Australian Building Codes Board

National Voluntary Certification Scheme for Manufacturers of Prefabricated Construction

Draft Scheme Rules

For consultation

Preface

This document sets out the rules for the National Voluntary Certification Scheme for Manufacturers of Prefabricated Construction (the Scheme) to support the adoption of innovative construction systems and manufacturing approaches within Australia's building and construction sector. It is intended to improve the efficiency, quality, and consistency of prefabricated building work across Australia by enabling more streamlined and reliable approval pathways.

These Scheme Rules establish the governance framework, roles, responsibilities, and operational requirements necessary to ensure the integrity, transparency, and effective operation of the Scheme. All participants must comply with these Scheme Rules to maintain Certification and to support the broader objective of promoting safe, high-quality, and innovative construction practices across Australia. Under the Scheme, Certified Manufacturers are required to demonstrate that their systems and processes consistently produce building Components that comply with the National Construction Code (NCC) and any applicable state and territory regulatory requirements.

The Scheme Rules are structured to provide a clear and comprehensive framework for all participants. Section 1 sets the foundation by defining key terms and abbreviations and outlining the objectives, scope, and overall structure of the Scheme to ensure a common understanding. Section 2 details the requirements, roles, and responsibilities of all Scheme participants, establishing expectations for consistent and effective implementation.

Sections 3 and 4 together address manufacturing Certification. Section 3 outlines the procedures and criteria for the accreditation of Certification Bodies, ensuring they are competent and operate with integrity in undertaking manufacturing Certification activities. Section 4 sets out the rules and processes for the Certification of manufacturers, including evaluation and decision-making requirements to demonstrate compliance with the Scheme.

Section 5 focuses on design approvals, establishing a framework for the assessment of repeatable designs against the National Construction Code (NCC). Further, it establishes requirements for application, evaluation, Certification, conditions of use, and ongoing Audit and oversight, ensuring that approved designs remain technically valid, consistently applied, and aligned with the manufacturer's scope of Certification.

Finally, Section 6 defines the rules governing the use of the Mark of Conformity, including conditions for its application and controls to maintain its credibility and integrity.

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Section 1 | General

1.1 Background

The Scheme is owned by the Commonwealth, acting through the Australian Building Codes Board (ABCB), on behalf of the state and territory governments of Australia. As Scheme Owner, the ABCB provides strategic oversight to support nationally consistent outcomes and promote confidence in Prefabricated Construction.

The Scheme is intended to operate within the broader Australian building regulatory framework, which is primarily established through State and Territory building legislation and supported by the National Construction Code (NCC). In this hierarchy, State and Territory Acts and Regulations set the legal requirements for building work, while the NCC provides the technical provisions for compliance. The Scheme sits alongside these elements as a complementary, non-statutory mechanism that supports compliance with existing requirements.

The Scheme does not override or replace legislative obligations under state and territory building laws. Rather, it is designed to provide a nationally consistent assurance pathway that can be recognised within existing approval processes, subject to jurisdictional adoption and any necessary legislative changes. All participants remain responsible for complying with applicable laws, including relevant building, planning, and licensing requirements.

The Scheme is underpinned by relevant international standards developed by the International Organization for Standardization (ISO) and mandatory documents issued by Global Accreditation Cooperation Incorporated (Global ACI). The application of internationally recognised accreditation and certification frameworks enhances the reliability, integrity, credibility, and overall confidence in the Scheme.

1.2 Abbreviations

1.2.1. The following abbreviations are used in this document.

Acronym	Meaning
ABCB	Australian Building Codes Board
ACCC	Australian Competition and Consumer Commission
CLT	Cross Laminated Timber
FPC	Factory Production Control

Global ACI	Global Accreditation Cooperation Incorporated
IEC	International Electrotechnical Commission
ICF	Insulated Concrete Formwork
ISO	International Organisation for Standardisation
ITP	Inspection and Test Plan
LVL	Laminated Veneer Lumber
MDoC	Manufacturer Declaration of Conformity
NATA	National Association of Testing Authorities
NCC	National Construction Code
QA	Quality Assurance
QC	Quality Control
QMS	Quality Management System
SOP	Standard Operating Procedure

1.3 Definitions

Accreditation

An attestation by the Accreditation Body that a Certification Body is competent to carry out the specific Conformity Assessment tasks required by the Scheme.

Accreditation Body

The authoritative body appointed by the Scheme Owner responsible for providing accreditation of Certification Bodies.

Accreditation Deed

A deed between the Accreditation Body and a Certification Body concerning terms of Accreditation.

Accreditation Manual

A document setting out the general requirements under which the Accreditation Body may grant or maintain Accreditation.

Accredited Testing Laboratory

Any of the following:

a) an organisation accredited by the National Association of Testing Authorities, Australia (NATA) to undertake the relevant tests; or
b) an organisation outside Australia accredited by an authority to undertake the relevant tests and recognised by NATA through a mutual recognition agreement; or
c) an organisation recognised as being an accredited testing laboratory under legislation at the time the test was undertaken.

The organisation must have a scope of accreditation covering the testing requirements of the applicable specification.

Applicant
A person or organisation that submits an application under the Scheme for a Certificate of Conformity or a Design Approval Certificate.

Approved User

Any of the following:

a) a Certified Manufacturer;
b) a Certification Body;
c) the Accreditation Body;
d) a Design Assessment Body; or
e) the Scheme Administrator.

Appropriate Authority

The agency authorised by legislation or regulation to issue determinations, orders, or other instructions in relation to any subject covered by this document. For the purposes of this Scheme, it is typically the building surveyor or building certifier charged with the statutory responsibility to determine building compliance.

Approved Specifications

A set of technical requirements, drawings, materials, Components and tolerances that a Certified Manufacturer must use to produce Prefabricated Buildings or Components. It would typically form part of the relevant Building Approval documentation and establish the basis upon which a Manufacturer Declaration of Conformity is issued.

Audit

A systematic, independent, and documented process used to evaluate an organisation's compliance with the applicable Scheme requirements.

Building Approval

As defined in the current edition of SA HB 268.

Certification

The independent, third-party process by which a Certification Body evaluates a manufacturer against the requirements of the Scheme and, where those requirements are met, grants a Certificate of Conformity; and, where the context requires, the status of holding a valid and current Certificate of Conformity issued under the Scheme.

Certified Activities

Manufacturing and associated processes of a Certified Manufacturer assessed and approved within the Scope of Certification. This includes Quality Management, production controls, workforce competency, traceability, incoming goods Inspections, storage and transport, installation instructions, and change management.

Certificate of Conformity

A certificate issued by a Certification Body attesting that a manufacturer fulfills the applicable requirements of the Scheme.

Certification Body

An independent organisation, accredited by the Accreditation Body under the Scheme, that is authorised to issue Certificates of Conformity to manufacturers and is operationally independent of both the Scheme Owner and the manufacturers it certifies.

Certified Manufacturer

The holder of a Certificate of Conformity issued by a Certification Body in relation to a scope of certification.

Conformity Assessment

Demonstration that specified criteria have been met. This encompasses, but is not limited to activities defined, or referred to elsewhere in this document, such as Inspection, testing and Surveillance.

Component

As defined in the current edition of SA HB 268.

Critical Non-conformity

A Non-conformity where the impact fundamentally compromises the manufacturer's ability to comply with the Approved Specifications and requires immediate action to restore compliance.

Design Assessment Body

An independent organisation that is suitably qualified and recognised by the Scheme Owner to review and assess repeatable Prefabricated Building or Component designs, plans and supporting documentation against the National Construction Code and issue Design Approval Certificates.

Design Approval Certificate

A certificate issued by the Design Assessment Body attesting that a Prefabricated Building or Component fulfills the applicable requirements of the NCC.

Frame

As defined in the current edition of SA HB 268.

Inspection

A Conformity Assessment activity involving the examination of Components, manufacturing process, or installation activity within the Scope of Certification, to determine conformity with applicable Scheme requirements, Approved Specifications, or other specified criteria.

Inspection and Test Plan

A documented plan that defines the required inspection and testing activities to verify conformity with specified requirements, including inspection points, test methods, acceptance criteria, and responsible parties for review and approval.

Major Non-conformity

A Non-conformity where the impact poses a material risk to manufacturer's ability to comply with Approved Specifications and, if not rectified, is likely to result in non-compliance.

Manufacturer Declaration of Conformity

A first-party declaration issued by a Certified Manufacturer confirming that the manufactured Component conforms with the Approved Specification.

Mark of Conformity

The Mark of Conformity means the Certification trade mark applied by or issued in accordance with these Scheme Rules and the *Trade Marks Act 1995* (Cth) as represented in Section 6.

Minor Non-conformity

A Non-conformity where the potential impact is not likely to result in non-compliance with Approved Specifications, notwithstanding minor departures from the Quality Plan where compliance is otherwise achieved.

Non-conformity

Non-fulfillment of a requirement.

National Construction Code

The National Construction Code is Australia's primary set of technical design and construction provisions establishing the minimum standards for safety, health, amenity, accessibility, and sustainability in buildings.

On-site Construction

As defined in the current edition of SA HB 268.

Panelised

As defined in the current edition of SA HB 268.

Pod

As defined in the current edition of SA HB 268.

Prefabricated Building

As defined in the current edition of SA HB 268.

Prefabricated Construction

A method of construction in which a building, in whole or in part, is made in a location separate from the site of installation.

