

Australian Capital Territory

# Building (Consumer Representative) Terms of Reference 2024

Notifiable Instrument NI2024–470

made under the

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

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## 1 Name of instrument

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

## 2 Commencement

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

## 3 Terms of reference

The terms of reference are set out in Schedule 1.

Rebecca Vassarotti MLA  
Minister for Sustainable Building and Construction  
21 August 2024

## Schedule 1

### Consumer representative - Terms of reference

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

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