



An initiative of the Energy Efficiency Council

# Scheme Rules



**Energy Efficiency Certification Scheme**  
*An initiative of the Energy Efficiency Council*

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## Table of contents

Referenced forms .....	6
Referenced guides.....	6
Part A: Foreword.....	7
1 About the Scheme .....	7
2 Scheme purpose .....	7
3 Priority of documents .....	7
Part B: Governance .....	9
1 Overview.....	9
2 Delegations .....	9
3 Board.....	9
4 Secretariat.....	10
5 Assessment Panel.....	11
6 Steering Committee.....	13
7 Scheme Ombudsperson .....	14
8 Conflicts of interest .....	15
Part C: Scope of certification.....	16
1 Definition of an Integrated Building Energy Retrofit .....	16
2 Standard and Complex IBERs.....	17
3 Overview of certification levels.....	17
4 Details on certification levels .....	17
5 Coverage .....	18
Part D: Terms of certification .....	19
1 General conditions .....	19
2 Maintaining familiarity with requirements .....	19
3 Adherence to the Rules and <i>Code of Conduct</i> .....	19
4 Grounds for suspending or revoking certification .....	19
5 Potential disciplinary actions.....	19
6 Warranties.....	20
7 Use of branding materials.....	20
8 Limitation of liability .....	21
Part E: Requirements for certification.....	22
1 General requirements .....	22
2 Pre-requisites for certification .....	22

3	Assessment criteria .....	23
4	Development areas .....	24
5	Recognition of other certifications .....	24
Part F: Applying for certification .....		25
1	Applying for certification .....	25
2	Assessment of applications .....	25
3	Decisions on certification.....	26
4	Submission of additional information.....	26
5	Certification at another level .....	26
6	Conditional certification as a CEES or CEEL.....	27
7	Registration as a Probationary CEES.....	27
8	Notification of assessment.....	28
9	Appeals.....	28
10	Resubmissions.....	29
11	Candidate veto rights over Assessors .....	29
12	Duration of certification.....	29
13	Changing certification level.....	29
14	Administration .....	30
Part G: Maintaining certification .....		31
1	Satisfying the requirements for certification .....	31
2	Maintaining currency of personal details.....	31
3	Payment of the scheduled fees .....	31
4	Submission of a Continuing Professional Development Log.....	31
5	Submission of IBER case studies .....	32
6	Breaches of the requirements for maintaining certification .....	32
7	Withdrawing from the <i>Scheme</i> .....	33
8	Administration.....	33
Part H: Renewing certification .....		34
1	Requirements for renewal of certification.....	34
2	Assessment of renewals .....	34
3	Decisions on renewal .....	35
4	Notification of assessment.....	35
5	Appeals.....	35
6	Lapsed certifications .....	35
7	Administration.....	35

Part I: Complaints and reviews .....	36
1 General requirements .....	36
2 Complaints from the clients of certified individuals .....	36
3 Reviews of certification status .....	37
4 Appeals regarding revocation of certification .....	37
5 Complaints regarding Scheme administration .....	38
6 Administration.....	39
Part J: Process for establishing and revising certification conditions .....	40
1 Establishing and revising the requirements for certification .....	40
2 Establishing and revising assessment processes .....	40
3 Establishing and revising the requirements for maintaining certification .....	41
Schedule 1: Scheme policy .....	42
Schedule 2: Confidentiality deed.....	44
Schedule 3: Steering Committee Terms of Reference .....	45
1 Foreword .....	45
2 Term.....	45
3 Membership .....	45
4 Operation .....	45
5 Votes .....	45
Schedule 4: Areas of assessment .....	47
1 Overview of assessment criteria .....	47
2 Detailed of assessment criteria by area of assessment.....	48
Schedule 5: Recognised Certifications .....	52
Schedule 6: Code of conduct .....	53
Schedule 7: Fees and charges .....	54

## Referenced forms

This document refers to the following referenced forms. Current versions of these forms are available either on the *Scheme* website, or by request from the *Secretariat*:

- Application Form (CEES)
- Application Form (CEEL)
- Continuing Professional Development Log
- IBER Case Study Form
- Renewal Form

## Referenced guides

This document should be read in conjunction with the following guide:

- Guide for Candidates

## **Part A: Foreword**

### **1 About the Scheme**

- 1.1 The Energy Efficiency Certification Scheme (the *Scheme*) is a national certification for the individuals that lead and manage Integrated Building Energy Retrofits (*IBERs*) of commercial buildings (*IBERs* and commercial buildings are further defined in Part C).
- 1.2 The Energy Efficiency Council (*EEC*) is the peak body representing Australia's energy efficiency sector. The *Scheme* is owned and operated by the *EEC*.
- 1.3 The *EEC* operates the *Scheme* in accordance with the *Scheme* Policy (Schedule 1).
- 1.4 As with all *EEC* activities, the *EEC* Board (the *Board*) is ultimately responsible for the proper operation of the *Scheme*.
- 1.5 The *Board* delegates key functions, such as setting the requirements for certification and assessment of applications to a range of independent bodies established under these *Scheme* rules (the *Rules*). These delegations are set out in Part B.

### **2 Scheme purpose**

- 2.1 The purpose of *Scheme* is to promote the effective delivery of *IBERs* of Australia's commercial buildings. To that end, the *Scheme* does all of the following:
  - 2.1.1 defines a scope for effective *IBERs*;
  - 2.1.2 defines appropriate levels of certification for individuals charged with delivering *IBERs*;
  - 2.1.3 defines the minimum qualifications and experience, and the required skills and knowledge, for each level of certification;
  - 2.1.4 establishes an independent assessment process for verifying the qualifications, experience and required skills and knowledge of individuals seeking certification;
  - 2.1.5 defines the requirements individuals must comply with in order to maintain and renew certification, and;
  - 2.1.6 establishes independent complaints and appeals processes that can be accessed in the circumstances specified in these *Rules*.

### **3 Priority of documents**

- 3.1 The material included in the Schedules of these *Rules* form a part of the *Rules*.
- 3.2 The material listed under the headings 'Referenced Forms' and 'Referenced Guides' form a part of the *Rules*.

- 3.3 If there is any inconsistency between the *Rules*, the Schedules, the Referenced Forms and the Referenced Guides, the various documents shall be accorded the following priority:
- 3.3.1 *Rules* (excluding the Schedules);
  - 3.3.2 Schedules;
  - 3.3.3 Referenced forms;
  - 3.3.4 Referenced guides.

## Part B: Governance

### 1 Overview

- 1.1 The *Scheme* is owned and operated by the *EEC*. As with all other *EEC* activities, the *Board* is ultimately responsible for the *Scheme*.
- 1.2 The *Scheme* has been established to promote the effective delivery of *IBERs* in Australia's commercial buildings. The *Board* may, at its sole discretion, alter any aspect of the *Scheme* to ensure it continues to address the needs of Australia's energy efficiency sector appropriately.
- 1.3 The decision to maintain the *Scheme* shall be at the sole discretion of the *Board*.

### 2 Delegations

- 2.1 The *Board* shall delegate the administration of the *Scheme* to the *EEC's* Certification Secretariat (the *Secretariat*), an administrative body operated by the *EEC*.
- 2.2 The *Board* shall delegate responsibility for establishing appropriate assessment criteria and assessment of *Candidates* for certification to an independent *Assessment Panel*.
- 2.3 The *Board* shall appoint an independent *Steering Committee* comprised of relevant representatives of industry, government, customers and other experts. The *Steering Committee* shall oversee the activities of the *Secretariat* and the *Assessment Panel*.
- 2.4 The *Board* shall appoint an *Ombudsperson* to make independent determinations regarding complaints and appeals.

### 3 Board

- 3.1 The *Board* is constituted of Directors elected under the *EEC's* Rules of Association.
- 3.2 The *Board* is responsible for all of the following:
  - 3.2.1 approving the *Rules*;
  - 3.2.2 establishing and maintaining the *Scheme* in accordance with the *Scheme* policy;
  - 3.2.3 establishing targets for *Scheme* performance;
  - 3.2.4 appointing properly qualified individuals of good standing to the administration, assessment and oversight bodies set out in the *Rules*;
  - 3.2.5 setting the independent *Steering Committee's* terms of reference;
  - 3.2.6 all commercial decisions related to the *Scheme*, including resourcing, budgets, and fees;
  - 3.2.7 strategic decisions related to communications and marketing;
  - 3.2.8 ensuring the *Scheme* is properly administered;

- 3.2.9 establishing the parameters of the *Scheme's* Annual Management Review, and;
- 3.2.10 making changes to the *Rules*.

#### **4 Secretariat**

- 4.1 The *Board* shall delegate the administration of the *Scheme* to the *EEC's* Certification Secretariat (the *Secretariat*), an administrative body operated by the *EEC*.
- 4.2 The *Secretariat* is responsible for administering the following processes in accordance with the *Rules*:
  - 4.2.1 administration of applications for certification, including receipt of applications and documentation, processing fees, scheduling interviews and notifying candidates for certification (*candidates*) of results;
  - 4.2.2 issuing certification materials, such as certificates, to successful *candidates*;
  - 4.2.3 administration of the Continuing Professional Development (CPD) program;
  - 4.2.4 administration of certification renewals;
  - 4.2.5 administration of complaints and appeals;
  - 4.2.6 co-ordinating the activities of the *Assessment Panel*, the *Steering Committee* and the *Ombudsperson*;
  - 4.2.7 maintaining a publicly accessible directory of individuals certified under the *Scheme*;
  - 4.2.8 managing the *Scheme* budget;
  - 4.2.9 drafting communications strategies for approval by the *Board*, and managing all communications associated with the *Scheme*;
  - 4.2.10 informing participants and other interested parties of the *Scheme's* purpose, scope and processes, and notifying them of changes to the *Scheme*;
  - 4.2.11 monitoring *Scheme* performance against the targets set by the *Board*;
  - 4.2.12 providing regular updates on *Scheme* administration to the *Board*, and;
  - 4.2.13 undertaking an annual review of legal requirements to ensure that the *EEC* complies with relevant legal obligations.
- 4.3 The *Secretariat* is responsible for maintaining all significant data associated with the *Scheme's* operation in a secure database, including all of the following:
  - 4.3.1 submitted forms and supporting documentation;
  - 4.3.2 assessment outcomes and associated documentation;
  - 4.3.3 complaints, appeals, and the outcomes of reviews and investigations;

- 4.3.4 agendas and minutes of meetings;
  - 4.3.5 formal communications with interested parties, and;
  - 4.3.6 suggestions and complaints from interested parties related to the operation of the *Scheme*.
- 4.4 The *Secretariat* is responsible for undertaking an annual review of the *Scheme* in consultation with the *Steering Committee*, for submission to the *Board*. The annual review shall address all of the following:
- 4.4.1 the *Scheme's* contribution to promoting the effective delivery of *IBERs* in Australia's commercial buildings;
  - 4.4.2 *Scheme* performance against targets set by the *Board*;
  - 4.4.3 the performance of the *Assessment Panel*;
  - 4.4.4 any recommendations from the *Assessment Panel*, *Steering Committee* or *Ombudsperson*;
  - 4.4.5 an assessment of risks associated with operating the *Scheme*, and proposed mitigation actions;
  - 4.4.6 changes in legal requirements associated with the *Scheme's* operation;
  - 4.4.7 suggestions and complaints from interested parties;
  - 4.4.8 the *Scheme's* communications strategy, and;
  - 4.4.9 the *Scheme's* fee structure.
- 4.5 From time to time the *Secretariat* may assist a *CEES* by sharing the contact details of *CEELs* that have indicated a willingness to act as a mentor to less experienced professionals. In these instances the *Secretariat* has no direct involvement in mentoring relationships and assumes no liability for any advice given or received.
- 4.6 Any person performing duties on behalf of the *Secretariat* (including staff and contractors) that has access to confidential information related to candidates or certified individuals must sign a confidentiality deed (Schedule 2) which prevents them from utilising, disclosing or disseminating any information obtained in the course of executing their duties without written permission from the *EEC*.