Quality Management System

A set of interrelated processes used to direct and control an organisation to consistently meet specified requirements and applicable regulatory obligations, and to support ongoing improvement in quality and performance.

Quality Plan

A documented, system-specific plan developed, implemented, and maintained by a Certified Manufacturer that defines the controls, responsibilities, and verification activities required to ensure Components are manufactured in accordance with the Scope of Certification and applicable Scheme requirements.

Scope of Certification

The Prefabricated Construction typologies for which a manufacturer seeks Certification under the Scheme, in accordance with one or more specified categories:

- **Category 1 –** 3D Volumetric systems comprising structural elements and integrated components such as insulation, internal linings, services (electrical, mechanical, hydraulic), windows and façades.
- **Category 2 –** 3D Volumetric structural systems forming the primary building structure with minimal or no integrated finishes or services.

- **Category 3** – Panelised (2D) systems incorporating structural elements and multiple integrated components such as insulation, linings, services, windows and façades.
- **Category 4** – Panelised structural or non-structural elements including, but not limited to, concrete wall panels, slab panels, timber framing systems and floor or roof trusses.
- **Category 5** – Structural or non-structural components and engineered products, such as Cross-Laminated Timber (CLT), Laminated Veneer Lumber (LVL), Insulated Concrete Formwork (ICF), and similar sub-systems intended for incorporation into larger prefabricated or traditional construction systems.

Scheme

The National Voluntary Certification Scheme for Manufacturers of Prefabricated Construction.

Scheme Administrator

The body appointed by the Scheme Owner, responsible for managing and administering the operation of the Scheme.

Scheme Owner

The Commonwealth, acting through the Australian Building Codes Board (ABCB), on behalf of the State and Territory governments of Australia.

Scheme Rules

Means this document, which sets out the rules of the Scheme.

Sub-component

As defined in the current edition of SA HB 268.

Surveillance

A Conformity Assessment activity for maintaining the validity of the Certificate of Conformity, including Audits and Inspections.

Third-party Conformity Assessment Body

See Certification Body.

Unrestricted Building Surveyor

A building surveyor licensed or registered in a State or Territory of Australia to perform statutory functions associated with the authorisation of construction or authorisation of occupation of buildings without restrictions on the types of buildings that can be considered.

Volumetric non-structural

As defined in the current edition of SA HB 268.

Volumetric structural

As defined in the current edition of SA HB 268.

Note: SA HB 268 is a Standards Australia Handbook that provides nationally consistent definitions and terminology for Prefabricated Construction; it should be referred to as the primary source for common terms in this field.

1.4 Framework

The Scheme Rules apply to the following Scheme participants:

a) Scheme Owner, responsible for the overall governance of the Scheme, drafting the Scheme Rules, and maintaining oversight of the Scheme's integrity and performance.
b) Scheme Administrator, appointed by the Scheme Owner and responsible for the day-to-day operation of the Scheme, including application processing, maintaining Scheme documentation and registers, and coordinating oversight and reporting activities.
c) Accreditation Bodies, responsible for accrediting Certification Bodies to operate under the Scheme, including assessing their competence and conformity with applicable standards.
d) Certification Bodies, third-party Conformity Assessment bodies authorised to assess and certify Prefabricated Construction manufacturers against the Scheme requirements.
e) Design Assessment Bodies, responsible for assessing and verifying that eligible, repeatable designs comply with applicable NCC requirements, and for issuing, maintaining, and overseeing Design Approval Certificates.
f) Certified Manufacturers, that hold a current Certificate of Conformity for the manufacture of prefabricated Buildings or Components; and
g) Applicants who hold Design Approval Certificates for repeatable designs.

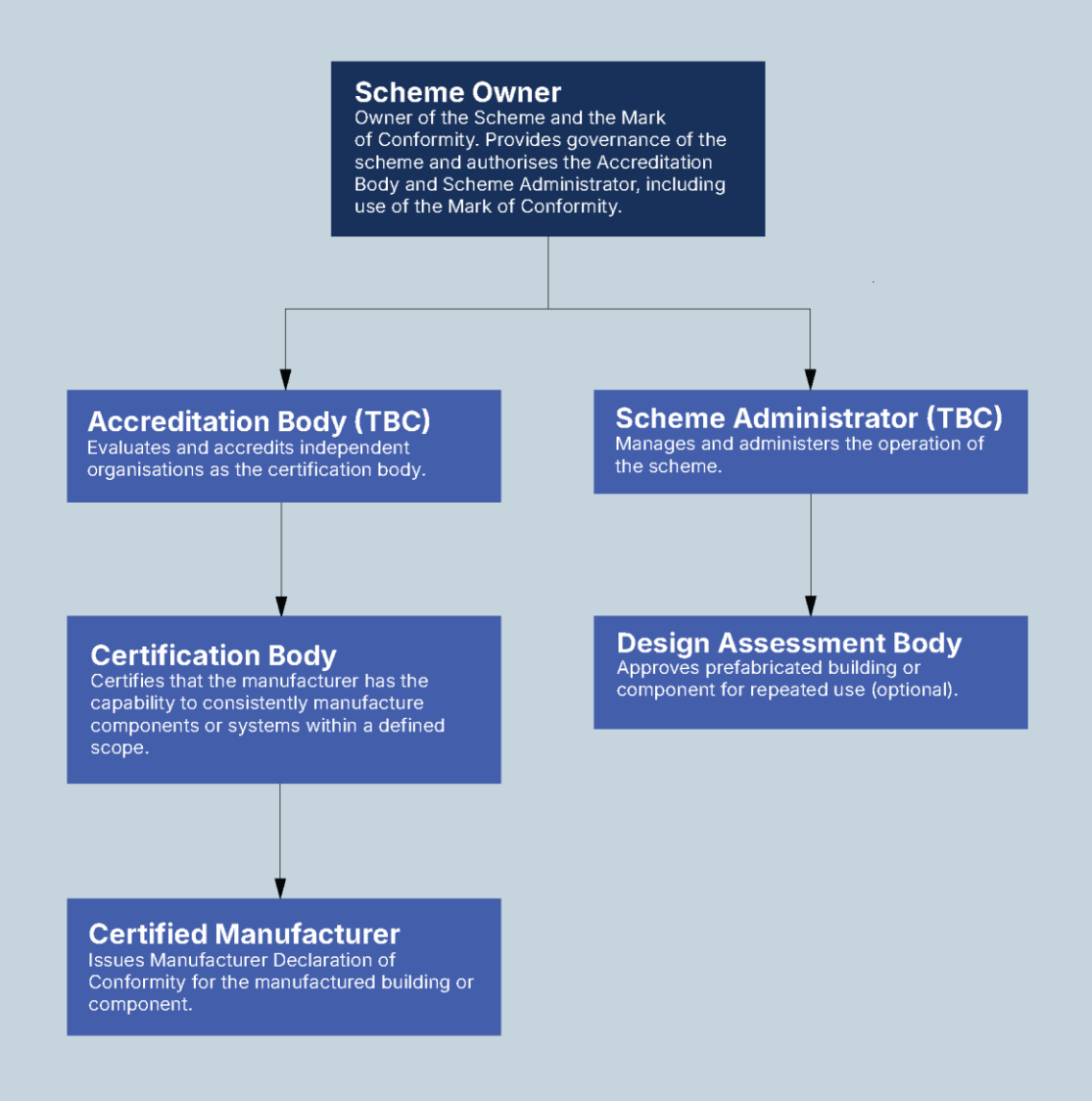

Figure 1 Flowchart of responsibilities in the Scheme

1.5 Objective and scope

The objective of the Scheme is to provide assurance that the Certified Manufacturer has the ability to consistently produce compliant Prefabricated Buildings or Components in accordance with Approved Specifications. Accordingly, the Scheme Certifies the manufacturer's controlled production system, including Quality Management System, Quality Plan, factory production controls, workforce competency, traceability measures, incoming goods Inspections, storage and transport arrangements, and change management processes, as required by the Scheme Rules. These are collectively referred to as Certified Activities under the Scheme.

The Scheme applies to Prefabricated Construction approaches undertaken within controlled manufacturing environments and does not extend to traditional On-site

Construction methodologies. Accordingly, the Scheme applies to the manufacturers of Prefabricated Buildings or Components for the categories defined under the Scope of Certification.

Under the Scheme, a Certified Manufacturer, or any Applicant, may also elect to seek design approval for eligible, repeatable Prefabricated Building or Component designs, limited to NCC Volumes One and Two (excluding plumbing and drainage), to support their application across multiple projects within a defined scope.

The Scheme is limited to the design and manufacturing of Class 1 and Class 2 buildings under the NCC.

1.6 Referenced documents

Documents referred to in these Scheme Rules are:

Assorted documents

- The Protocol for the evaluation of manufacturing facilities.
- The Protocol for the evaluation of Prefabricated Construction designs.
- Information required on a Certificate of Conformity.
- Australian Competition and Consumer Commission (ACCC) Consumer Product Safety Recall Guidelines

Accreditation documents

- Accreditation Deed: a deed between the Accreditation Body and a Certification Body.
- Accreditation Manual: a document setting out the general requirements under which the Accreditation Body may grant or maintain Accreditation.

