

Construction Occupations (Licensing) (Building Assessor Software Endorsements) Determination 2023 (No 1)

Notifiable instrument NI2023–843

made under the

Construction Occupations (Licensing) Regulation 2004, s 31A (Endorsing building assessors licences for use of software—Act, s 22)

1 Name of instrument

This instrument is the *Construction Occupations (Licensing) (Building Assessor Software Endorsements) Determination 2023 (No 1)*.

2 Commencement

This instrument commences on 15 January 2024.

3 Determination

(1) I determine that the following classes of building assessor’s licence must be endorsed to authorise a licensee to operate software for the purposes of providing building assessment work that relates to the issuing of an energy efficiency certificate or an energy efficiency rating statement:

- a. Class A building assessor – energy efficiency
- b. Class B building assessor – energy efficiency

(2) I determine that the software that the class of licence must be endorsed to authorise a licensee to operate is:

Class	Software	Prescribed building assessment work
A	At least one house energy rating software	Energy efficiency certificate under the <i>Building Act 2004</i>
A	First Rate 4 Version 4.05 or later	Energy efficiency rating statement
B	At least one house energy rating software	Energy efficiency certificate under the <i>Building Act 2004</i>

Note An energy efficiency certificate may constitute a deemed energy efficiency rating statement under the *Construction Occupations (Licensing) Building Energy Efficiency Assessment Sale and Lease of Residential Premises Code of Practice* and in those circumstances an endorsement for an energy efficiency certificate software constitutes an endorsement for the purposes of an energy efficiency rating statement.

- (3) A determined software includes any updates issued under that version number or beginning with that version number unless otherwise determined.
- (4) Unless under direction of the Construction Occupations Registrar, previous versions of endorsed software, including those previously subject to endorsement, must not be used to produce an energy efficiency certificate or an energy efficiency rating statement.
- (5) An endorsement to authorise the operation of software does not authorise the use of the software for a purpose or in a manner that is inconsistent with a code of practice issued under section 126A of the *Construction Occupations (Licensing) Act 2004*.

5 Definitions

Deemed energy efficiency rating statement – as defined in the *Construction Occupations (Licensing) Building Energy Efficiency Assessment Sale and Lease of Residential Premises Code of Practice*

Energy efficiency certificate – see section 139C of the *Building Act 2004*

Energy efficiency rating statement – see section 123AC of the *Construction Occupations (Licensing) Act 2004*

House energy rating software means a software tool accredited under the Nationwide House Energy Rating Scheme (NatHERS) as listed and updated by NatHERS.

Note The current list of NatHERS accredited software tools is maintained at www.nathers.gov.au.

6 Revocation

This instrument revokes *Construction Occupations (Licensing) (Building Assessor Licences Software Endorsements) Determination 2012 (No 1)* (NI2012-343).

Dr Su Wild-River
Delegate of the Construction Occupations Registrar
20 December 2023