## 5 Assessment Panel

- 5.1 The *Board* shall delegate responsibility for assessment of *candidates*, development and maintenance of assessment metrics, and related matters to an independent *Assessment Panel*.
- 5.2 The *Board* shall appoint *Assessment Panel* members based on recommendations from the *Secretariat*. *Assessment Panel* members shall be individuals of good character, with one or both of the following:
- 5.2.1 relevant experience implementing commercial building retrofits;
  - 5.2.2 broader experience in the energy efficiency sector that may be valuable in executing the duties of the *Assessment Panel*.

- 5.3 The *Assessment Panel* shall have a minimum of three members at any given time.
- 5.4 The *Assessment Panel* is responsible for undertaking all of the following duties in accordance with the *Rules* and associated Schedules and Guides:
- 5.4.1 drafting and maintaining the *areas of assessment* to ensure that the *required skills and knowledge* in each area remain current and relevant to industry needs;
  - 5.4.2 drafting a confidential *evidence guide* to ensure consistency of assessment between *candidates*, and reviewing it on an annual basis;
  - 5.4.3 drafting a register of Recognised Certifications that lists certifications that are recognised as relevant to the *areas of assessment*, and reviewing it on an annual basis;
  - 5.4.4 assessment of applications for certification and renewal of certification;
  - 5.4.5 determining the categories of professional development that are eligible for inclusion in the CPD Log;
  - 5.4.6 providing advice to the *Secretariat*, the *Steering Committee* and the *Board* on revisions to the *Scheme* that are necessary for it to fulfil its objectives, and;
  - 5.4.7 assisting with reviews or investigations of individuals certified under the *Scheme* at the request of the *Secretariat*, the *Steering Committee*, or the *Ombudsperson*.
- 5.5 Only *Assessment Panel* members with relevant experience implementing commercial building retrofits shall act as *assessors* that review applications for certification and renewal of certification and make *preliminary determinations* for review by the *Assessment Panel*.
- 5.6 If a clear and identifiable conflict of interest exists in respect of the participation of a member of an *Assessment Panel* in the performance of any of the functions of the *Assessment Panel*, that member will do all of the following:
- 5.6.1 notify the *Secretariat* and other members of the *Assessment Panel* of that conflict of interest, and;
  - 5.6.2 will not participate in the functions of the *Assessment Panel* in relation to the matters in respect of which the conflict exists.
- 5.7 If a clear and identifiable conflict of interest exists in respect of the participation of a member of an *Assessment Panel* in the performance of any of the functions of the *Assessment Panel*, the *Secretariat* may:
- 5.7.1 notify the other members of the *Assessment Panel* of that conflict of interest, and;
  - 5.7.2 exclude that member of the *Assessment Panel* from participating in the functions of the *Assessment Panel* in relation to the matters in respect of which the conflict exists.

- 5.8 Members of the *Assessment Panel* are required to sign a confidentiality deed (Schedule 2) which prevents them from utilising, disclosing or disseminating any information obtained in the course of executing their duties on the *Assessment Panel* without written permission from the *EEC*.
- 5.9 The performance of *Assessment Panel* members will be reviewed as part of the *Scheme's* annual management review process. The *Board* may, in its sole discretion, alter the composition of the *Assessment Panel* based on these reviews, or at other times as necessary.

## **6 Steering Committee**

- 6.1 The *Board* shall appoint an independent *Steering Committee* comprised of individuals nominated by industry, governments, customers and other experts. The *Steering Committee* is responsible for overseeing the activities of the *Secretariat* and *Assessment Panel*.
- 6.2 The *Steering Committee* shall have a minimum of eight and a maximum of twelve members.
- 6.3 The Chair of the *Steering Committee* shall be member of the *Board*.
- 6.4 The Co-Chair of the *Steering Committee* shall be elected by a simple majority of Committee members.
- 6.5 *Steering Committee* members shall be appointed by the *Board* based on recommendations of the *Secretariat*, and may be removed by the *Board* at any time, in its sole discretion.
- 6.6 The *Board* shall be responsible for filling casual vacancies on the *Steering Committee*.
- 6.7 *Steering Committee* members shall have a term of two years, unless otherwise stipulated by the *Board*.
- 6.8 The *Steering Committee* is responsible for undertaking all of the following duties in accordance with the *Rules* and associated Schedules:
- 6.8.1 considering the interests of parties significantly concerned with the *Scheme*, including consideration of the public interest, in accordance with, and subject to, these *Rules*;
  - 6.8.2 monitoring the performance of the *Secretariat* and *Assessment Panel*;
  - 6.8.3 monitoring the performance of the *Scheme*;
  - 6.8.4 making recommendations to the *Board* on matters related to the proper operation and governance of the *Scheme*;
  - 6.8.5 overseeing the annual management review conducted by the *Secretariat*;
  - 6.8.6 signing off on the report to the *Board* that results from the annual management review;

- 6.8.7 providing the *Board* with an annual statement that considers the *Scheme's* efficacy in meeting the needs of industry, customers and other stakeholders, and how the *Scheme* could be improved, and;
- 6.8.8 proposing or reviewing changes to the *Rules* for consideration by the *Board*.
- 6.9 The operation of the *Steering Committee* shall be governed by the Steering Committee Terms of Reference (Schedule 3). The Terms of Reference shall be established by the *Board* in consultation with the *Steering Committee*.
- 6.10 If a clear and identifiable conflict of interest exists in respect of the participation of a member of the *Steering Committee* in the performance of any of the functions of the *Steering Committee*, that member will do all of the following:
  - 6.10.1 notify the *Secretariat* and other members of the *Steering Committee* of that conflict of interest, and;
  - 6.10.2 will not participate in the functions of the *Steering Committee* in relation to the relevant matters.
- 6.11 If a clear and identifiable conflict of interest exists in respect of the participation of a member of an *Steering Committee* in the performance of any of the functions of the *Steering Committee*, the *Secretariat* may:
  - 6.11.1 notify the *Steering Committee* of that conflict of interest, and;
  - 6.11.2 exclude that member of the *Steering Committee* from participating in the functions of the *Steering Committee* in relation to the matters in respect of which the conflict exists.
- 6.12 Members of the *Steering Committee* are required to sign a confidentiality deed (Schedule 2) which prevents them from utilising, disclosing or disseminating any information obtained in the course of executing their duties on the *Steering Committee* without written permission from the *EEC*.

## **7 Scheme Ombudsperson**

- 7.1 The *Board* shall appoint an *Ombudsperson* to consider complaints, appeals and suspected poor conduct of individuals certified under the *Scheme*.
- 7.2 The *Ombudsperson* shall be a person of good standing without material commercial affiliations within the energy efficiency sector.
- 7.3 The *Ombudsperson* shall be responsible for all of the following duties, in accordance with the *Rules*:
  - 7.3.1 reviewing appeals from *candidates* regarding the determinations of the *Assessment Panel* on applications for certification or renewal of certification;
  - 7.3.2 reviewing complaints from energy efficiency customers against individuals certified under the *Scheme*;
  - 7.3.3 reviewing the certification status of individuals suspected of breaching the *Rules* or *Code of Conduct*, and;

- 7.3.4 reviewing complaints regarding *Scheme* administration and governance.
- 7.4 Only stakeholders that are directly interested in or affected by the *Scheme's* operation, as determined by the *Ombudsperson*, may access the *Ombudsperson*.
- 7.5 The *Ombudsperson* may decide not to consider complaints that are not made in accordance with the complaints and appeals mechanisms stipulated in the *Rules*.
- 7.6 If a clear and identifiable conflict of interest exists in respect of the *Ombudsperson* performing any of these functions, the *Ombudsperson* will do all of the following:
  - 7.6.1 notify the *Secretariat* and other members of the *Steering Committee* of that conflict of interest, and;
  - 7.6.2 not fulfil the role of *Ombudsperson* in relation to the relevant matters.
- 7.7 In these circumstances, the *Board* shall appoint another individual to fulfil the role of *Ombudsperson* in relation to the relevant matters.
- 7.8 Individuals occupying the position of *Ombudsperson* are required to sign a confidentiality deed (Schedule 2) which prevents them from utilising, disclosing or disseminating any information obtained in the course of executing their duties as *Ombudsperson* without written permission from the *EEC*.

## **8 Conflicts of interest**

- 8.1 For the purpose of Part B, a conflict of interest will be considered to arise in circumstances including, but not limited to, where there is a risk that the professional judgment or actions of the relevant person in relation to their function under the *Scheme* may be unduly influenced by matters including the person's other personal, financial or relational interests or legal or ethical duties.

## Part C: Scope of certification

### 1 Definition of an Integrated Building Energy Retrofit

- 1.1 The *Scheme* recognises two broadly defined models of *IBER*.
- 1.2 An *IBER* is a commercial building retrofit that:
- 1.2.1 Considers all major energy uses within the building when identifying opportunities for energy conservation and reducing greenhouse gas emissions. This may include (but is not limited to) heating, ventilation and air conditioning (HVAC) systems, lighting systems, control systems, water systems, generation technologies and the building envelope.
  - 1.2.2 Takes a comprehensive approach to design, incorporating multiple technologies when appropriate.
  - 1.2.3 Takes a considered approach to implementation, effectively integrating project measures with the building's existing systems.
  - 1.2.4 Includes all stages of a building energy efficiency retrofit, which generally includes
    - scoping the project;
    - energy reviews or audits;
    - business case development;
    - verification of technical fundamentals and design;
    - procurement and tendering for products and services;
    - supply and installation management;
    - integration with existing services;
    - commissioning and tuning;
    - measurement and verification;
    - behaviour change measures, and;
    - ongoing project maintenance.