Standards

- ISO/IEC 17065: Conformity assessment – Requirements for bodies certifying products, processes or services
- ISO/IEC 17067: Fundamentals of product Certification and guidelines for product Certification schemes
- ISO 9001: Quality management systems – Requirements
- ISO 10005: Quality management – Guidelines for quality plans

1.7 Terminology

In this document:

a) the words “shall” and “must” are to be construed as being mandatory;
b) the phrases "is to" and "are to" are to be construed as being directory;

c) the word "may" is to be construed as being discretionary or enabling, as the context requires; and
d) the word “should” is to be construed as a recommendation.

Section 2 | Participation requirements and responsibilities

2.1 Scheme owner requirements

2.1.1. Governance and accountability

a) The Scheme Owner shall be responsible for the development, implementation, maintenance, and continuous improvement of the Scheme.
b) The Scheme Owner shall define and publish requirements for participation under the Scheme through the Scheme Rules for all Scheme participants, including the Scheme Administrator, Accreditation Bodies, Certification Bodies, Manufacturers, and Design Assessment Bodies.
c) Subject to 2.4.4 and 2.4.5, the Scheme Owner shall retain overall accountability for the performance, effectiveness, and outcomes of the Scheme.
d) The Scheme Owner shall review and determine matters referred or escalated by the Approved User.
e) The Scheme Owner shall undertake periodic reviews of the Scheme and may amend the Scheme Rules as required to ensure ongoing effectiveness and relevance.
f) The Scheme Owner shall notify relevant regulators of significant non-compliances, defects, systemic risks, or safety concerns associated with the Scheme.

2.1.2. Scheme documentation and rule management

a) The Scheme Owner shall approve and issue the Certificate of Conformity, Manufacturer Declaration of Conformity and Design Approval Certificate templates.
b) The Scheme Owner shall draft, approve, and maintain the *Protocol for the evaluation of manufacturing facilities*.
c) The Scheme Owner shall draft, approve, and maintain the Protocol for the evaluation of Prefabricated Construction designs.
d) The Scheme Owner shall review, maintain, and make available Scheme documentation published on the ABCB website (www.abcb.gov.au), including:
    1. the Certificate of Conformity template;
    2. the Manufacturer Declaration of Conformity template;

3. the Design Approval Certificate template; and
4. the Information required on a Certificate of Conformity, Manufacturer Declaration of Conformity and Design Approval Certificate.

e) The Scheme Owner shall notify the Scheme Administrator of any amendments to the Scheme Rules.
f) The Scheme Owner shall notify the Scheme Administrator of any changes to the National Construction Code (NCC) that may affect the operation or application of the Scheme.
g) The Scheme Owner shall ensure that Scheme Rules, protocols, and guidance documents remain current and aligned with applicable legislation, standards, and regulatory requirements.

2.1.3. Certification oversight

a) The Scheme Owner may conduct or commission Scheme-wide Audits, reviews, or analyses to verify the integrity, consistency, and technical validity of Certification outcomes.
b) The Scheme Owner must promptly consider and take appropriate action in relation to any dispute, complaint, or issue notified to it by the Scheme Administrator in connection with the operation of the Scheme.

2.1.4. Accreditation, administration, and assurance

a) The Scheme Owner shall monitor the performance and functions of:
    1. the Scheme Administrator;
    2. the Design Assessment Body; and
    3. the Accreditation Body.
b) The Scheme Owner shall establish and maintain processes for:
    1. monitoring Accreditation Body performance;
    2. facilitating information sharing between the Scheme Owner, Accreditation Bodies, and Certification Bodies; and
    3. monitoring Design Assessment Body performance.
c) The Scheme Owner may require the Scheme Administrator to provide regular reports on Scheme performance, risks, complaints, trends, and Non-conformities and non-compliances.
d) Where deficiencies are identified, the Scheme Owner may direct or implement corrective or remedial actions to ensure continued Scheme integrity.
e) Where a dispute cannot be resolved through the Scheme Administrator's dispute resolution process, the matter may be escalated to the Scheme Owner for independent consideration. The Scheme Owner may determine appropriate actions, including referral to an independent reviewer or panel, where necessary to maintain the integrity and objectives of the Scheme.

f) The Scheme Owner may suspend or withdraw registration of Design Assessment Body where the Design Assessment Body:
    1. fails to comply with the Scheme Rules;
    2. no longer meets applicable competence requirements; or
    3. compromises, or is likely to compromise, the integrity of the Scheme.
g) The Scheme Owner may suspend or withdraw recognition of an Accreditation Body where the Accreditation Body:
    1. fails to comply with the Scheme Rules;
    2. no longer meets applicable accreditation or competence requirements; or
    3. compromises, or is likely to compromise, the integrity of the Scheme.

2.1.5. Mark of Conformity management

a) The Scheme Owner is the registered owner of the Mark of Conformity.
b) The Scheme Owner shall maintain registration of the Mark of Conformity in accordance with the *Trade Marks Act 1995 (Cth)*.
c) The Scheme Owner shall protect the Mark of Conformity against unauthorised, misleading, or improper use.
d) The Scheme Owner shall monitor the use of the Mark of Conformity by:
    1. Certification Bodies;
    2. Design Assessment Bodies; and
    3. Certified Manufacturers.
e) The Scheme Owner may issue guidance, impose conditions, or take enforcement action in relation to misuse or improper application of the Mark of Conformity.

2.1.6. Education, engagement, and promotion

a) The Scheme Owner shall develop and disseminate, in collaboration with the Scheme Administrator, educational and guidance materials relating to the Scheme.
b) The Scheme Owner may provide authoritative interpretive guidance on the intent and application of the Scheme Rules where required.
c) The Scheme Owner may market and promote the Scheme to industry, regulators, and other stakeholders to support confidence and consistent uptake.
d) The Scheme Owner may engage with regulators, industry bodies, and technical experts to support continuous improvement of the Scheme.

2.2 Scheme administrator requirements

2.2.1. Role and scope

a) The Scheme Administrator shall be responsible for the management and administration of the Scheme in accordance with these Scheme Rules and written directions from the Scheme Owner.
b) Without limiting clause ‘a’, and subject to the Scheme Rules, the Scheme Administrator shall:
    1. undertake day to day administration of the Scheme;
    2. make administrative decisions in accordance with these Scheme Rules;
    3. allocate a Certificate of Conformity number block to a Certification Body;
    4. allocate a Design Approval Certificate number block to a Design Assessment Body; and
    5. notify the Accreditation Body, Certification Body and the Design Assessment Body of changes to the NCC, the Scheme Rules or other relevant regulatory requirements.
c) For the avoidance of doubt, and in accordance with the Scheme Rules, the Scheme Administrator shall not:
    1. undertake design assessment or Certification activities in relation to this Scheme; or
    2. perform any functions reserved for the Scheme Owner, Accreditation Body, Certification Bodies and Design Assessment Bodies.

2.2.2. Governance and independence

a) The Scheme Administrator shall operate in a manner that ensures:
    1. impartiality and independence from the Accreditation Body, Certification Bodies, Design Assessment Bodies and Certified Manufacturers; and
    2. the identification, disclosure, and effective management of conflicts of interest.
b) The Scheme Administrator shall maintain a documented conflict-of-interest policy that includes:
    1. disclosure requirements; and
    2. mitigation and management measures.
c) The Scheme Administrator shall not provide consultancy or advisory services to manufacturers seeking Certification under the Scheme where such services may, or may be perceived to, compromise impartiality.
d) The Scheme Administrator shall protect commercially sensitive and confidential information obtained in the course of Scheme administration. Disclosure of such information shall only occur:

1. where required by law; or
2. with appropriate authorisation.

2.2.3. Engagement with Certification Bodies

a) The Scheme Administrator shall ensure that all Certification Bodies engaged under the Scheme hold appropriate accreditation/s.
b) The Scheme Administrator shall:
    1. maintain a public Scheme register of Certification Bodies; and
    2. monitor Certification Bodies' performance, including the consistency of Audits and Certification outcomes.
c) The Scheme Administrator shall not influence, direct, or override Certification decisions made by Certification Bodies.

2.2.4 Engagement with Design Assessment Bodies

a) The Scheme Administrator must establish and maintain a process for the registration of Design Assessment Bodies.
b) The Scheme Administrator must not influence, direct, or override any assessment, evaluation, or approval made by a Design Assessment Body, and must ensure that Design Assessment Bodies operate independently and impartially.
c) The Scheme Administrator must establish processes for the receipt and management of information from Design Assessment Bodies, including notifications of issued, suspended, or withdrawn Design Approval Certificates.
d) The Scheme Administrator must implement measures to identify, manage, and mitigate risks to the integrity of Design Approval activities under the Scheme, including conflicts of interest, inconsistent decision-making, and non-compliance with Scheme requirements.

2.2.5. Register of Certified Manufacturers and Approved Designs

a) The Scheme Administrator shall establish and maintain a public Scheme register of:
    1. Certified Manufacturers and factory locations;
    2. Certification status, including active, suspended, or withdrawn status;
    3. the Scope of Certification; and
    4. any conditions, limitations, or exclusions applying to the Certification.
b) The Scheme Administrator shall establish, maintain, and make publicly available a register of all Design Approval Certificates issued under the Scheme. The register must include:
    1. sufficient information to identify the approved design and its scope;
    2. details of the issuing Design Assessment Body; and
    3. the status of the certificate.

c) Where a design is subject to intellectual property or commercial confidentiality constraints, the Scheme Administrator may limit the level of detail published, provided that the register continues to ensure transparency, traceability, and confidence in the Scheme.
d) The Scheme register shall be accurate, current, regularly updated and must be accessible by Scheme participants and the public through the Scheme Administrator's website.

