Australian Capital Territory

Building (Consumer Representative) Terms of Reference 2024

**Notifiable Instrument NI2024–470**

made under the

Building Act 2004, section 127AB (Consumer representative—terms of reference)

**1 Name of instrument**

This instrument is the *Building (Consumer Representative) Terms of Reference 2024.*

**2 Commencement**

This instrument commences on the commencement of the *Building and Construction Legislation Amendment Act 2023*, section 17.

**3 Terms of reference**

The terms of reference are set out in Schedule 1.

Rebecca Vassarotti MLA

Minister for Sustainable Building and Construction

21 August 2024

**Schedule 1**

**Consumer representative - Terms of reference**

1. The consumer representative may:
   1. Attend a meeting of the trustees of an approved scheme.
   2. Request information from the trustees of an approved scheme.
   3. Consult with homeowners about the operation of an approved scheme.
   4. Provide advice to trustees about how the operation of an approved scheme affects homeowners and how processes can support the interaction of homeowners with an approved scheme.
   5. Advise the Minister about the interests of homeowners in relation to an approved scheme.
2. The consumer representative must:
   1. Act in good faith and in the best interests of the homeowners who interact with the approved scheme.
   2. Respect the confidential nature of the discussions of the trustees but is not limited from providing advice or information to the Minister.
   3. Act to ensure any conflict of interest or bias is avoided.
   4. Act independently and impartially, without any influence from the approved scheme or any other party.
   5. Use reasonable care and skill in performing the functions of the consumer representative.
   6. Provide a written annual report to the Minister, with a copy provided to the trustees.

*Note: The representative may provide any other report to the Minister at any time as considered necessary.*