- 1.3 An *IBER* with performance guarantees is:
- 1.3.1 An *IBER* (as defined above) that also includes contractual guarantees regarding the energy performance of the building following the retrofit. This includes, but is not restricted to, Energy Performance Contracts (*EPCs*).
- 1.4 All *IBERs* should include as a minimum a measurement and verification plan and process for determining whether efficiency objectives have been met. The plan should be consistent with either the International Performance Measurement and Verification Protocol (IPMVP), the *EEC Best Practice Guide to Measurement and Verification of Energy Savings*, or equivalent guidelines.
- 1.5 An *IBER* may be a stand alone upgrade – that is, energy savings may be the primary goal of the building upgrade. Alternatively, an *IBER* may be incorporated into a building upgrade with a broader set of objectives.

## **2 Standard and Complex IBERs**

- 2.1 To assist in clarifying the scope of certified activities for different levels of certification, the *Scheme* notes a distinction between Standard and Complex *IBERs*.
- 2.2 Guidance on the distinction between Standard and Complex *IBERs* is provided in the *Guide for Candidates*.

## **3 Overview of certification levels**

- 3.1 On the recommendation of the *Steering Committee*, the *Board* has established two levels of certification.
- 3.1.1 Certified Energy Efficiency Specialists (*CEES*). A *CEES* is an individual that has demonstrated the knowledge necessary to lead and manage Standard *IBERs*.
- 3.1.2 Certified Energy Efficiency Leaders (*CEEL*). A *CEEL* is an individual that has demonstrated the knowledge necessary to lead and manage Standard and Complex *IBERs*, and experience leading and managing each stage of an *IBER*.

## **4 Details on certification levels**

- 4.1 Certified Energy Efficiency Specialist (*CEES*)
- 4.1.1 A *CEES* is an individual that has demonstrated both:
- the skills, knowledge and practical experience necessary to contribute to effective *IBERs* as part of a project team, and;
  - the knowledge necessary to lead and manage the effective delivery of Standard *IBERs*.

- 4.1.2 A CEES has demonstrated a good understanding of the procedural, technical and practical components of leading and managing an effective *IBER*.
- 4.1.3 A CEES is not required to be a technical expert in every aspect of *IBER* delivery. Rather, certification indicates that they have the knowledge and relevant technical expertise necessary to lead and manage Standard *IBERs* in an integrated manner.
- 4.1.4 Where possible, a CEES should be in a position to obtain advice from an individual that has more experience implementing *IBERs* (generally a *CEEL*).
- 4.2 Certified Energy Efficiency Leader (*CEEL*):
- 4.2.1 A *CEEL* is an individual that has demonstrated
- the knowledge necessary to lead and manage Standard and Complex *IBERs*, and experience overseeing and coordinating each stage of an *IBER*.
- 4.2.2 A *CEEL* has demonstrated an understanding of the procedural, technical and practical components of leading and managing an effective *IBER*.
- 4.2.3 A *CEEL* has also demonstrated practical experience leading and managing all stages of an *IBER*.
- 4.2.4 A *CEEL* is not required to be a technical expert in every aspect of *IBER* delivery. Rather, certification indicates that they have the knowledge, relevant technical expertise and practical experience necessary to lead and manage both Standard and Complex *IBERs* in an integrated manner.
- 4.3 These certifications are awarded in accordance with the requirements set out in Part E: Requirements for Certification.
- 4.4 The *EEC* does not guarantee the quality of work undertaken by certified individuals and expressly disclaims, to the full extent of the law, any such guarantee. Certification simply indicates that an individual has met the relevant requirements for knowledge and experience set out in the *Rules*.

## 5 Coverage

- 5.1 Certified individuals are certified to lead and manage *IBERs* of commercial buildings within Australia and its territories.
- 5.2 For the purposes of the *Scheme*, 'commercial buildings' are all building classes identified by the Building Code of Australia, excluding Class 1, Class 2, Class 4, Class 8 and Class 10.

## **Part D: Terms of certification**

### **1 General conditions**

- 1.1 These Terms apply to any individual awarded registration or certification under the *Scheme*.

### **2 Maintaining familiarity with requirements**

- 2.1 From time to time, the *Board* or its delegates, in their sole discretion, may revise these *Rules* or the *Code of Conduct*.
- 2.2 These changes will be posted on the *Scheme* website.
- 2.3 It is the responsibility of certified individuals to stay informed of any revisions to the *Rules* and *Code of Conduct*, and to adhere to current requirements.

### **3 Adherence to the Rules and Code of Conduct**

- 3.1 Individuals registered or certified under the *Scheme* agree to be bound by and comply with the *Rules* and *Code of Conduct* (Schedule 6) as a condition of their participation in the *Scheme*.
- 3.2 Breaches of the requirements set out in these documents may lead to an individual certified under the *Scheme* having their certification status reviewed or revoked, in accordance with the mechanisms set out in the *Rules*.

### **4 Grounds for suspending or revoking certification**

- 4.1 Certification may be suspended or revoked if certified individuals are found to have done, or are reasonably expected to have done, any of the following:
- 4.1.1 breached the *Rules* or *Code of Conduct*;
  - 4.1.2 obtained certification as a result of fraud, deception or misrepresentation;
  - 4.1.3 engaged in other fraudulent behaviour;
  - 4.1.4 been negligent in the execution of certified activities;
  - 4.1.5 breached applicable law;
  - 4.1.6 failed to co-operate with an investigation associated with their certification;
  - 4.1.7 failed to respond to reasonable requests for information relating to their certification;
  - 4.1.8 made misleading representations to third parties regarding the level or scope of certification held, or;
  - 4.1.9 engaged in conduct that may bring the *EEC*, the *Scheme* or the energy efficiency sector into disrepute.

### **5 Potential disciplinary actions**

- 5.1 Where certified individuals are found to have breached the *Rules* or *Code of Conduct* the *Board* or its delegates may impose one (or any combination) of the following disciplinary actions:
- 5.1.1 issue a warning;
  - 5.1.2 suspend certification for a given period;
  - 5.1.3 revoke certification;
  - 5.1.4 require the certified individual to undertake remedial activities;
  - 5.1.5 impose certification conditions;
  - 5.1.6 impose a probationary period;
  - 5.1.7 ban a formerly certified individual from reapplying for certification before a certain date;
  - 5.1.8 ban a formerly certified individual from reapplying for certification in perpetuity, or;
  - 5.1.9 post a notification of the revocation of certification on the *Scheme* website.
- 5.2 No fees will be refunded upon suspension or revocation of certification.
- 5.3 Certificates and associated certification documentation remain the property of the EEC and must be returned promptly upon revocation of certification.

## **6 Warranties**

- 6.1 *Candidates* for certification and certified individuals warrant that:
- 6.1.1 all information submitted to the EEC is true, complete, and accurate, and;
  - 6.1.2 they will comply with the *Rules*, all applicable laws, ordinances, regulations, standards and codes when undertaking works for which they are certified under the *Scheme*.

## **7 Use of branding materials**

- 7.1 The *EEC* is the owner of all *branding materials* (i.e. names, trademarks and logos) associated with the *Scheme*.
- 7.2 The *EEC* grants currently certified individuals a non-exclusive licence to use *branding materials* to promote their services.
- 7.3 Certified individuals may only use the *branding materials* appropriate for their level of certification.
- 7.4 Notwithstanding the other terms in Part D, Section 7, individuals with a *Probationary Registration* or *Conditional Certification* shall not use any of the *branding materials* to promote their services.
- 7.5 *Branding materials* may only be used to promote activities for which the certified individual is certified.

- 7.6 *Branding materials* may not be used in a manner that directly or indirectly suggests that the *EEC* has endorsed the certified individuals or the quality of their work or services.
- 7.7 *Branding materials* may not be used in a manner that directly or indirectly suggests that any other person or organisation is associated with the *Scheme*. Where the certified individuals operates within a company, the use of *branding materials* must not suggest in any way that the company is accredited under the *Scheme*.
- 7.8 *Branding materials* may be used on promotional and business-related materials such as websites, letterheads and business cards, but may not be used on any invoices, terms of trade, agreements, or similar documents.
- 7.9 Certified individuals who withdraw from the *Scheme*, fail to renew their certification, or have their certification suspended or revoked are required to immediately cease using the *branding materials* in their promotional documentation and activities.
- 7.10 If the *Secretariat* determines, in its sole discretion, that a certified individual has breached any of the requirements on the use of *branding materials*, the *Secretariat* may direct the certified individual to stop using the branding materials in a way that breaches the requirements set out in these *Rules*. Certified individuals that receive such a direction from the *Secretariat* are required to immediately comply.

## **8 Limitation of liability**

- 8.1 None of the *EEC* or any of its employees, agents, contractors or affiliates, any person acting or having acted as *Ombudsperson* or a member of the *Steering Committee, Assessment Panel, or Board* will have any liability to any person for any reason whatsoever in relation to loss or damage arising from:
- 8.1.1 the process by which applications for certification or renewal of certification are considered, or in relation to the administration or operation of the *Scheme*, or;
- 8.1.2 products or services provided by certified individuals, including, for the avoidance of doubt, services provided by individuals with conditional certification or probationary registration as set out in Part F.
- 8.2 *Certified individuals* agree to fully indemnify the *EEC* in respect of costs, losses or damage arising from the matters set out above.

## Part E: Requirements for certification

### 1 General requirements

- 1.1 All *candidates* for certification must be at least eighteen years of age.

### 2 Pre-requisites for certification

- 2.1 On the recommendation of the *Steering Committee*, the *Board* has established the following pre-requisites for each level of certification.
- 2.2 Certification as a Certified Energy Efficiency Specialist (*CEES*) is available to energy efficiency implementation professionals with intermediate to significant industry experience, by demonstrating to the *Assessment Panel* that they satisfy the following criteria:
- 2.2.1 *Candidates* with a degree in engineering, architecture, surveying, construction management or project management, or a mechanical or electrical trade qualification, must demonstrate that they have a minimum of one year of experience implementing energy efficiency retrofits of commercial buildings.
- 2.2.2 *Candidates* without a relevant qualification must demonstrate that they have a minimum of three years of experience implementing energy efficiency retrofits of commercial buildings.
- 2.3 Certification as a Certified Energy Efficiency Leader (*CEEL*) is available to energy efficiency implementation professionals with significant industry experience, by demonstrating to the *Assessment Panel* that they satisfy the following criteria:
- 2.3.1 *Candidates* with a degree in engineering, architecture, surveying, construction management or project management, or a mechanical or electrical trade qualification, must demonstrate that they have a minimum of three years of experience implementing energy efficiency retrofits of commercial buildings.
- 2.3.2 *Candidates* without a relevant qualification must demonstrate that they have a minimum of five years of experience implementing energy efficiency retrofits of commercial buildings.
- 2.4 Candidates for *CEEL* must also demonstrate to the *Assessment Panel* that they have either
- 2.4.1 led three *IBER* projects in their entirety, or;
- 2.4.2 that they have an equivalent amount of experience leading *IBERs* across a range of retrofit projects, and have experience leading each discrete stage of an *IBER* project.
- 2.5 Experience may include implementing commercial building retrofits focused on upgrading a single energy efficiency technology.
- 2.6 Experience must meet a satisfactory standard in relation to professionalism, process and outcomes achieved.