2.2.6. Complaints and disputes

a) The Scheme Administrator shall establish and maintain documented processes for:
    1. the reporting of defects, failures, or non-compliances identified in the field;
    2. the systematic collection of feedback from industry participants, regulators, and other stakeholders.
    3. handling complaints relating to Certified Manufacturers;
    4. handling complaints relating to Design Assessment Bodies; and
    5. handling complaints relating to the operation of the Scheme.
b) If a person is dissatisfied with an administrative decision made by the Scheme Administrator:
    1. Step One: the person may request a reconsideration of the decision in accordance with the review procedures of the Scheme Administrator; and
    2. Step Two: if dissatisfied with the decision in Step One, the person may request a review of the decision by the Scheme Owner.
c) The Scheme Administrator shall establish and maintain a documented dispute resolution process for disputes arising under the Scheme that cannot be resolved through routine complaints or appeals processes.
d) Dispute resolution processes under this section are separate from, and do not replace:
    1. complaint handling processes; or
    2. appeals relating to Certification or Design Approval decisions, which remain the responsibility of the relevant Certification Body or the Design Assessment Body respectively.
e) The Scheme Administrator shall refer appeals relating to Certification or Design Approval decisions to the relevant Certification Body or the Design Assessment Body, and if escalated, the Scheme Owner.
f) These processes must be supported by clearly accessible mechanisms made available on the Scheme Administrator's website, enabling stakeholders to submit reports, feedback, and complaints.

g) All complaints and disputes shall be recorded, investigated, and resolved in a timely manner.

2.2.7. Reporting, Audit and continuous improvement

a) The Scheme Administrator shall report quarterly (at three-month intervals) to the Scheme Owner and state and territory regulators on:
    1. manufacturer participation details including the granting of new Certifications, Design Approvals and any complaints, disputes, suspensions or terminations;
    2. conformity trends and systemic issues;
    3. Certification Body performance, including complaints and disputes;
    4. Design Assessment Body performance, including complaints and disputes; and
    5. risks relating to manufacturing quality and consistency.

b) The Scheme Administrator may, at its discretion, publish a notice of the suspension or termination of a Certification Body or a Certified Manufacturer on the Scheme website and any other public platform it considers appropriate. Such notice may include the name of the entity, the effective date, the reasons for the suspension, and any other information necessary to inform stakeholders and protect the integrity, transparency, and operation of the Scheme.

c) The Scheme Administrator may consider implementing continuous improvement measures arising from:
    1. Audit findings;
    2. industry feedback; and
    3. regulatory or referenced document developments.

2.2.8 Coordination and consistency forum

a) The Scheme Administrator must, at intervals not less than twelve (12) months, facilitate a forum or equivalent mechanism with Certification Bodies and the Accreditation Body to:
    1. discuss matters relating to interpretation and application of the Scheme Rules;
    2. identify emerging issues, ambiguities, or implementation challenges; and
    3. promote consistent application of the Scheme across Certification activities.

b) The Scheme Administrator must, at intervals not less than twelve (12) months, facilitate a forum or equivalent mechanism with Design Assessment Bodies to:
    4. discuss matters relating to interpretation and application of the Scheme Rules;

5. identify emerging issues, ambiguities, or implementation challenges; and
6. promote consistent application of the Scheme across Certification activities.

c) The Scheme Administrator may invite other relevant stakeholders, including regulators, Accredited Testing Laboratories, and other subject matter experts, to participate in forums convened under clauses (a) and (b) where appropriate.
d) A forum convened under clauses ‘a’ and ‘b’ shall not issue binding determinations on Certification decisions and shall operate consistent with the Scheme Rules, and impartiality obligations.
e) Where systemic interpretation issues are identified through such forums, the Scheme Administrator may advise the Scheme Owner for consideration of resolution through guidance material, clarification, or Scheme review.

2.3 Accreditation Body requirements

2.3.1. Accreditation and assessment functions

a) The Accreditation Body shall be responsible for the accreditation of Certification Bodies under, and consistent with, these Scheme Rules.
b) The Accreditation and ongoing Surveillance and review of Certification Bodies shall be conducted by the Accreditation Body in accordance with:
    1. the general conditions set out in the current Accreditation Deed;
    2. the Accreditation Manual and associated Accreditation procedures applicable to the Scheme; and
    3. Applicable Standards.
c) Without limiting clause ‘a’, the Accreditation Body shall be responsible for:
    1. granting, maintaining, extending, suspending, and withdrawing the Accreditation of a Certification Body;
    2. verifying that each Certification Body complies with these Scheme Rules;
    3. advising the Scheme Owner in writing of the status of a Certification Body’s accreditation, including where accreditation action is taken under the Scheme Rules or when requested in writing by the Scheme Owner;
    4. undertaking Surveillance, reviewing the Accreditation of Certification Bodies and taking appropriate action to ensure continued compliance with these Scheme Rules and the referenced documents where relevant, including when the Scheme Rules or the relevant standards are amended;

5. providing a written report to the Scheme Administrator at least quarterly summarising the verification and assessment activities undertaken in relation to each Certification Body since the previous report;
6. advising the Scheme Administrator of proposed amendments or variations to relevant standards and procedures that may affect the Scheme, including the significance and potential impact of such changes; and
7. Reviewing its Accreditation decisions if there are any amendments to the Scheme Rules, regulatory requirements or any other document relevant to the Scheme.

d) An Accreditation Body shall ensure that its accreditation activities are consistent with:
    1. the objectives of the Scheme;
    2. applicable building regulatory frameworks, including the NCC; and
    3. Scheme-specific manufacturing requirements.
e) An Accreditation Body shall cooperate with the Scheme Owner and the Scheme Administrator in Scheme reviews, continuous improvement activities, and interpretation where requested.
f) The Accreditation Body may verify that Certification Bodies have demonstrated the competencies necessary to carry out Conformity Assessment tasks under the Scheme.
g) For the purposes of clause ‘f’, Conformity Assessment tasks may include, but are not limited to, Certification, Audit and Inspection activities relating to manufacturing processes, factory production control within the scope of the Scheme.
h) An Accreditation Body shall not direct, influence, or otherwise participate in Certification decisions made by Certification Bodies.
i) Where requested by the Scheme Administrator, the Accreditation Body shall provide a copy of any report relating to the review or reassessment of the Accreditation of a Certification Body.

2.3.2. Recognition and general requirements

a) The Accreditation Body recognised under the Scheme shall be a legally identifiable entity.
b) The Accreditation Body must have governance arrangements that ensure independence, impartiality, and objective decision-making.
c) The Accreditation Body shall maintain its international recognition in accordance with the terms and conditions specified by the Australian Government and any applicable trade facilitation or mutual recognition arrangements to which Australia is a party.

d) The Accreditation Body shall maintain demonstrable competence in the Accreditation of Conformity Assessment activities related to Prefabricated Construction and factory-based production systems.
e) The Accreditation Body may review any other matter it considers relevant to assessing the continued competence, impartiality, and compliance of a Certification Body with the Scheme Rules.

2.3.3. Oversight and Surveillance

a) When conducting Surveillance, or review of a Certification Body, the Accreditation Body shall review such matters as are necessary to determine ongoing compliance with the Scheme Rules.
b) Without limiting clause 'a', the Accreditation Body shall review the Certification Body's policies, procedures, and systems relating to the Scheme to verify that:
    1. they are fit for purpose and appropriate to the Scope of Certification activities undertaken;
    2. relevant personnel, including staff and contractors, are familiar with and competent in applying the applicable Scheme requirements in the conduct of Certification activities; and
    3. such policies, procedures, and systems are consistently and effectively implemented to deliver appropriate and reliable Certification outcomes.
c) The Accreditation Body shall also review the Certification processes applied by the Certification Body, including:
    1. any manufacturer Certifications for which the Certification Body has become the responsible Certification Body since the previous Audit or Surveillance activity; and
    2. a representative sample of other manufacturer Certifications, having regard to the number, scope, and nature of Certifications issued by the Certification Body since the previous Surveillance activity.
d) The Accreditation Body shall undertake periodic technical reviews of Certification Body Certification activities, including the adequacy and consistency of Certification decision-making processes.
e) A technical review under clause 'd' shall consider, as appropriate:
    1. the technical basis on which Certification decisions are made;
    2. the application and interpretation of the Scheme Rules; and
    3. the sufficiency and relevance of evidence relied upon to support Certification outcomes.
f) When conducting a technical review, the Accreditation Body shall engage one or more independent external technical consultants possessing qualifications, skills, and experience relevant to the scope of Certification activities under review.

g) Engagement of external technical consultants shall not confer decision-making authority on those consultants and shall not result in the Accreditation Body directing or substituting Certification decisions made by a Certification Body.

2.3.4. Non-Conformity, suspension, and withdrawal

a) An Accreditation Body shall maintain procedures for addressing Non-conformities identified in Certification Body operations, including corrective action, suspension, or withdrawal of accreditation.
b) An Accreditation Body shall have authority to impose conditions, limitations, suspension, or withdrawal of Certification Body accreditation where justified by evidence.
c) Where significant or systemic issues are identified, the Accreditation Body shall notify the Scheme Owner in accordance with the Scheme Rules.

