

AAC – Public Accountability Committee – Responses to Questions on Notice

Q: What about Tom Miskovich? Was he a member of the associations?

A: Yes. He also received a 3-year registration from Fair Trading on 4 November 2020 to operate as a registered certifier.

More information can be found on Fair Trading's Certifier Disciplinary Register at www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers/certifier-disciplinary-register

Q: Was Mark Cogo a member?

A: Mark Cogo has been a member of the AAC but is no longer.

Q: Has there been any kind of disciplinary action taken against any of those individuals by your associations?

A: In NSW disciplinary action against a registered certifier is currently undertaken by the regulator, Fair Trading. This disciplinary action is recorded in a transparent manner on Fair Trading's Disciplinary Register, which can be found [here](#).

Under the current regulatory regime, registered certifiers in NSW are required to abide by Schedule 5 - Code of Conduct of the *Building & Development Certifiers Regulation 2020*, which presents the principles to guide the behaviour of, and the standards of conduct and professionalism expected from, registered certifiers when performing certification functions.

Registered certifiers are also required to adhere to the Conflict of Interest requirements under Division 2 - Conflict of Interest in the *Building & Development Certifiers Regulation 2020*.

If the regulator removes a member's registration, they are automatically removed as a member of the AAC.

However, the AAC recognises that it needs greater authority to also take disciplinary action against members and is committed to reform in this area, and we are currently finalising our Professional Standards Scheme (PSS) application to the [Professional Standards Council](#).

Our application includes strengthened complaints and disciplinary policies which we will enforce once our PSS is established.

Currently, all members are required to agree to the AAC's Code of Professional Conduct, which outlines the standards their peers, industry and consumers expect of them. If a member breaches the Code, they are offered counselling and targeted education and training initiatives by the Association.