- 2.7 Qualifications must be awarded by an Australian educational institution of good standing and satisfactory to the *Assessment Panel*, or an equivalent international institution.
- 2.8 The determination of whether a *Candidate* satisfies these pre-requisites for certification shall be made by the *Assessment Panel* in its sole discretion, in accordance with these *Rules*.

### **3 Assessment criteria**

- 3.1 As well as meeting the pre-requisites set out above (Part E, Section 2), candidates for CEES must establish their eligibility for certification by demonstrating to the *Assessment Panel* that they satisfy the following criteria:
  - 3.1.1 demonstrating that they have the required skills and knowledge in the three mandatory *areas of assessment* set out in Schedule 4;
  - 3.1.2 demonstrating that they have the required skills and knowledge in at least four additional *areas of assessment* set out in Schedule 4;
  - 3.1.3 satisfying the *Assessment Panel* that they have the skills, knowledge and practical experience necessary to contribute to effective IBERs as part of a project team, and;
  - 3.1.4 satisfying the *Assessment Panel* that they have the knowledge necessary to lead and manage the effective delivery of a Standard IBER.
- 3.2 As well as meeting the pre-requisites above (Part E, Section 2), candidates for CEEL must establish their eligibility for certification by demonstrating to the *Assessment Panel* that they satisfy the following criteria:
  - 3.2.1 demonstrating that they have the required skills and knowledge in all ten of the *areas of assessment* set out in Schedule 4, and;
  - 3.2.2 satisfying the *Assessment Panel* that they have the skills, knowledge and practical experience necessary to lead and manage the effective delivery of Standard and Complex IBERs.
- 3.3 Candidates for *CEES* and *CEEL* are assessed against the same ten *areas of assessment*. However the required skills and knowledge in each area differ for certification as a *CEES* and *CEEL*, reflecting the different level of experience and expertise required at each level of certification.
- 3.4 A confidential *evidence guide* is maintained by the *Assessment Panel* to assist *assessors* to determine whether *candidates* demonstrate the *required skills and knowledge* in each *area of assessment*, and to assist in consistency of assessment between *candidates*.
- 3.5 The determination of whether a *candidate* satisfies these assessment criteria shall be made by the *Assessment Panel* in their sole discretion, in accordance with these *Rules*.

## **4 Development areas**

- 4.1 *Candidates* awarded *CEES* certification that do not demonstrate that they have the required skills and knowledge in all ten *areas of assessment* shall:
- 4.1.1 have those areas in which they have not demonstrated the required skills and knowledge deemed *development areas*;
  - 4.1.2 be required to undertake professional development that specifically addresses these *development areas*, in addition to the standard Continuing Professional Development obligations under the *Scheme*, and;
  - 4.1.3 be reassessed on these *development areas* at a time determined by the *Assessment Panel*, and not later than when they apply to renew their certification.

## **5 Recognition of other certifications**

- 5.1 Schedule 5 lists external certifications that are recognised as relevant to the *areas of assessment*.
- 5.2 *Candidates* holding current certifications on this list are considered to have demonstrated relevant knowledge in the *areas of assessment* indicated.
- 5.3 All *candidates* must demonstrate to the *Assessment Panel* that they have the capacity to apply their knowledge in the context of an *IBER*, regardless of any certifications held.

## Part F: Applying for certification

### 1 Applying for certification

- 1.1 To apply for certification, *candidates* must satisfy all of the following requirements:
- 1.1.1 read the *Guide for Candidates* and familiarise themselves with the *Code of Conduct* (Schedule 6) and the *Rules*;
  - 1.1.2 complete the application form for the desired level of certification (*CEES* or *CEEL*). Submit it to the *Secretariat* along with any supporting documentation requested in the form;
  - 1.1.3 agree to be bound by the *Rules* and the *Code of Conduct* should their application for certification be successful;
  - 1.1.4 pay the required fee (Schedule 7);
  - 1.1.5 make themselves available for an interview with a member of the *Assessment Panel* (the *assessor*), and;
  - 1.1.6 bring any requested documentation to the interview for review by the *assessor*.

### 2 Assessment of applications

- 2.1 Applications will be checked for completeness by the *Secretariat* prior to being forwarded to the *assessor* for independent review.
- 2.2 Assessments will be conducted by a primary assessor (the *assessor*). The *Secretariat* may also appoint a secondary assessor from the *Assessment Panel* to assist the *assessor* at any stage of the assessment process.
- 2.3 The *assessor* will consider the *candidate's* application in light of the prerequisites for certification set out in Part E (the *initial assessment*). If the pre-requisites for certification are not met, this *preliminary determination* as to the *candidate's* eligibility at the desired level of certification shall be presented to the *Assessment Panel* for review (Part F, Section 3).
- 2.4 If the pre-requisites for certification appear to have been met, the *assessor* will consider the remainder of the *candidate's* application and any associated evidence in light of the *areas of assessment* (the *primary assessment*).
- 2.5 If, after conducting the *primary assessment*, the *assessor* forms the view that the candidate is not eligible for certification, this *preliminary determination* as to the *candidate's* eligibility at the desired level of certification shall be presented to the *Assessment Panel* for review (Part F, Section 3).
- 2.6 If the *assessor* forms the view that the *candidate* may be eligible to be awarded certification, the *candidate* will be invited to an interview with the *assessor*. An invitation to an interview does not guarantee that certification will be granted.

- 2.7 The *assessor* shall use the interview to verify the information provided in the *candidate's* application, review any project documentation supplied by the *candidate* for consideration during the interview, and gather any additional information necessary to determine the *candidate's* eligibility.
- 2.8 Following the interview, the *assessor* shall make a *preliminary determination* as to the *candidate's* eligibility at the desired level of certification. This *preliminary determination* shall be presented to the *Assessment Panel* for review (Part F, Section 3).

### **3 Decisions on certification**

- 3.1 *Preliminary determinations* will be presented to a meeting of the *Assessment Panel* for review. This meeting shall generally include three members of the *Assessment Panel*. The first order of business of *Assessment Panel* meetings regarding decisions on certification shall be to nominate and vote on a *Chair*.
- 3.2 *Candidates* that meet the pre-requisites and satisfy the assessment criteria shall be considered for certification under the *Scheme*. Decisions on certification shall be made by a simple majority vote. In the event of a tied vote, the *Chair* shall have a casting vote.
- 3.3 The final determination regarding whether a *candidate* shall be awarded certification shall be made by the *Assessment Panel* at their sole discretion, in accordance with these *Rules*.

### **4 Submission of additional information**

- 4.1 If the information lodged with an application is insufficient for the *assessor* to determine eligibility, the *assessor* may, at their discretion, request additional or information from the *candidate*. The *assessor* may also request that information provided as part of the application form be redrafted for clarity or pertinence.
- 4.2 The *Secretariat* shall make requests for additional or redrafted information on behalf of the *assessor*. Requests shall be made in writing.
- 4.3 To be considered, additional or redrafted information must be provided by the *candidate* within ten working days of receiving the request.

### **5 Certification at another level**

- 5.1 Upon reviewing the application form, the *assessor* may form the view that the *candidate* is likely to be eligible at a level of certification higher than the one applied for. In this instance, the *assessor* may invite the *candidate* to submit the additional material necessary to be assessed at the higher level.
- 5.2 Alternatively, after reviewing all the evidence, the *assessor* may find that a *candidate* is eligible at a level of certification lower than the one applied for. In this instance, the *candidate* may be offered the option of accepting certification at the lower level.

## **6 Conditional certification as a CEES or CEEL**

- 6.1 The *Assessment Panel* may determine that a *candidate* for *CEES* or *CEEL* is eligible for certification, subject to the *candidate* acquiring a discrete amount of additional knowledge or experience.
- 6.2 In these cases, the *Assessment Panel* may offer the candidate *conditional certification* as a *CEES* or *CEEL* that is valid subject to the *candidate* fulfilling the agreed conditions within a set timeframe.
- 6.3 The *Assessment Panel* will provide the *candidate* with guidance on the knowledge or experience they need to demonstrate in order for the conditions on their certification to be removed. The *Assessment Panel* shall also set out the re-assessment process for verifying the additional knowledge and experience.
- 6.4 Re-assessment fees will vary depending on the extent of re-assessment necessary, and will be set by the *Secretariat* in consultation with the *Assessment Panel* on a case by case basis.
- 6.5 Acceptance of *conditional certification* status will be at the sole discretion of the *candidate*.
- 6.6 *Candidates* that are awarded *conditional certification* but do not fulfil the conditions within the timeframe specified by the *Assessment Panel* may have their certification downgraded or revoked by the *Assessment Panel*.
- 6.7 *Candidates* that are awarded *conditional certification* will not be listed on the publicly accessible directory of certified individuals until the conditions on their certification are removed.
- 6.8 *Candidates* that are awarded *conditional certification* may not use the certification status in promotional materials or activities until the conditions on their certification are removed.
- 6.9 In all other respects, *candidates* that are awarded *conditional certification* are subject to the same requirements under the *Scheme* as certified individuals.

## **7 Registration as a Probationary CEES**

- 7.1 If a *candidate* for *CEES* is assessed as not yet eligible, the *Assessment Panel* may, at their sole discretion, offer the *candidate* registration as a *Probationary CEES*.
- 7.2 The *Assessment Panel* may take this course of action if eligibility has been demonstrated in most areas, but a significant amount of additional knowledge or experience is required to demonstrate eligibility for certification as a *CEES*.
- 7.3 In these cases, *candidates* will be provided with feedback on the knowledge or experience they need to acquire within a set timeframe to achieve certification as a *CEES*. The *Assessment Panel* shall also set out the re-assessment process for achieving certification.
- 7.4 The requirements for a *Probationary CEES* to be awarded certification as a *CEES* is the same as all other *candidates*.