2.4 Certification Body requirements

2.4.1 General requirements

a) A Certification Body must be accredited and registered by the Accreditation Body to operate under the Scheme.
b) A Certification Body must comply at all times with:
    1. the relevant Scheme Rules;
    2. document/s and standards referenced by the Scheme Rules, where relevant; and
    3. ISO/IEC 17065:2012 (Conformity assessment — Requirements for bodies certifying products, processes and services);
c) If there is inconsistency between ISO/IEC 17065:2012 and these Scheme Rules, these Scheme Rules take precedence to the extent of that inconsistency.
d) Where any amendment is made to any documents referred to in ‘b’ that may affect any declarations issued by a Certified Manufacturer, the Certification Body must:
    1. review all affected Certification decisions within three (3) months of the amendment taking effect; and
    2. take all necessary and appropriate action to ensure continued conformity with the amended requirements, with such action to be completed no later than the end of that three (3) month period.
e) A Certification Body must notify the Accreditation Body in writing, within 20 working days after the end of each calendar quarter (being 31 March, 30 June, 30 September, and 31 December), of:
    1. the number of active applications under its control, including:

i. the scope of each application; and
ii. anticipated Audit and inspection timeframes; and

2. any Certification for which it became the responsible Certification Body during that quarter.

f) A Certification Body shall ensure that its Certification agreement with a Certified Manufacturer requires the manufacturer to acknowledge that:
   1. the Scheme Owner does not make any representations, warranties or guarantees, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained within a Certificate of Conformity; and
   2. the Scheme Owner disclaims to the extent permitted by law, all liability (including negligence) for claims of losses, expenses, damages and costs arising as a result of the use of a certified Component referred to in a Manufacturer Declaration of Conformity.

2.4.2. Certification decisions and ongoing responsibilities

a) A Certification Body shall be solely responsible for all decisions and actions relating to an application for, or the status of Certification.
b) Without limiting 'a', a Certification Body shall be responsible for:
   1. granting, maintaining, renewing, reducing, suspending, terminating, or withdrawing a Certification in accordance with Section 4 | Process for Certification of Manufacturers of these Scheme Rules;
   2. verifying that each Certified Manufacturer continues to comply with these Scheme Rules;
   3. investigating the conduct and processes of a Certified Manufacturer, either on its own initiative or when directed in writing by the Scheme Administrator;
   4. advising the Scheme Administrator in writing of:
      i. any action taken under clause '1'; or
      ii. the status of a Certification, where requested in writing by the Scheme Administrator; and
c) Where a Certification Body receives a written direction from the Scheme Administrator advising of amendments to the NCC (including reference standards), building regulations or these Scheme Rules, the Certification Body must, within one (1) month of the amendments taking effect, ensure that all current Certified Manufacturers are provided with the details of those changes in writing.
d) A Certification Body must establish and maintain documented procedures for application, evaluation, Certification, Surveillance, suspension, and withdrawal of Certification.

e) A Certification Body is required to participate in Coordination and Consistency Forums, as outlined in 2.2.8 Coordination and consistency forum.

2.4.3. Cessation of Accreditation and Continuity of Certification

a) Where a Certification Body ceases to be accredited for any reason, that Certification Body shall provide the Scheme Administrator with all relevant documented evidence relating to affected Certified Manufacturers, including all records relied upon in determining or maintaining Certification.
b) To support continuity of the Scheme, all other accredited Certification Bodies may cooperate at their discretion and within the scope of their accreditation, to provide Certification services to affected Certified Manufacturers.
c) The requirement for, and extent of, any re-evaluation under clause ‘b’ shall depend on the adequacy and quality of the documented evidence provided under clause ‘a’.

2.4.4. Indemnities

a) Each Certification Body shall indemnify the Scheme Owner, the Scheme Administrator, and the Accreditation Body against any liability, loss, damage, cost, compensation, or expense incurred or sustained by any of those parties arising out of or in connection with:
    1. a failure by the Certification Body to comply with these Scheme Rules;
    2. the issue of Certification that is not true, accurate, or supported by adequate evidence;
    3. misuse or unauthorised use of the Mark of Conformity by the Certification Body; or
    4. any default, unlawful act, omission, or wilful misconduct by the Certification Body or its personnel in connection with Scheme Certification activities.

2.4.5. Release of liability

a) A Certification Body releases the Scheme Owner, the Scheme Administrator, and the Accreditation Body from all liability or responsibility for any loss or damage suffered by the Certification Body arising from:
    1. any accreditation-related decision made by the Accreditation Body under these Scheme Rules;
    2. any information published or provided by the Scheme Owner, Scheme Administrator, or Accreditation Body in relation to such a decision; or
    3. any related decision made by the Scheme Owner, Scheme Administrator, or Accreditation Body that may affect a Certification Body’s business, Accreditation status, or commercial interests.

2.4.6 Competency and resource requirements

a) A Certification Body must maintain documented policies, procedures, and systems for evaluating manufacturers for manufacturing Certification in accordance with Section 4 | Process for Certification of Manufacturers.
b) A Certification Body must have documented processes that ensure all employees and contractors performing Certification functions:
    1. are appropriately trained and have their competencies assessed;
    2. have their performance monitored on an ongoing basis; and
    3. where required competencies are not held internally, are supplemented through the identification and engagement of suitably qualified and competent contractors.
c) A Certification Body must maintain documented processes demonstrating how it obtains, maintains, and evidences competencies relevant to the Scheme. These competencies must include, but are not limited to, the following areas of knowledge and experience:
    1. detailed and current knowledge of the Australian building regulatory system, including the NCC and the means of compliance with the NCC;
    2. knowledge of relevant Australian and international building Standards and industry practices;
    3. understanding of quality management systems, quality plans and their application within manufacturing environments;
    4. understanding of basic engineering and architectural principles as applied to buildings, including structural behaviour;
    5. understanding of risk assessment methodologies, including likelihood and consequence of failure, and risk mitigation strategies;
    6. understanding of how construction site practices and conditions may affect the buildability and performance of Prefabricated Construction;
    7. understanding of manufacturing processes and supply-chain Audit practices; and
    8. experience in conducting manufacturing site Audits, Inspections, and installation Inspections where required by the Scheme.

2.5 Certified Manufacturer requirements

2.5.1. General compliance obligations

a) A Certified Manufacturer shall comply at all times with:
    1. these Scheme Rules;
    2. Approved Specifications, documented manufacturing processes, and applicable Quality Plans; and
    3. all conditions and limitations attached to its scope of Certification.
b) A Certified Manufacturer shall not:

1. misrepresent its Certification status; or
2. provide false, misleading, or incomplete information in connection with Certification.

c) Any breaches of this Part may result in suspension or withdrawal of Certification and referral to the Scheme Administrator and relevant regulators.
d) Where Certification is suspended or withdrawn, the Certified Manufacturer shall:
    1. immediately cease use of the Scheme Certification Mark; and
    2. cease representing newly manufactured units or Components as being compliant under the Scheme.

2.5.2. Control of certified scope

a) A Certified Manufacturer shall only declare conformity with the Approved Specifications and compliance with the Scheme Rules where the manufactured Components of Prefabricated Construction are within the Scope of Certification.
b) Declarations of Conformity shall not:
    1. be applied to modified units or Components beyond the scope of Certification, unless the modification has been assessed and approved by the relevant Certification Body; or
    2. be used in a manner that is misleading, deceptive, or likely to create a false impression of scope of Certification.

2.5.3. Access and cooperation

a) A Certified Manufacturer shall provide the Certification Body with reasonable access to:
    1. manufacturing facilities;
    2. relevant personnel; and
    3. records and documentation necessary for Certification, Audit, or inspection activities.
b) A Certified Manufacturer shall permit both scheduled inspections and unannounced Audits, including sampling and independent testing where required under the Scheme Rules.

2.5.4. Manufacturing Consistency, Change Control and reporting

a) A Certified Manufacturer shall ensure that production is conducted consistently in accordance with approved manufacturing processes and quality plans.
b) Where proposed changes to materials, manufacturing processes, or production equipment may affect compliance, the Certified Manufacturer shall

not implement such changes unless and until they have been assessed and approved by the Certification Body.

c) A Certified Manufacturer shall notify the Certification Body within (7) days of:
    1. changes to manufacturing processes or facilities;
    2. Issues detected that may affect conformity with the scope of Certification; and
    3. relevant regulatory actions, investigations, or enforcement activity.

2.5.5 Quality Manual

a) A certified manufacturer shall implement and maintain a documented Quality Manual appropriate to the Scope of Certification. The Quality Manual shall include, at a minimum:

    1. An organisational structure, including an organisation chart that clearly identifies personnel with quality-related roles, responsibilities, and authorities;
    2. Controlled procedures for the control, approval, review, retention, and retrieval of documents and records;
    3. Procedures for the identification, control, investigation, and resolution of nonconformities, including corrective and preventative actions;
    4. Procedures for the identification, notification and management of product recalls. Where a recall is required, the Certified Manufacturer must undertake the recall in accordance with the Australian Competition and Consumer Commission (ACCC) Consumer Product Safety Recall Guidelines, as in force from time to time, including any requirements relating to risk assessment, notification to regulators, communication with affected parties, and corrective actions.
    5. Procedures for receiving, assessing, and resolving feedback, complaints, and disputes, including escalation and response timeframes;
    6. Procedures for internal quality assurance activities, including monitoring, review, and internal Audits of compliance with Approved Specifications and Scheme Rules;
    7. Processes for managing changes that may affect certified products or processes;
    8. Arrangements for training and competency of personnel performing activities affecting quality; and
    9. Controls for outsourced or subcontracted activities relevant to the scope of Certification.

