to undertake specified CPD activities from time to time.

7. Other Matters

Expiry of Certificate of Accreditation

A certificate of accreditation is valid for one year and expires on the anniversary of a practitioner's accreditation date. A certificate may also expire under Section 28 of the Building Act 2000 if the practitioner is no longer adequately covered by the required insurance or fails to pay the prescribed annual accreditation fee.

The Director of Building Control will reinstate the accreditation of a practitioner whose accreditation has expired through lack of insurance cover upon receipt of evidence of the required insurance cover provided that the practitioner's period of accreditation has not expired.

The Director of Building Control will reinstate the accreditation of a practitioner whose accreditation has expired through failure to pay the annual accreditation fee upon receipt of the required fee provided that the practitioner's period of accreditation has not expired.

A practitioner, whose accreditation has expired, must not carry out the work of an accredited building practitioner.

The expiry date of an accreditation reinstated in the above manner will remain unchanged.

Reinstatement of Accreditation

A practitioner, whose accreditation expires for any reason may apply to the Director of Building Control for re-instatement of their accreditation.

Provided the practitioner reapplies within two years of their accreditation expiring and provided that the accreditation did not expire for a disciplinary reason, no further assessment of the practitioner's qualifications will be required.

Practitioners accredited under the Transition Provisions of a previous Scheme will not be required to meet the qualification requirements of this Scheme provided they apply for reaccreditation within two years of their accreditation expiring.

The anniversary date of an accreditation reinstated within two years will remain the anniversary of the original accreditation date.

Annual Renewal of Accreditation

Payment and renewal documents including evidence of a practitioner's insurance cover, CPD activity and, in the case of a Builder, a Net Tangible Asset Statement must be received by the due date.

The due date is 28 days before the expiry date or, in the case of practitioners with certificates issued before the 28th of November 2012 which may be valid for more than one year, the due date is 28 days before the anniversary of its date of issue.

Personal Probity

Before issuing or renewing a Certificate of Accreditation, the Director of Building Control will consider the potential risk to the public and the building industry in permitting the applicant to perform the role of an Accredited Building Practitioner.

In assessing this risk the Director will take into account the practitioner's record of poor professional conduct, criminal convictions and bankruptcy over the previous 10 years and any other known relevant matters.

If, in the Director's opinion, the character of the applicant for accreditation is such that the applicant is likely to present an unacceptable risk to the public or the building industry, the Director will not issue a Certificate of Accreditation.

Financial Capacity Statement of

An accredited building practitioner in the Category of Builder undertaking normal business activity will often involve a process of taking a deposit from a client to commence construction then accepting progress payments before completing the work.

As a consequence, a Statement of Financial Capacity signed by an appropriately qualified accountant is to be provided on application for accreditation and thereafter annually upon renewal of accreditation. Currency of the Statements of Financial Capacity will be checked during audits of accredited building practitioners.

Financial capacity requirements apply to the following categories and classes of accredited building practitioner –

- Builder – Low Rise
- Builder – Medium Rise
- Builder – Open

Requirement –

The Director may determine the financial capacity of an accredited building practitioner, Category – Builder, to trade as a builder from the following considerations:

Has the builder been declared bankrupt or entered into an arrangement with creditors in the last 5 years?

Has the builder been a Director, Company Secretary (or a person in a position to control or substantially influence a company's conduct or affairs), within 12 months of that company being placed in receivership, administration, official administration, under a deed of company arrangement, in liquidation or wound up for the benefit of creditors?

Has the builder provided certified evidence by a registered accountant that the individual builder, or the company (for which the builder is a partner, director, or permanent employee), has net tangible assets to the value of an amount to be determined by the Director.

Considerations -

A negative answer to Questions 1 or 2 does not mean the applicant will be refused accreditation. Further information may be required and each applicant will be considered on a case by case basis.

Where a builder is the partner, director or permanent employee of a company which has provided the evidence of net tangible assets, that builder's accreditation will be limited to work for that company only.

Definitions used in this Scheme

accredited building practitioner	a building practitioner who is accredited in accordance with the Act and scheme and whose accreditation is in force
Act	the Building Act 2000
alternative solution	a building solution that complies with the Performance Requirements of the BCA
area of competence	the specific area of skill in which an accredited building practitioner is qualified, experienced and capable of undertaking
audit	a process of continuous improvement to inspect and check an accredited building practitioner for compliance
ABCB	Australian Building Codes Board
builder	a person engaged by the owner of a building to manage or carry out building work on the building
building	includes a proposed building, part of a building, a structure and part of a structure
BCA	Building Code of Australia the code produced by the Australian Building Code Board relating to the design and construction of buildings
building practitioner	a person of one of the following categories: (a) a designer, other than a plumber, who is responsible for the design, documentation or certification of the design or inspection of building work, plumbing work, buildings or plumbing installations; (b) a building surveyor or Building Surveyor Limited who is responsible for document assessment, certification, determination or inspection of building work or buildings; (c) a builder who is responsible for the management, carrying out or certification of building work;
building work	work relating to – (a) erecting, re-erecting, constructing, altering, repairing, underpinning, demolishing or removing a building; and (b) adding to a building; and (c) excavating or filling incidental to an activity referred to in paragraph (a) or (b); and (d) any other prescribed work;
category	a grouping of building related specific responsibilities in which a building practitioner may be accredited to undertake
class	a sub-grouping of a category in which a building practitioner may be accredited to undertake
Code of Conduct	a set of principles and expectations that accredited building practitioners may be measured against to determine unsatisfactory professional conduct or professional misconduct

CPD	Continuing Professional Development which includes maintaining a current awareness and knowledge of improving industry products, practices, techniques and procedures
deemed to satisfy	a building solution that meets the deemed to satisfy provisions of the BCA
designer	as defined in the Act means an architect, engineer, draftsman, building designer or building services designer
Director	the person appointed under section 6 of the <i>Building Act 2000</i> as the Director of Building Control
duties	the obligations prescribed in the Act for all categories of building practitioner
experience	a personal history of practical work relevant to a category of building practitioner
Handbook	a document provided by the Director to facilitate the administrative procedures used to manage this scheme
insurance	a financial policy to provide for a variety of protection measures related to building practitioners and the work they undertake as specified in the Act
Ministerial Insurance Order	an order made in accordance with section 48 of the Act prescribing the amount and type of insurance required by an accredited building practitioner
professional misconduct	unsatisfactory professional conduct that is sufficiently serious as to justify suspension or cancellation of accreditation;
progression	the generally accepted development process to move from one class of accreditation to a higher class
scheme	the document setting out the requirements for the accreditation of building practitioners as approved by the Minister in accordance with section 19 of the Act
scope of work	the extent and limit of building work to which a building practitioner is accredited to undertake
transition	the transfer of a building practitioner's accreditation from a category in a superseded scheme to a new category in a new scheme
type of construction	the type of fire rated construction described in the BCA
unsatisfactory professional conduct	conduct by an accredited building practitioner that – (a) falls short of a reasonable standard of competence, diligence and integrity; or (b) only partially fulfils requirements; or (c) wilfully disregards relevant and appropriate matters; or (d) fails to comply with this or any other Act or prescribed law.