- 7.5 Re-assessment fees will vary depending on the extent of re-assessment necessary, and will be set by the *Secretariat* in consultation with the *Assessment Panel* on a case by case basis.
- 7.6 Acceptance of *Probationary CEES* status will be at the sole discretion of the *Candidate*.
- 7.7 A *Probationary CEES* is not certified to carry out any activities under the *Scheme*.
- 7.8 A *Probationary CEES* is bound by the *Rules* and *Code of Conduct*.
- 7.9 A *Probationary CEES* must meet the requirements for maintaining certification set out for a *CEES*.
- 7.10 Registration as a *Probationary CEES* is valid for one year. A probationary *CEES* may apply to renew their registration for another year if they have not yet met the requirements for certification as a *CEES*.
- 7.11 A *Probationary CEES* that has not met the requirements for certification as a *CEES* after two years must reapply for certification if they wish to retain their Probationary *CEES* registration. These applications will be processed in accordance with the standard application process set out in Part F: Applying for Certification.

## **8 Notification of assessment**

- 8.1 The *Secretariat* shall communicate the *Assessment Panel's* final determination to the candidate in writing.
- 8.2 This communication shall include a *Statement of Reasons* that sets out the grounds for the *Assessment Panel's* determination, and any other relevant information, such as development areas established by the *Assessment Panel*.
- 8.3 Successful candidates will be issued with a *Certification Certificate* and a *Certification Number*.
- 8.4 Unsuccessful candidates shall be notified of their right to appeal the *Assessment Panel's* determination.

## **9 Appeals**

- 9.1 *Candidates* for certification may appeal their determination if, after reviewing the *Statement of Reasons*, they believe the *Assessment Panel* has not properly applied the *Rules*.
- 9.2 Appeals will incur a fee in respect of administration and reassessment costs (Schedule 7). The required fee must be paid by the *candidate* before appeals will be considered.
- 9.3 Appeals must be made in writing to the *Secretariat* within ten working days of the *candidate* being notified of an unsuccessful application. Appeals must clearly state how the *Rules* have not been properly applied.
- 9.4 The *Secretariat* shall forward appeals that meet these requirements to the *Ombudsperson* for review. If the *Ombudsperson* determines that the appeal is well founded, the *Candidate's* application will be forwarded to a member of the *Assessment Panel* that did not take part in the original decision (the *reviewer*).

- 9.5 In considering the appeal, the *reviewer* may, at their discretion, take into account any of the following:
- 9.5.1 the original application and any supporting documentation provided by the *Candidate*;
  - 9.5.2 notes, scores and other materials produced by the *assessor* and the *Assessment Panel* in the course of the original assessment;
  - 9.5.3 the *Statement of Reasons* produced by the *Assessment Panel*;
  - 9.5.4 the letter of appeal from the unsuccessful applicant, and;
  - 9.5.5 any other documentation provided by the *Candidate* to support their case.
- 9.6 If an error has been made, the *reviewer* may award certification to the *Candidate*. In such cases, the *Ombudsperson* may recommend that the fee paid to lodge the appeal is refunded. Refunds will be made at the discretion of the Secretariat.
- 9.7 If the *reviewer* confirms the *Assessment Panel's* original determination, this decision will be final.

## **10 Resubmissions**

- 10.1 Resubmissions will be subject to the standard applicable fee for assessment.

## **11 Candidate veto rights over Assessors**

- 11.1 *Candidates* have the right to veto the *Secretariat's* first choice of *assessor*, however candidates must act reasonably when exercising this right.
- 11.2 *Candidates* will be notified of their *assessor's* identity prior to the *primary assessment* taking place.
- 11.3 If the *candidate* decides to veto the *Secretariat's* first choice of *assessor*, they must notify the *Secretariat* within 48 hours of being notified of the *assessor's* identity.
- 11.4 If a candidate exercises their veto right, their application will be forwarded to another member of the *Assessment Panel* selected by the *Secretariat*. *Candidates* do not have a veto right over second or subsequent choices of *assessor*.

## **12 Duration of certification**

- 12.1 Terms of registration and certification commence on the date *candidates* are formally notified that their application has been successful.
- 12.2 Certification as a *CEES* is valid for three years.
- 12.3 Certification as a *CEEL* is valid for three years.

## **13 Changing certification level**

- 13.1 Upgrading certification

- 13.1.1 Individuals currently certified under the *Scheme* that wish to upgrade to a higher level of certification must submit a new application at the desired level.
- 13.1.2 Individuals upgrading to a higher level of certification may reuse material from their previous application. This material will be re-assessed against the more stringent requirements of the higher certification level.
- 13.1.3 The fee payable for upgrading certification is set out at Schedule 7.
- 13.2 Downgrading certification
  - 13.2.1 Individuals currently certified under the *Scheme* that wish to downgrade to a lower level of certification must write to the *Secretariat* setting out the reasons for their request.
  - 13.2.2 Such requests shall be considered by the *Assessment Panel* and shall be accepted or rejected at their sole discretion.

## **14 Administration**

- 14.1 All decisions relating to certification shall be kept on file by the *Secretariat* along with applications, associated assessment materials and the *Statement of Reasons* for a minimum of seven years (or arrangements shall be made to keep them in storage for an equivalent period).
- 14.2 The *Secretariat* shall maintain a publicly accessible directory of certified individuals.
- 14.3 This directory shall include the name of certified individuals, certification numbers, certification level and status, current employer, and the states and territories in which the *CEES* or *CEEL* operates. Certified individuals irrevocably consent to the publication of this information.

## **Part G: Maintaining certification**

### **1 Satisfying the requirements for certification**

- 1.1 To maintain certification, certified individuals must continue to satisfy all the requirements for certification verified in the course of the assessment process.
- 1.2 To maintain certification, certified individuals must comply with the *Rules* and the *Code of Conduct*.
- 1.3 From time to time, the *Assessment Panel*, in consultation with the *Steering Committee* and with the approval of the *Board*, may revise the *areas of assessment* or introduce additional requirements for certification, such as revised pre-requisites for certification or mandatory training programs for certification.
- 1.4 In these instances, certified individuals may be required to show they have met the revised criteria for certification within a given timeframe.

### **2 Maintaining currency of personal details**

- 2.1 It is the responsibility of certified individuals to notify the *Secretariat* in writing of any of the following:
  - 2.1.1 Change of contact details;
  - 2.1.2 Change of employer, or;
  - 2.1.3 The revocation of any relevant certifications or certifications.

### **3 Payment of the scheduled fees**

- 3.1 To maintain their certification, certified individuals are required to pay all the applicable fees set out in Schedule 7.

### **4 Submission of a Continuing Professional Development Log**

- 4.1 Certified individuals are required to submit an annual Continuing Professional Development (CPD) Log.
- 4.2 Certified individuals must describe eligible professional development activities undertaken in the course of the year and how they relate to the *areas of assessment*.
- 4.3 Each CPD activity listed must make a substantial contribution to the development of the certified individual's skills and knowledge in one of the *areas of assessment*.
- 4.4 Activities undertaken to satisfy CPD requirements in other certification programs may be used to satisfy CPD requirements under the *Scheme*, as long as they make a substantial contribution to the development of the certified individual's skills and knowledge in one of the *areas of assessment*.
- 4.5 A CEES that has had *development areas* identified as part of the certification process must ensure that at least one of the CPD activities in each calendar year substantially addresses each *development area* identified.

- 4.6 Certified individuals that have not submitted their annual CPD logs and met all CPD requirements may be required demonstrate that they continue to satisfy all the requirements for certification by re-applying for certification. These applications will be processed in accordance with the standard application process set out in Part F: Applying for Certification.

## **5 Submission of IBER case studies**

- 5.1 Certified individuals must submit three *IBER* case studies for *IBERs* they have worked on during each three year certification period, using the *IBER* Case Study Form.
- 5.2 Submitted case studies must qualify as *IBERs* under the Rules. Additional requirements for case studies for certified individuals are set out on the *IBER* Case Study form.
- 5.3 Applications for exemptions from this requirement shall be considered by the *Secretariat* in consultation with the *Assessment Panel* on a case by case basis, and will only be accepted in cases of exceptional personal or practical constraints.
- 5.4 Certified individuals who are due to renew their certification, have not submitted three case studies, and have not obtained an exemption will be required demonstrate that they continue to satisfy all the requirements for certification by re-applying for certification. These applications will be processed in accordance with the standard application process set out in Part F: Applying for Certification.

## **6 Breaches of the requirements for maintaining certification**

- 6.1 The *Secretariat* may, at its sole discretion, suspend or revoke certification if it determines that a certified individual has failed to meet any of the following requirements for maintaining certification:
- 6.1.1 compliance with the *Rules* or the *Code of Conduct*;
  - 6.1.2 satisfying all the requirements for certification verified in the course of the assessment process;
  - 6.1.3 undertaking the required CPD activities;
  - 6.1.4 submitting the required *IBER* case studies, or;
  - 6.1.5 paying the required fees.
- 6.2 Certified individuals that have their certification suspended or revoked shall be provided with a *Statement of Reasons*.
- 6.3 Suspensions may be lifted if the certified individual complies with these requirements within a reasonable time period.
- 6.4 Certified individuals that have their certification revoked by the *Secretariat* shall be provided with a *Statement of Reasons*.
- 6.5 Formerly certified individuals that believe that the *Secretariat* has not properly applied the *Rules* may appeal to the *Ombudsperson* to review the decision.
- 6.6 No fees will be refunded upon suspension or revocation of certification.

## **7 Withdrawing from the *Scheme***

- 7.1 Certified individuals may withdraw from the *Scheme* at any time by notifying the *Secretariat* in writing.
- 7.2 No fees will be refunded upon withdrawing certification.

## **8 Administration**

- 8.1 All materials associated with the maintenance of certification shall be kept on file by the *Secretariat* for a minimum of seven years (or arrangements shall be made to keep them in storage for an equivalent period).

## Part H: Renewing certification

### 1 Requirements for renewal of certification

- 1.1 Certified individuals that wish to renew their certification must submit all necessary documentation at least six weeks prior to the expiry of their certification.
- 1.2 To renew their certification, certified individuals must satisfy all of the following requirements:
  - 1.2.1 submit the required CPD logs, and satisfy any requirements in relation to identified *development areas*;
  - 1.2.2 submit the required *IBER* case studies;
  - 1.2.3 complete the renewal of certification form and submit it to the *Secretariat* along with any documentation requested in the form;
  - 1.2.4 agree to continue to be bound by the *Rules* and the *Code of Conduct* should their application for renewal be successful, and;
  - 1.2.5 pay the *Required Fees* (Schedule 7).
- 1.3 From time to time, the *Assessment Panel*, in consultation with the *Steering Committee* and with the approval of the *Board*, may revise the *areas of assessment* or introduce additional requirements for certification, such as revised pre-requisites for certification or mandatory training programs for certification.
- 1.4 In these instances, certified individuals may be required to show how they have met the revised criteria for certification as part of the certification renewal process.