2.5.6 Quality Plan and Factory Production Control

f) Certified Manufacturers shall develop, implement, and maintain a documented Quality Plan for each of their Scope of Certification category, consistent with ISO 10005.

b) The Certified Manufacturer shall ensure that the Quality Plan system is:
    1. fit for purpose;
    2. applied consistently across all relevant production lines and manufacturing locations; and
    3. periodically reviewed and updated as necessary to maintain its effectiveness.

c) A Certified Manufacturer shall establish, implement, and maintain a documented Factory Production Control (FPC) system as part of the applicable Quality Plan, covering activities within the approved Scope of Certification.

d) The FPC system shall define, implement, and control manufacturing processes and generate records sufficient to demonstrate conformity with the Approved Specification. The FPC system shall include, at a minimum:
    1. documented procedures for key manufacturing activities, including standard operating procedures.
    2. planned Inspections, tests, and assessments, including Inspection and Test Plans with defined inspection points, witness points, and hold points;

e) Risk assessments shall be undertaken at defined critical control points in the manufacturing process, including at ITP hold points. The outcomes of such risk assessments shall determine the nature, extent, and rigour of inspections, tests, verification activities, and control measures applied.

f) All Inspection and testing activities shall be documented and recorded, and such records shall be made available to the Certification Body upon request.

g) Inspection and testing shall be conducted using appropriate methods, equipment, and standards, and shall be capable of independent verification by the Certification Body.

h) Inspection and testing records shall be accurate, complete, readily accessible, and retained for the minimum periods specified in the Scheme Rules. The Certified Manufacturer shall record and manage Non-conforming Components.

i) Where Non-conformities are identified, the Certified Manufacturer shall:
    1. take immediate containment actions;
    2. undertake root cause analysis; and
    3. promptly implement corrective actions.

i) Major or Critical Non-conformities, including those that present a safety, compliance or a regulatory risk shall be notified to the Certification Body within Five (5) business days of discovery.

2.5.7. Personnel Competence

a) Certified Manufacturer must ensure that all personnel involved in Certified Activities possess the necessary qualifications and adhere to all relevant occupational licensing and registration requirements in the jurisdiction where the building is ultimately installed or placed.
b) A Certified Manufacturer shall ensure that personnel involved in approved manufacturing activities within the scope of Certification are competent to perform their assigned roles.
c) The Certified Manufacturer shall document all training and competency records, and shall ensure such records are maintained, kept up to date, and made available for review upon request.
d) Competence shall be supported through appropriate training relating to:
    1. manufacturing processes;
    2. quality control and assurance; and
    3. Certification and conformity obligations under the Scheme.

2.5.8. Subcontracting

a) A Certified Manufacturer shall ensure that all subcontractors are appropriately trained, competent, and, where necessary, supervised for the tasks they are engaged to perform.
b) The Certified Manufacturer shall implement appropriate controls, including qualification, evaluation, and ongoing monitoring of suppliers and subcontractors.
c) A Certified Manufacturer shall ensure that any subcontractor engaged in Certified Activities holds appropriate qualifications and complies with all applicable occupational licensing and registration requirements relevant to the jurisdiction where the building is ultimately installed or placed.

2.5.9 Procurement and incoming goods controls

a) A Certified Manufacturer shall establish, implement, and maintain documented procedures governing the procurement of materials, Components, and products, including where necessary, documentation demonstrating compliance with the requirements of the NCC and/or its reference standards.
b) All incoming goods shall be subject to inspection and verification prior to use. As a minimum, this shall include:
    1. verification that the goods comply with the approved design specifications;

2. verification that the goods supplied correspond to the purchase order, including confirmation of markings or labels, quantities, dimensions, and any declared characteristics;
3. inspection for visible defects, damage, deterioration, or other Non-conformities; and
4. identification, segregation, documentation, and control of any non-conforming goods, which shall not be used unless and until conformity is confirmed.

c) The Certified Manufacturer shall maintain documented procedures for the handling, traceability, storage, disposition, and resolution of non-conforming goods, and shall ensure such procedures are readily accessible to personnel responsible for receiving or handling incoming goods.
d) Compliance records shall be kept current, retained for the duration of Certification, and made available for Audit, review, or regulatory inspection upon request by the Certification Body.

2.5.10 Facilities and equipment

a) A Certified Manufacturer shall maintain facilities and environmental conditions suitable for the manufacture of Components within the approved scope of Certification.
b) Manufacturing areas shall be controlled as necessary to ensure consistent, weather-independent production and to prevent adverse impacts on quality, conformity, or traceability of the Component.
c) Equipment, machinery, tools, devices, and measuring instruments used in Certified Activities shall be:
    1. fit for purpose and appropriate to the manufacturing activities undertaken;
    2. maintained in good working order; and
    3. subject to planned servicing, maintenance, and calibration where applicable.
d) Instruction manuals shall be documented and implemented for the operation of manufacturing and testing equipment where incorrect use could affect quality, conformity, safety, or compliance of the Component.
e) Equipment shall only be operated by personnel who are competent, appropriately trained, and authorised to perform the relevant tasks.
f) The Certified Manufacturer shall maintain records of:
    1. equipment calibration, servicing, and maintenance;
    2. facility maintenance affecting production conditions;
    3. equipment breakdowns, faults, and corrective actions; and
    4. authorisation and competency of personnel operating critical equipment.

2.5.11. Traceability

a) A Certified Manufacturer shall maintain traceability systems capable of:
    1. linking finished Components to the Manufacturer Declaration of Conformity, production batches, materials, and inspection activities for access and verification along the length of the supply chain, including at the point of installation and handover; and
    2. identifying affected Components in the event of defects, failures, or non-compliances.
b) Traceability records shall be retained for a minimum period of 10 years or otherwise applicable statutory liability or regulatory requirements, whichever is greater.

2.5.12 Storage

a) Components and materials shall be stored by the Certified Manufacturer, before, during, and after production, in a manner that prevents damage, deterioration, or adverse effects arising from physical handling or climatic conditions.
b) Where special storage or handling conditions apply after Components leave the manufacturing facility, the Certified Manufacturer shall provide documented instructions to relevant parties, including those responsible for transportation, storage, and on-site installation.

2.5.13 Transport

a) The Certified Manufacturer shall provide, with each Component, documented instructions covering handling, lifting, loading, transport, and unloading procedures.
b) Components shall be inspected and formally signed off by competent and authorised personnel prior to dispatch from the manufacturing facility and again upon receipt after transport, to confirm their condition and conformity.
c) The Certified Manufacturer shall provide clear contact details, including a nominated telephone number and email address, for enquiries relating to transport and handling instructions, and shall respond to such enquiries in a timely manner.

2.5.14 Installation

a) The Certified Manufacturer shall provide, with each Component, documented installation instructions that clearly describe the installation, assembly, sequencing, tolerances, and any critical safety or quality requirements.
b) The Certified Manufacturer shall also provide clear contact details, including a nominated telephone number and email address, for enquiries relating to

installation instructions, and shall respond to such enquiries in a timely manner.

c) The Certified Manufacturer shall ensure that personnel involved in installation activities are appropriately trained, competent, and, where applicable, authorised to carry out the installation in accordance with the provided instructions. Training and competency requirements shall be commensurate with the complexity and risk of the installation activities and shall be supported by documented records.

2.5.15. Manufacturer Declaration of Conformity

a) A Certified Manufacturer shall issue a single Manufacturer Declaration of Conformity for each Prefabricated Building or Components manufactured in accordance with an Approved Specification within the approved Scope of Certification.

b) The Manufacturer Declaration of Conformity shall be issued prior to the release of the Prefabricated Building or Components from the manufacturing facility for installation and shall be limited to attesting compliance with the Approved Specification and the NCC.

c) The Manufacturer Declaration of Conformity shall include, as a minimum:
    1. Unique product identification, sufficient to trace the Component to manufacture;
    2. The date of completion of manufacture;
    3. A reference to the Certificate of Conformity issued by the Certification Body;
    4. Reference to the Approved Specification;
    5. The date of issue of the Manufacturer Declaration of Conformity and, where applicable, the date of the most recent revision;
    6. The name, position, and authorised signature (or equivalent digital authorisation) of the person responsible for issuing the Manufacturer Declaration of Conformity; and
    7. Any conditions, limitations, or assumptions relevant to the declared performance or intended use.

d) The Manufacturer Declaration of Conformity shall be accurate, complete, and traceable to supporting compliance records.

2.6 Design Assessment Body Requirements

2.6.1 General requirements

a) A Design Assessment Body must be registered with the Scheme Owner prior to undertaking any design assessment or issuing Design Approval Certificates. A Design Assessment Body must not perform any functions under

the Scheme unless and until such registration has been granted and remains current, and must comply with any conditions of registration imposed by the Scheme Owner.

b) A Design Assessment Body shall ensure that its agreement with a Certified Manufacturer requires the manufacturer to acknowledge that:
    1. the Scheme Owner does not make any representations, warranties or guarantees, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained within a Design Approval Certificate; and
    2. the Scheme Owner disclaims to the extent permitted by law, all liability (including negligence) for claims of losses, expenses, damages and costs arising as a result of the use of a design referred to in a Design Approval Certificate.

2.6.2. Design approval decisions and ongoing responsibilities

a) A Design Assessment Body shall be responsible for granting, maintaining, renewing, reducing, suspending, terminating, or withdrawing a Design Approval Certificate in accordance with Section 5 | Process for design approvals of these Scheme Rules;
b) Where a Design Assessment Body receives a written direction from the Scheme Administrator advising of amendments to the NCC, building regulations or these Rules, the Design Assessment Body must, within one (1) month of the amendments taking effect, ensure that all current certified manufacturers are provided with the details of those changes in writing.
c) A Design Assessment Body is required to participate in Coordination and Consistency Forums, as outlined in 2.2.8 Coordination and consistency forum.

2.6.3. Cessation of Registration

a) Where a Design Assessment Body ceases to be registered for any reason, that Design Assessment Body shall provide the Scheme Administrator with all relevant documented evidence relating to affected Certified Manufacturers, including all records relied upon in determining or maintaining Design Approval Certificates.
b) To support continuity of the Scheme, all other registered Design Assessment Bodies may cooperate to provide Certification services to affected Certified Manufacturers.
c) The requirement for, and extent of, any re-evaluation under clause ‘b’ shall depend on the adequacy and quality of the documented evidence provided under clause ‘a’.

2.6.4. Indemnities

a) Each Design Assessment Body shall indemnify the Scheme Owner and the Scheme Administrator against any liability, loss, damage, cost, compensation, or expense incurred or sustained by any of those parties arising out of or in connection with:
    1. a failure by the Design Assessment Body to comply with these Scheme Rules;
    2. the issue of a Design Approval Certificate that is not true, accurate, or supported by adequate evidence;
    3. misuse or unauthorised use of the Scheme Mark of Conformity by the Design Assessment Body; or
    4. any default, unlawful act, omission, or wilful misconduct by the Design Assessment Body or its personnel in connection with Scheme activities.

2.6.5. Release of liability

a) A Design Assessment Body releases the Scheme Owner and the Scheme Administrator from all liability or responsibility for any loss or damage suffered by the Design Assessment Body arising from:
    1. any registration-related decision made by the Scheme Administrator under these Scheme Rules;
    2. any information published or provided by the Scheme Owner or the Scheme Administrator in relation to such a decision; or
    3. any related decision made by the Scheme Owner or the Scheme Administrator that may affect a Design Assessment Body's business, registration status, or commercial interests.

2.6.6 Competency and resource requirements

a) A Design Assessment Body must ensure that it has, at all times, at least one individual who:
    1. is either
        i. an Unrestricted Building Surveyor; or
        ii. hold current accreditation as a Level 1 Accredited Building Surveyor under the Australian Institute of Building Surveyors (AIBS), or hold accreditation or membership under another recognised scheme that demonstrates an equivalent level of competence in building surveying functions; and
    2. possess demonstrated experience and technical expertise in the assessment of Prefabricated Construction typologies.

Section 3 | Procedure for accreditation of a Certification Body

3.1 General Accreditation requirement

a) A Certification Body shall be accredited by the Accreditation Body to perform Certification activities under this Scheme only where the Certification Body demonstrates that it meets all requirements for accreditation set out in these Scheme Rules.

3.2 Conditions of Accreditation

A Certification Body must at all times:

a) maintain and implement policies, procedures and systems for the evaluation of manufacturers for Certification in accordance with Section 4 | Process for Certification of Manufacturers;
b) maintain professional indemnity insurance (or equivalent cover) at a level commensurate with the nature, scope, and risk of its certification activities.
c) maintain documented processes that ensure, in respect of employees and contractors performing Certification functions, that:
    1. they are appropriately trained and their competence is assessed;
    2. their performance is monitored; and
    3. where existing employees do not possess the competencies required for a particular activity, there is a documented process for identifying, engaging and managing suitably competent contractors;
d) maintain documented processes for obtaining and demonstrating the competencies specified in clause 2.4.6 Competency and resource requirements;
e) possess, and be able to demonstrate, an understanding of Quality Management Systems, Prefabricated Construction processes, and basic engineering and architectural principles as applied to buildings;
f) possess an understanding of, and experience in, assessing Quality Plans;
g) possess an understanding of transport and logistical issues that may arise during the transportation of prefabricated Components;
h) have experience in conducting manufacturing site Audits, Surveillance activities, and installation inspections;
i) satisfy the conditions of accreditation specified in the applicable Accreditation Deed and Accreditation Manual;
j) comply with ISO/IEC 17065:2012(Conformity assessment — Requirements for bodies certifying products, processes and services);

k) comply with these Scheme Rules, including all requirements relating to evaluation, Certification decision-making, Surveillance, and record-keeping;
l) comply with any written directions, requirements or guidance issued by the Scheme Administrator; and
m) maintain documented processes to handle complaints and disputes.

3.3 Ongoing Compliance and Assessment

a) A Certification Body must be able to demonstrate ongoing compliance with the requirements in Section 3.2 Conditions of Accreditation as a condition of initial Accreditation and continued Accreditation.
b) Whether a Certification Body satisfies the requirements for Accreditation, including ongoing compliance, is to be determined by the Accreditation Body in accordance with the Accreditation Deed, Accreditation Manual, and these Scheme Rules.
c) Failure to comply with any requirement in this Section may result in suspension, limitation, or withdrawal of Accreditation in accordance with the applicable Accreditation arrangements.

Section 4 | Process for Certification of Manufacturers

4.1 General requirements

a) Certification under the Scheme is limited to Prefabricated Construction activities undertaken within the defined Scope of Certification and does not extend to On-site installation and assembly activities except where expressly stated.
b) A request to transfer Certification from, or to another Certification Body must be treated as a new application unless otherwise permitted by the Scheme Administrator.

4.2 Application for certification

4.2.1 Form of application

a) An application for Certification must be made in writing to a Certification Body in a form prescribed by the Certification Body and approved by the Scheme Administrator.
b) An application must be complete, accurate, and accompanied by all information and documentation required under ‘d’.
c) An application that is incomplete or materially deficient may be rejected or suspended pending further information.

d) An Applicant must provide, at a minimum:
    1. the legal identity and contact details of the Applicant;
    2. the manufacturing site or sites to be included in the Scope of Certification;
    3. the system type(s) for which Certification is sought, in accordance with the five (5) categories listed in Section 1.5.
    4. financial statements required by the Certification Body to demonstrate its financial viability.
    5. the intended use, NCC building class and limitations of the Prefabricated Construction systems;
    6. a documented Quality Management System;
    7. a Quality Plan specific to the Prefabricated Construction category for which certification is sought;
    8. supply-chain controls and traceability arrangements;
    9. any prior Certifications, accreditations, or regulatory approvals relied upon; and
    10. Proof of adequate insurance coverage at levels commensurate with the nature, scope, and risk profile of its activities.

4.2.2 Application review

a) A Certification Body must conduct a review of the application on a case-by-case basis and must use an individual deemed by the Certification Body to be competent.
b) Upon receipt of an application, the Certification Body must conduct an application review to determine whether:
    1. the application falls within its scope of Accreditation;
    2. the manufacturer's proposed manufacturing activities fall within the scope of Certification being sought; and
    3. sufficient information has been provided to proceed to evaluation.
c) Upon confirming that the requirements of 'b' have been met, the Certification Body must undertake an evaluation that includes:
    1. assessment of submitted documentation;
    2. risk assessment;
    3. preparation of an evaluation plan; and
    4. verification of manufacturing processes.
d) Once agreement on the scope of the application has been achieved, a Certification Body must provide an evaluation plan and an approximate timeframe and cost for the evaluation plan completion.

4.3 Evaluation planning

4.3.1 Evaluation plan

a) A Certification Body must prepare an evaluation plan for every Certification application to support consistent, impartial, and evidence-based Conformity Assessment and Certification decisions.
b) The Evaluation Plan must include:
    1. a clearly defined scope of Certification, including any conditions or limitations;
    2. evidence that the Certification Body has identified and considered all technical competencies relevant to the Scope of Certification;
    3. an assessment of the adequacy of the policies, procedures and systems contained within the manufacturer's quality management system in accordance with 2.5.5 Quality Manual;
    4. the means of Conformity Assessment, including an assessment of the frequency and extent of Surveillance activities, determined in accordance with 4.3.2 Risk assessments.
    5. Before commencing the evaluation, the Certification Body must provide the Applicant with a copy of the Evaluation Plan, including the estimated costs and indicative timeframes for the evaluation.

4.3.2 Risk assessments

a) The Certification Body must undertake a risk assessment for the type of prefabricated system and corresponding processes for which the manufacturer is seeking Certification, in order to develop a Conformity Assessment profile that determines future Surveillance requirements.
b) In determining risk, the Certification Body may consider, as relevant:
    1. the criticality of the prefabricated system to building performance;
    2. the level of factory control and automation;
    3. reliance on repeatable manufacturing processes;
    4. complexity and integration of systems;
    5. the potential consequences of manufacturing Non-conformity; and
    6. installation dependencies and tolerances.
    7. any existing Certification held by the manufacturer (e.g. ISO 9001);
    8. required competencies of installers;
    9. training materials (if any);
    10. processes to verify Components are installed as per the instructions and Approved Specifications (prior to the issue of a Manufacturer Declaration of Conformity);
    11. processes for managing, reporting and remediating defects identified during installation;

12. transportation methods, including factors related to shipping, road and rail transportation;
13. past performance of the manufacturer that may indicate an elevated governance, integrity or compliance risk; and
14. any other factors the Certification Body deems necessary.

c) The Certification Body must complete and retain records demonstrating technically justifiable rationales for the consequence and likelihood scores assigned while carrying out a risk assessment.