### 2 Assessment of renewals

- 2.1 Applications for renewal will be checked for completeness by the *Secretariat* prior to being forwarded to a member of the *Assessment Panel* (the *assessor*) for independent review.
- 2.2 The *assessor* will consider the application for renewal in light of the requirements for renewal of certification. The *assessor* will take into account all relevant evidence (including the application form, supporting documentation, submitted *IBER* case studies, CPD logs, and the testimony of referees).
- 2.3 The *assessor* will make a preliminary determination as to whether certification should be renewed. At minimum, the *assessor* shall consider whether the *certified individual*:
  - 2.3.1 has fulfilled the requirements for maintaining certification;
  - 2.3.2 has fulfilled the requirements for renewal of certification, including any additional requirements established by the *Assessment Panel*;
  - 2.3.3 has, based on available information, complied with the *Rules* and *Code of Conduct* over the period of their certification;
  - 2.3.4 remains actively engaged in the delivery of *IBERs*.

### **3 Decisions on renewal**

- 3.1 *Preliminary determinations* will be presented to a meeting of the *Assessment Panel* for review. This meeting shall generally include three members of the *Assessment Panel*. The first order of business of *Assessment Panel* meetings regarding renewals of certification shall be to nominate and vote on a *Chair*.
- 3.2 Certified individuals that meet the requirements for renewal shall have their applications for renewal considered. Decisions on renewal shall be made by a simple majority vote. In the event of a tied vote, the *Chair* shall have a casting vote.
- 3.3 The final determination regarding whether the certification of a certified individual is renewed shall be made by the *Assessment Panel* at their sole discretion, in accordance with these *Rules*.

### **4 Notification of assessment**

- 4.1 The *Secretariat* shall communicate the *Assessment Panel's* final determination to the certified individual in writing.
- 4.2 This communication shall include a *Statement of Reasons* that sets out the reasons for the *Assessment Panel's* determination.
- 4.3 Successful candidates will be issued with a new Certification Certificate.
- 4.4 Unsuccessful candidates shall be notified of their right to appeal the *Assessment Panel's* determination.

### **5 Appeals**

- 5.1 Appeals regarding unsuccessful renewal applications shall follow the appeals process set out in Part F: Applying for certification.

### **6 Lapsed certifications**

- 6.1 Formerly certified individuals that have allowed their certification to lapse may follow the normal process to renew their certification within one year of their certification expiring.
- 6.2 In this case, they will be charged both the normal re-certification fee, and an additional charge for lodging a late application for re-certification.
- 6.3 Formerly certified individuals that do not renew their certification within a year of their certification expiring will be required demonstrate that they continue to satisfy all the requirements for certification by re-applying for certification. These applications will be processed in accordance with the standard application process set out in Part F: Applying for Certification.

### **7 Administration**

- 7.1 All decisions relating to certification renewals shall be kept on file by the *Secretariat* along with applications, associated assessment materials and the *Statement of Reasons* for a minimum of seven years (or arrangements shall be made to keep them in storage for an equivalent period).

## Part I: Complaints and reviews

### 1 General requirements

- 1.1 The *Secretariat* shall be responsible for administering the complaints process.
- 1.2 All complaints shall be logged for consideration as part of the *Scheme's* regular review processes.

### 2 Complaints from the clients of certified individuals

- 2.1 If a client of a certified individual (the complainant) believes that the certified individual has breached the Code of Conduct or Rules, they may lodge a formal complaint.
- 2.2 Complainants must make complaints in writing to the Secretariat. Complaints must clearly state how the certified individual has breached the Code of Conduct or Rules.
- 2.3 Complaints may only be made within a period ending 12 months after the matter in respect of which the complaint is sought to be made.
- 2.4 The Secretariat shall forward complaints that meet these requirements to the Ombudsperson for review. If the Ombudsperson regards the complaint as reasonably likely to be upheld, the certified individual may have their certification suspended for the duration of the investigation.
- 2.5 The Ombudsperson shall:
  - 2.5.1 consider the complaint along with any evidence provided by the complainant, and;
  - 2.5.2 give the certified individual the opportunity to respond to the complaint.
- 2.6 The *Ombudsperson* may also:
  - 2.6.1 conduct interviews with the *complainant*, the *certified individual*, and other relevant parties;
  - 2.6.2 request information, including project documentation, from the *certified individual*, or;
  - 2.6.3 take other necessary steps to gather evidence.
- 2.7 If the Ombudsperson determines that the certified individual has breached the Code of Conduct or Rules, the Ombudsperson has the power to issue a range of sanctions depending on the severity of the breach. Possible sanctions are set out in Part D: Terms of certification.
- 2.8 The certified individual will be provided with a Statement of Reasons from the Ombudsperson explaining the determination and any penalties imposed.
- 2.9 The certified individual may appeal to the Board if they believe that the Ombudsperson has not properly applied the Rules in reaching a determination. In this instance the Board may, at their sole discretion, appoint an appropriately qualified person to review the Ombudsperson's decision.

2.10 No fees will be refunded upon suspension or revocation of certification.

### **3 Reviews of certification status**

3.1 Reviews may be triggered if the Secretariat receives information, from any source, that leads them to reasonably suspect that a certified individual have breached the Rules or Code of Conduct.

3.2 Reviews of certification status shall begin with the Secretariat preparing a brief for the Ombudsperson to consider.

3.3 If the Ombudsperson regards the issue as reasonably likely to be upheld, the certified individual may have their certification suspended for the duration of the investigation.

3.4 The Ombudsperson shall:

3.4.1 consider the brief along with any available evidence, and;

3.4.2 give the certified individual the opportunity to respond to the brief.

3.5 The Ombudsperson may also:

3.5.1 conduct interviews with the certified individual and other interested parties;

3.5.2 request information, including project documentation, from the certified individual, or;

3.5.3 take other necessary steps to gather evidence.

3.6 If the Ombudsperson determines that the certified individual has breached the Rules or Code of Conduct, the Ombudsperson has the power to issue a range of sanctions depending on the severity of the breach. Possible sanctions are set out in Part D: Terms of certification.

3.7 The certified individual under investigation will be provided with a Statement of Reasons from the Ombudsperson explaining the determination and any penalties imposed.

3.8 The certified individual under investigation may appeal to the Board if they believe that the Ombudsperson has not properly applied the Rules in reaching a determination. In this instance the Board may, at their discretion, appoint an appropriately qualified person to review the Ombudsperson's decision.

3.9 No fees will be refunded upon suspension or revocation of certification.

### **4 Appeals regarding revocation of certification**

4.1 Formerly certified individuals that have had their certification unilaterally revoked by the *Secretariat* may appeal the decision if, after reviewing the *Statement of Reasons*, they believe the *Secretariat* has not properly applied the *Rules*.

4.2 Appeals will incur a fee in respect of administration and review costs (Schedule 7). The required fee must be paid by the formerly certified individual before appeals will be considered.

- 4.3 Appeals must be made in writing to the *Secretariat* within ten working days of the formerly certified individual being notified of the revocation of their certification. Appeals must clearly state how the *Rules* have not been properly applied.
- 4.4 The *Secretariat* shall forward appeals that meet these requirements to the *Ombudsperson* for review, along with the relevant *Statement of Reasons*, and any other information it considers relevant.
- 4.5 The *Ombudsperson* shall consider the evidence provided by the *Secretariat*.
- 4.6 The *Ombudsperson* may also:
  - 4.6.1 conduct interviews with the formerly certified individual and other interested parties;
  - 4.6.2 request information, including project documentation, from the certified individual, or;
  - 4.6.3 take other necessary steps to gather evidence.
- 4.7 The *Ombudsperson* may determine one of the following:
  - 4.7.1 the *Secretariat* has acted in accordance with the *Rules*, in which case the decision shall stand, or;
  - 4.7.2 the *Secretariat* has not acted in accordance with the *Rules*, in which case certification will be provisionally reinstated and a standard Review of Certification Status (Part I, Section 3) will be triggered. In such cases, the *Ombudsperson* may recommend that the fee paid to lodge the appeal is refunded. Refunds will be made at the discretion of the *Secretariat*.

## **5 Complaints regarding Scheme administration**

- 5.1 Stakeholders that are directly interested in or affected by the *Scheme's* operation, as determined by the *Ombudsperson* (the *complainant*) may lodge a formal complaint regarding the administration of the *Scheme*. No complaints regarding the administration of the *Scheme* will be considered or accepted from any other person.
- 5.2 Complainants must make complaints in writing to the *Secretariat*. Complaints must clearly state how the *Rules* have been breached in the course of administering the *Scheme*.
- 5.3 All complaints shall receive a formal response from the *Secretariat*.
- 5.4 If the *complainant* is dissatisfied with the *Secretariat's* response, they may request that their complaint be forwarded to the *Ombudsperson* for review.
- 5.5 If the *Ombudsperson* determines that the complaint is well founded, the *Ombudsperson* may recommend an appropriate remedy to the *Board*.
- 5.6 Implementation of remedies recommended by the *Ombudsperson* shall be at the discretion of the *Board*.

- 5.7 The *Secretariat*, at its sole discretion, may provide the *Complainant* with a statement explaining the outcome of the *Ombudsperson's* review, any recommendations made and any actions taken in response.

## **6 Administration**

- 6.1 All decisions relating to complaints and reviews shall be kept on file by the *Secretariat* along with associated materials and the *Statement of Reasons* for a minimum of seven years (or arrangements shall be made to keep them in storage for an equivalent period).
- 6.2 *certified individuals* that have their certification suspended shall have their name removed from the publicly accessible directory of certified individuals for the duration of the investigation.
- 6.3 *certified individuals* that have their certification revoked shall have their name permanently removed from the publicly accessible directory of certified individuals.

## **Part J: Process for establishing and revising certification conditions**

### **1 Establishing and revising the requirements for certification**

- 1.1 Pre-requisites for certification.
  - 1.1.1 The pre-requisites for certification are established by the *Board* on the recommendation of the *Steering Committee*.
  - 1.1.2 Adjustments to the pre-requisites for certification may be made by the *Board*
- 1.2 Assessment criteria
  - 1.2.1 Assessment criteria, including the *areas of assessment* and the *required skills and knowledge* (Schedule 4) are developed by the *Assessment Panel* and submitted to the *Steering Committee*.
  - 1.2.2 Assessment criteria are established by the *Board* on the recommendation of the *Steering Committee*.
  - 1.2.3 Adjustments to the assessment criteria may be made by the *Board*, generally on the recommendation of the *Assessment Panel* or the *Steering Committee*.
  - 1.2.4 The Assessment Criteria shall be reviewed by the *Assessment Panel* on an annual basis.

### **2 Establishing and revising assessment processes**

- 2.1 Forms and cover sheets
  - 2.1.1 The forms for the various levels of certification and renewal of certification are developed by the *Secretariat* in consultation with the *Assessment Panel* and submitted to the *Steering Committee* for review.
  - 2.1.2 Insignificant adjustments to forms and cover sheets may be made by the *Secretariat* in consultation with the *Assessment Panel*. Adjustments that significantly affect content or meaning shall be circulated to the *Steering Committee* for review.
- 2.2 Guides for Candidates
  - 2.2.1 The Guide for Candidates is developed by the *Secretariat* in consultation with the *Assessment Panel* and submitted to the *Steering Committee* for review.
  - 2.2.2 Insignificant adjustments to the *Guide for Candidates* may be made by the *Secretariat* in consultation with the *Assessment Panel*. Adjustments that significantly affect content or meaning shall be circulated to the *Steering Committee* for review.
- 2.3 Recognised Certifications (Schedule 5)

- 2.3.1 *Recognised Certifications* are determined by the *Assessment Panel* and submitted to the *Steering Committee* for review.
  - 2.3.2 Insignificant adjustments to the *Recognised Certifications* may be made by the *Secretariat* in consultation with the *Assessment Panel*. Significant adjustments to the *Recognised Certifications* shall be circulated to the *Steering Committee* for review.
  - 2.3.3 The *Recognised Certifications* shall be reviewed by the *Assessment Panel* on an annual basis.
- 2.4 Evidence guide
- 2.4.1 An *evidence guide* is developed and maintained by the *Assessment Panel*.
  - 2.4.2 The *evidence guide* provides *assessors* with guidance on how to judge the eligibility of *candidates* in each *area of assessment*, and assists in ensuring consistency in the assessment of *candidates*.
  - 2.4.3 The *evidence guide* shall remain confidential.
  - 2.4.4 The *evidence guide* shall be reviewed by the *Assessment Panel* on an annual basis.
- 2.5 Other assessment tools
- 2.5.1 Other assessment tools that assist in applying the assessment processes set out in these *Rules*, such as interview forms, scoring sheets and any associated guidelines shall be developed by the *Secretariat* in consultation with the *Assessment Panel*.

### **3 Establishing and revising the requirements for maintaining certification**

- 3.1 Code of Conduct
- 3.1.1 The *Code of Conduct* is established by the *Board* on the recommendation of the *Steering Committee*.
  - 3.1.2 Adjustments to the *Code of Conduct* may be made by the *Board*, generally on the recommendation of the *Steering Committee*.
- 3.2 Continuing Professional Development (CPD) and *IBER* Case Studies
- 3.2.1 Requirements for CPD and the submission of *IBER* Case Studies are developed by the *Secretariat* in consultation with the *Assessment Panel* and submitted to the *Steering Committee* for review.
  - 3.2.2 Insignificant adjustments to the requirements for CPD and submission of *IBER* Case Studies may be made by the *Secretariat* in consultation with the *Assessment Panel*. Significant adjustments in terms of content or meaning shall be circulated to the *Steering Committee* for review.

# Schedule 1: Scheme policy

## Energy Efficiency Certification Scheme Policy

The purpose of Energy Efficiency Certification Scheme (the Scheme) is to promote the effective delivery of Integrated Building Energy Retrofits (IBERs) of Australia's commercial buildings.

The Scheme does this by establishing and maintaining a certification system for critical components of IBER delivery. The Scheme is designed to define standards for industry participants, facilitate the procurement decisions of energy efficiency customers, reduce project risk and support the achievement of planned energy efficiency objectives.

### The Energy Efficiency Council's role

The Energy Efficiency Council (EEC) is the peak body representing Australia's energy efficiency sector. The EEC administers the Scheme to support the growth of the sector's capacity to promote responsible, efficient and effective energy use across the Australian economy.

### Policy commitments

In fulfilling its role administering the Scheme, the EEC will:

- maintain an independent Steering Committee responsible for oversight of the Scheme;
- maintain an impartial and confidential application process based on independent assessment by relevant experts;
- provide certification to parties that meet the certification criteria set out in the Rules, regardless of EEC affiliation;
- provide an impartial complaints process for the customers of certified parties;
- ensure efficiency and consistency by building on existing training, certifications and standards,
- comply with legal and regulatory requirements applicable to the Scheme;
- provide a transparent process for continual improvement of the Scheme, which considers Scheme performance, government policy, industry requirements, and the views of interested parties, and;
- maintain the Scheme as long as is necessary to meet the Scheme's objectives, or until circumstances render the Scheme unnecessary, as determined by the EEC's Board.



## Schedule 2: Confidentiality deed

This deed must be signed by members of the Energy Efficiency Certification Scheme (the *Scheme*) Secretariat, Steering Committee, Assessment Panel and Ombudsperson prior to executing any of their duties in relation to the *Scheme*.

I will not, without the prior written consent of the Energy Efficiency Council, for any reason, directly or indirectly, utilise, disclose or disseminate any confidential information, for my own benefit or the benefit of any other party, concerning:

- the content of confidential assessment materials, including the evidence guide used to assess candidates;
- the content of applications for certification, including attachments and supporting documentation;
- the Assessment of applications for certification;
- the Assessment of certification renewals;
- the outcome of unsuccessful applications for certification;
- consideration of appeals;
- investigations of complaints ;
- *Scheme* administration;
- any and all other activities related to the execution of my duties in relation to the *Scheme*.

This deed excludes information that

- the discloser has expressly consented to the release of; or
- is required by applicable law to be disclosed.

I agree to comply with this confidentiality deed:

- for the period I am formally involved with the *Scheme*, and;
- for three years after my formal involvement with the *Scheme* has ceased.

I agree to notify the EEC in writing of any actual or potential conflict of interest in relation to my performance of my designated functions relating to the *Scheme*.

Signed as a deed, by:

Name: \_\_\_\_\_

*Scheme* role: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## **Schedule 3: Steering Committee Terms of Reference**

### **1 Foreword**

- 1.1 These Terms of Reference should be read in conjunction with the role and functions of the Steering Committee set out in the *Rules*.

### **2 Term**

- 2.1 The first Steering Committee will operate from 1 September 2012 to 30 June 2014.
- 2.2 The duration of the second and subsequent terms of the Steering Committee will be two years.

### **3 Membership**

- 3.1 The Steering Committee shall include:
- 3.1.1 One member of the EEC Board;
  - 3.1.2 At least two individuals nominated by relevant government departments in the following jurisdictions: Victorian Government, New South Wales Government, Queensland Government and the Commonwealth Government;
  - 3.1.3 At least two individuals nominated by EEC members;
  - 3.1.4 At least one individual nominated by the Property Council of Australia, or a Board-appointed expert from the property sector;
  - 3.1.5 At least one independent expert on skills and/or certification;
  - 3.1.6 At least one member of the Assessment Panel.

### **4 Operation**

- 4.1 The Steering Committee shall meet at least four times in each financial year.
- 4.2 Attendance by five members of the Steering Committee constitutes a quorum for the transaction of business.
- 4.3 A member of the Committee may appoint an alternate to act in their place, subject to at least 24 hours' notice.
- 4.4 The Chair or, in the Chair's absence, the Co-Chair, is to preside over meetings. If the Chair and the Co-Chair are absent or unwilling to act, the Steering Committee members present at the meeting may elect a member to chair.
- 4.5 Steering Committee members will act as individuals, not as representatives of their organisations. The decisions of Steering Committee members shall not be regarded as representative of the views of that individual's employer.

### **5 Votes**

- 5.1 Decisions will be made by a simple majority vote of Steering Committee members. In the event of a tied vote, the person presiding may exercise a second or casting vote.
- 5.2 Voting at Committee meetings shall be determined on a show of hands, or a roll-call in a teleconference or videoconference.
- 5.3 Out of session votes will be determined via written or electronic communication. If a Steering Committee member does not respond within the allocated timeframe, it will be regarded as assent to the proposal.
- 5.4 Written notice of an 'out-of-session' vote by the Steering Committee must be given to each Committee member a minimum of 48 hours' notice before the appointed time for vote.

## Schedule 4: Areas of assessment

### 1 Overview of assessment criteria

#### 1.1 Certified Energy Efficiency Specialist (CEES)

1.1.1 Candidates for CEES must establish their eligibility by demonstrating that they have the required skills and knowledge in at least seven of the ten *areas of assessment*.

1.1.2 These seven areas must include all of the following mandatory *areas of assessment*:

- Area 1: Leading and managing IBERs
- Area 2: Energy consumption, assessments and analysis
- Area 3: Measurement and verification of energy savings

#### 1.2 Certified Energy Efficiency Leader (CEEL)

1.2.1 To be certified, candidates for CEEL must establish their eligibility by demonstrating they have the required skills and knowledge in all ten areas of assessment.

## 2 Detailed of assessment criteria by area of assessment

<b>Area 1: Leading and managing IBERs</b>	
Ability to effectively lead and manage an IBER project in its entirety, from scoping through to completion.	
<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Recent and relevant experience working as part of a team implementing energy efficiency retrofits of commercial buildings;</p> <p>Familiarity with key components of construction project management including scope, cost and procurement, time, risk management, contract management, environmental management, and occupational health and safety;</p> <p>A practical appreciation of the principles, skills and techniques required for management of Integrated Building Energy Retrofits throughout the project life cycle from inception to completion.</p>	<p>Recent and relevant experience leading the implementation of Integrated Building Energy Retrofits of commercial buildings;</p> <p>Familiarity with key components of construction project management including scope, cost and procurement, time, risk management, contract management, environmental management, and occupational health and safety;</p> <p>A practical appreciation and working knowledge of the principles, skills and techniques required for management of Integrated Building Energy Retrofits throughout the project life cycle from inception to completion.</p>

<b>Area 2: Energy consumption, assessments and analysis</b>	
Understanding of energy consumption, collection, billing, modelling and analysis, and ability to oversee energy assessments and audits.	
<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Understanding of all energy uses within a commercial building, and how they relate to each other and the building's total energy consumption;</p> <p>Ability to read and understand energy use profiles;</p> <p>Ability to verify the accuracy of data presented, including from existing meters;</p> <p>Can describe the steps necessary to undertake energy assessments and audits.</p>	<p>Understanding of all potential energy uses and emission sources within a commercial building, and how they relate to each other and the building's total energy consumption and emissions profile;</p> <p>Understands the impact of usage trends on energy use;</p> <p>Ability to read and understand energy use profiles;</p> <p>Ability to verify the accuracy of data presented, including from existing meters;</p> <p>Understanding of energy markets, pricing and tariffs;</p> <p>Can describe the steps necessary to undertake energy assessments and audits;</p> <p>Experience includes overseeing energy assessments and audits.</p>

<b>Area 3: Measurement and verification of energy savings</b>	
Ability to oversee a robust process for measurement and verification of energy savings.	
<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Understands the purpose and application of measurement and verification processes, standards and protocols, including the International Performance Measurement and Verification Protocol (IPMVP);</p> <p>Can describe how to design measurement and verification processes that are relevant to the project and scope of works being delivered.</p>	<p>Understands the purpose and application of measurement and verification processes, standards and protocols, including the International Performance Measurement and Verification Protocol (IPMVP);</p> <p>Ability to design measurement and verification processes that are appropriate for the scope of particular projects.</p>

<b>Area 4: Business case development and project justification</b>	
Ability to undertake cost benefit analyses and develop business cases	
<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Awareness of different cost benefit analysis methodologies, and ability to identify which is best suited to a particular project or client.</p> <p>Understands need for effective business cases to incorporate both financial and non-financial benefits;</p>	<p>Detailed understanding of different cost benefit analysis methodologies and benefits and limitations of each;</p> <p>Demonstrates the ability to develop effective business cases that incorporate both financial and non-financial benefits;</p> <p>Understanding of options for securing project finance, and an appreciation of an IBER's impact on the client's key accounting indicators.</p> <p>Demonstrates ability to use appropriate cost/benefit analysis to suit particular client requirements.</p>

<b>Area 5: Client procurement options for IBERs</b>	
Ability to advise clients on the procurement models available, and the most appropriate model for a given project.	
<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Understanding of the various procurement models that can be utilised on IBER projects (i.e. design, specify, tender; Energy Performance Contracts etc.);</p> <p>Ability to identify the advantages and disadvantages associated with different procurement pathways in relation to a particular project.</p>	<p>Understanding of the various procurement models that can be utilised on IBER projects (i.e. design, specify, tender; Energy Performance Contracts etc.);</p> <p>Ability to identify the advantages and disadvantages associated with different procurement pathways in relation to a particular project;</p> <p>Familiarity with the local supplier market for IBER projects, the services provided by various specialists, and how this impacts on the appropriate model for a given project.</p>

## Area 6: Interdependencies between building systems and managing operational impacts

Ability to ensure integration between building systems whilst managing the operational impact of an IBER.

Required skills and knowledge - CEES	Required skills and knowledge - CEEL
<p>Understands how project design influences interactions between existing systems and new systems, and the importance of all systems working together for an effective overall outcome.</p> <p>Understands how to effectively manage the impact that implementation has on the ongoing operation of the facility.</p> <p>Understands the importance service providers work together effectively to minimise operational impacts and ensure efficient operation.</p>	<p>Able to consider how a specific project design influences interactions between existing systems and new systems, and ensure that all systems will work together for an effective overall outcome.</p> <p>Able to consider the project from a broader systems perspective that includes materials and products, building structure, enclosure and building services.</p> <p>Able to effectively manage the impact that implementation has on the ongoing operation of the facility.</p> <p>Able to ensure service providers work together effectively to minimise operational impacts and ensure efficient operation.</p>

## Area 7: Energy efficiency and generation technologies

Understanding of energy efficiency and generation technologies, systems and processes

Required skills and knowledge - CEES	Required skills and knowledge - CEEL
<p>Understands technologies available to reduce demand for energy (and where appropriate, generate energy).</p> <p>Understands how to deploy technologies appropriately while maintaining or improving functional capabilities of the building (within the context of a particular project, taking into consideration commercial building type, scope of work and client requirements);</p> <p>Understands the opportunities associated with addressing control strategies.</p> <p>Appreciation for which systems are typically used in different commercial building types.</p>	<p>Understands technologies available to reduce demand for energy (and where appropriate, generate energy).</p> <p>Understands how to deploy technologies appropriately while maintaining or improving functional capabilities of the building (within the context of a particular project, taking into consideration commercial building type, scope of work and client requirements);</p> <p>Detailed knowledge of the opportunities associated with addressing control strategies.</p> <p>Understands which technologies are typically used in different commercial building types.</p>

### **Area 8: Commissioning and tuning**

Ability to ensure equipment is appropriately commissioned and tuned.

<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Understands commissioning standards and processes necessary for successful commissioning.</p> <p>Understands the need to ensure equipment has been commissioned correctly and tuned in place.</p> <p>Understands the difference between defects rectification, maintenance and building system tuning.</p>	<p>Understands commissioning standards and processes necessary for successful commissioning.</p> <p>Understands the need to ensure equipment has been commissioned correctly and tuned in place, and how this should be done;</p> <p>Understands the difference between defects rectification, maintenance and building system tuning;</p> <p>Understands the opportunities available through adjusting set points and controls during the tuning process.</p>

### **Area 9: Risk management**

Ability to effectively manage the risks associated with an IBER

<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>A working knowledge of the principles and techniques of risk management of energy efficiency retrofits of commercial buildings;</p> <p>Can describe the key components of construction / retrofit project risk management.</p> <p>Appreciation of the need to manage risk associated with the client's existing systems and processes.</p>	<p>A practical appreciation and working knowledge of the principles and techniques of risk management of energy efficiency retrofits of commercial buildings;</p> <p>Can describe the key components of construction / retrofit project risk management;</p> <p>Demonstrates the ability to identify and manage risk associated with the client's existing systems, processes and other client organisational risks.</p> <p>Ability to run an effective risk identification process.</p>

### **Area 10: Stakeholder engagement**

Ability to effectively manage the stakeholders associated with an IBER

<b>Required skills and knowledge - CEES</b>	<b>Required skills and knowledge - CEEL</b>
<p>Sound communication skills;</p> <p>Understands the principles of stakeholder engagement and consultation;</p> <p>Understands how a detailed communications plan can be used to facilitate improved project outcomes;</p> <p>Able to identify the key stakeholders involved in an IBER project.</p>	<p>Sound communication skills;</p> <p>Understands the principles of stakeholder engagement and consultation;</p> <p>Understands how a detailed communications plan can be used to facilitate improved project outcomes;</p> <p>Able to identify the key stakeholders involved in an IBER project;</p> <p>Understands and can effectively manage the relationship dynamics between different stakeholder groups.</p>

## Schedule 5: Recognised Certifications

These certifications have been recognised by the *Assessment Panel* as having relevance to one or more of the *areas of assessment*. Individuals with recognised certifications still need to go through the normal assessment process, however their certifications will be taken into account by the *Assessment Panel* when considering their eligibility in the relevant areas.

Recognised certifications are regularly reviewed by the *Assessment Panel* and are revised over time as appropriate.

<b>Certification</b>	<b>Certifying body</b>	<b>Relevant areas of assessment</b>
Certified Measurement and Verification Professional In Training (CMVP-IT); Certified Measurement and Verification Professional (CMVP).	Efficiency Valuation Organization (EVO)	Area 3: Measurement and verification of energy savings
Certified Energy Manager (CEM)	Association of Energy Engineers (AEE)	Area 2: Energy consumption, assessments and analysis Area 7: Energy efficiency and generation technologies Area 8: Commissioning and tuning
Certified Practicing Project Manager (CPPM) or above; PMI - Project Management Professional (PMP); PRINCE2 Practitioner.	Various	Area 1: Leading and managing IBERs Area 9: Risk management Area 10: Stakeholder engagement

## Schedule 6: Code of conduct

The Energy Efficiency Certification Scheme (the Scheme) Code of Conduct sets out the standards of professional conduct required of certified individuals. It provides guidance to assist them in carrying out their duties and responsibilities, and a basis for assessing complaints regarding their professional conduct. Adherence to this Code of Conduct is a mandatory requirement of certification.

Certification may be revoked if it is found that a CEES or a CEEL has not adhered to this code.

### **Certified individuals shall:**

- Maintain high standards of professional ethics at all times.
- Provide objective, accurate and outcome focussed advice, ensuring energy efficiency opportunities are identified, considered and assessed from the earliest stages of project design through to project completion.
- Ensure project activities comply with applicable laws, and undertake reasonable steps to ensure compliance by employees, sub-contractors, sub-consultants, or other third parties undertaking project work for or on behalf of the certified individual.
- Undertake reasonable steps to ensure suitably qualified and experienced persons are engaged to undertake project activities.
- Conduct project work in accordance with appropriate frameworks for quality assurance framework and occupational health and safety.
- Ensure that project plans are developed on the basis of valid and accurate data.
- Ensure that clients are provided with the project information necessary to fairly assess project performance.
- Maintain appropriately detailed project records, including accurate project objectives and outcomes.
- Provide project documentation to the Scheme administrator within a reasonable timeframe when requested (subject to confidentiality requirements).
- Undertake ongoing Continuing Professional Development in accordance with the Scheme Rules.
- Identify and declare conflicts of interest to clients as soon as possible.
- Not participate in collusive or anti-competitive conduct.
- Adhere to project and client confidentiality requirements.
- Not advertise, present or discuss services in a manner that may discredit the energy efficiency sector, the profession or the Scheme.
- Use the name or Logos of the Scheme in the manner outlined in the Scheme Rules.
- Not breach the Scheme Rules.

## Schedule 7: Fees and charges

Fees are set by the EEC Board and are subject to change. Fees exclude GST.

### Application fees (first round - valid to April 30th 2014)

Activity	Early bird fee <sup>1</sup>	Standard fee <sup>2</sup>	Description
Application for intermediate certification	\$1150	\$1250	These are the fees payable by candidates after the \$550 Commonwealth subsidy is applied. Subsidies are available to the first forty candidates that proceed to the primary assessment stage.
Application for expert certification	\$1350	\$1450	An additional \$100 discount is available to candidates that submit their applications by COB, 31 January 2014. Candidates for certification that do not proceed beyond the preliminary assessment shall have three quarters of their application fee refunded. Standard application fees are \$1800 for intermediate level candidates and \$2000 for expert level candidates. Fee covers the entire application process – preliminary assessment, primary assessment, interview and panel review by senior industry professionals.

### Ongoing fees

Activity	Fee	Description
Annual fee (every year)	\$300	The annual fee for maintaining certification under the Scheme.
Re-certification fee (every three years)	\$500	Contributes to administration and assessment of applications for re-certification by senior industry professionals. Re-certification applications are due every three years (for standard certifications).

<sup>1</sup> Early bird fees are available to candidates that submit their application submitted by COB 31 January 2014.

<sup>2</sup> First Round applications must be received by COB 14 February 2014.

## Other fees

Activity	Fee	Description
Interview re-schedule	\$500	Fee for rescheduling an interview with less than seven days notice.
Re-assessment	Varies	Fee for re-assessments required under the Scheme. Fee determined by Secretariat in consultation with the Assessment Panel based on the extent of re-assessment necessary.
Application to upgrade certification level	\$1300	Fee for applications to upgrade certification from intermediate level to expert level.
Lodging a late application for renewal of certification	\$500	Fee for lodging a late application for renewal of certification (in addition to the standard fee).
Re-applying for certification	\$1800	Fee for re-applying for certification after certification has lapsed.
Lodging an appeal	\$500	Fee for lodging and appeal under the Scheme. Appeal fees may be refunded if the appeal is upheld (at the discretion of the Secretariat).