4.3.3 Evaluation activities

a) A Certification Body must evaluate a manufacturer strictly in accordance with 4.3.1 Evaluation plan.
b) A Certification Body must conduct an initial Certification Audit for each manufacturer in accordance with 4.4.1.1 Initial Certification , including visits to all manufacturing sites within the scope of Certification where multiple sites apply.
c) Where a Certification Body determines that changes to the approved Evaluation Plan are necessary, it must:
    1. document the proposed changes and the reasons for those changes; and
    2. advise the Applicant in writing of the proposed changes before proceeding further with the evaluation.
d) When evaluating a manufacturer, a Certification Body must determine that the manufacturer satisfies all Certified Manufacturer Requirements set out in Section 2.5 of these Scheme Rules.
e) When assessing competence, a Certification Body must ensure that the experience and level of competency demonstrated are directly related to the Scope of Certification sought by the manufacturer.
f) In conducting an evaluation, a Certification Body must take into account the nature, significance, and potential impact of any identified Non-conformities and the corrective actions required. The three levels of Non-conformity and required actions (if any) are summarised in Table 1:

Table 1 Non-conformities identified during evaluation

Level	**Description of non-conformity**	**Required action**
Minor	The impact is not likely to result in non-compliance with Approved Specifications,	Corrective action required within a specified timeframe and to be verified by the Certification Body.

Level	Description of non-conformity	Required action
	notwithstanding minor departures from the Quality Plan where compliance is otherwise achieved.	The evaluation may proceed unless the Certification Body identifies more than one related Minor Non-conformity which, when considered collectively, is likely to present a potential or high risk. In such circumstances, those Non-conformities must be reclassified immediately as Major or Critical.
Major	The impact poses a material risk to manufacturer's ability to comply with Approved Specifications and, if not rectified, is likely to result in non-compliance.	Immediate corrective action followed by root cause analysis required within a specified timeframe and to be verified by the Certification Body. The Certification Body must not grant Certification unless and until the Non-conformity has been corrected and the Certification Body has verified the effectiveness of the corrective action.
Critical	The impact fundamentally compromises the manufacturer's ability to comply with the Approved Specifications and requires immediate action to restore compliance.	Immediate containment and corrective action are required, followed by root cause analysis. Verification by the Certification Body must include On-site verification and/or examination of revised documentation, as appropriate. A Certification Body must not grant Certification unless and until the non-conformity has been corrected and the corrective action has been verified by the Certification Body.

4.3.4 Evaluation report and review

a) A Certification Body must document the results of all evaluation activities during the evaluation process and summarise the results of all evaluation activities in an evaluation report, prior to the final review process. The evaluation report shall include a summary of:

1. all matters addressed in the evaluation, as specified in the evaluation plan;
2. any Non-conformities identified during the evaluation;
3. technical rationale for Non-conformity determinations; and
4. the results of the risk assessment, including any requirements Audits and factory Inspections.

b) Before making a Certification decision, a Certification Body must review the evaluation report and be satisfied that:
   1. all requirements of the evaluation plan have been met; and
   2. the evaluation process and the evaluation report adequately address the applicable requirements relevant to the manufacturer under the Scheme.
c) The evaluation report must be reviewed by one or more persons who were not involved in the evaluation and who have been determined by the Certification Body to be competent to undertake the review.
d) The review team must include at least one person who is an Unrestricted Building Surveyor.
e) The building surveyor in 'd' must be engaged on terms and conditions that do not in any way inhibit, constrain, or compromise the exercise of their independent professional judgement or discretion.

4.3.5 Certification decision

a) A Certification Body must issue any formal Certification documentation in the form of a Certificate of Conformity.
b) A Certification Body must not issue a Certificate of Conformity if there are outstanding Critical or Major Non-conformities.
c) A Certification Body must not represent a Certification decision they make as being a decision made as an agent of the Scheme Owner or with the endorsement of the Scheme Owner.
d) A Certification Body must:
   1. within 7 days after the issue or renewal of a Certificate of Conformity, provide a copy of the Certificate of Conformity to the Scheme Administrator; and
   2. within 7 days after the termination, reduction, withdrawal, or suspension of a Certificate of Conformity, notify the Scheme Administrator of that action.
e) A Certification Body must ensure that each Certificate of Conformity is completed in accordance with the instructions set out in the document titled *Information required on a Certificate of Conformity*, as published on the ABCB website at www.abcb.gov.au.
f) A Certification Body must ensure that each Certificate of Conformity:

1. is issued using the template provided by the Scheme Administrator;
2. is signed by both an authorised and competent person to make Certification decisions and the Unrestricted Building Surveyor performing the functions referred to in 4.3.4 Evaluation report and review;
3. has a period of validity of 3 years, unless earlier withdrawn or suspended; and
4. is reproduced only in its entirety.

g) A Certification Body must only use a unique identification number on a Certificate of Conformity where that number has been allocated to the Certification Body by the Scheme Administrator as part of an assigned block of numbers.
h) When issuing a Certificate of Conformity, a Certification Body must:
    1. allocate a unique identification number to the certificate;
    2. include the name and address of the Certification Body;
    3. Signature of authorised representatives of the Certification Body; and
    4. include a clear and detailed Scope of Certification that specifies, as a minimum:
        i. the Prefabricated Construction typology;
        ii. any included Sub-component that identify limitations, including electrical, plumbing, or gas fitting services;
        iii. the intended use of the prefabricated Component, NCC building classification and whether it is for residential use, commercial use, or both;
        iv. where the Component type is a whole building, the applicable building complexity criteria, as defined under the NCC;
        v. any other identified conditions or limitations on the Certification;
        vi. the version number, where applicable;
        vii. the date of issue and validity of the relevant version, where applicable; and
        viii. the name and location/s of the manufacturing sites covered by the Certification.

4.4 Surveillance requirements

a) A Certification Body must implement a documented program of Audit and Inspection activities for each Certified Manufacturer to verify compliance with the Scheme Rules and applicable technical requirements.
b) Audit and Inspection activities must be risk-based in accordance with 4.3.1 Evaluation plan, taking into account product criticality, manufacturing complexity, and volume of production.

c) A Certification Body must ensure that:
    1. Audits are undertaken by competent personnel; and
    2. all Inspection activities are undertaken by, or under the oversight of a person who is an Unrestricted Building Surveyor.
d) All Audit and Inspection outcomes must include:
    1. identification and classification of Non-conformities in accordance with Table 1;
    2. specification of required corrective actions and applicable timeframes; and
    3. a recommendation in respect of the Manufacturer's Certification status.

4.4.1 Types of Surveillance

a) Surveillance must be undertaken to support informed, evidence-based decisions relating to:
    1. initial Certification;
    2. ongoing compliance;
    3. re-certification; and
    4. any changes to the scope of Certification where the Certification Body determines Surveillance is required.

4.4.1.1 Initial Certification

a) Prior to granting Certification, the Certification Body must conduct an initial Audit and Inspection for each manufacturing facility within the Certification scope.
b) When conducting a factory Audit and Inspection, a Certification Body must assess the manufacturer's conformity with intended Certified Activities, as required in Sections 2.5.4 to 2.5.14.
c) In addition to 'b', the Certification Body shall also:
    1. verify the factors identified and considered in the applicable risk assessment undertaken as part of the Evaluation Plan;
    2. identify and record any potentially significant risks not previously identified in the risk assessment, including health and safety risks for factory personnel and contractors;
    3. amend risk ratings assigned during the initial evaluation where warranted based on observations made during the inspection;
    4. confirm that Component/s are being manufactured in accordance with their Approved Specifications; and
    5. confirm that processes are in place to manage changes to Approved Specifications.
d) Remote assessments may only be used where documented procedures are in place and the integrity of the assessment is not compromised.

4.4.1.2 Re-certification

a) Prior to the expiry of a Certificate of Conformity, the Certification Body must notify the relevant Certified Manufacturer of the requirements for renewal of Certification.
b) The Certification Body must allow reasonable time for the Certified Manufacturer to comply with those requirements and for the renewal process to be completed.
c) For the purposes of re-Certification, the Certification Body must undertake a comprehensive reassessment of the full Scope of Certification to determine whether the evaluation plan remains appropriate and fit for purpose.
d) In determining whether the applicable evaluation plan remains appropriate and fit for purpose, the re-assessment must include consideration of the following:
    1. a review of the Quality Management System and Quality Plans;
    2. an assessment of the Certificate of Conformity to confirm ongoing accuracy and completeness;
    3. consideration of the certified manufacturer's performance over the preceding Certification cycle, including any complaints, feedback, or reports relating to the Certification scope;
    4. consideration of any alterations or modifications to the manufacturing process or scope;
    5. the extent to which those changes affect the manufactured Component;
    6. consideration of any past or current Non-conformities; and
    7. any other matters the Certification Body considers relevant to determining ongoing conformity with Certification requirements.
e) A Certification Body may, at its discretion, require additional Inspections if it becomes aware of any alteration or modification to the manufacturing process. In determining whether an additional inspection is required, the Certification Body must have regard to the nature, extent and potential impact of the alteration or modification on conformity with the requirements of the Scheme Rules.
f) The results of the re-assessment and, where applicable, Inspections, must form the basis for the Certification Body's decision to maintain, suspend, vary, or withdraw Certification.

4.4.1.3 Triggered surveillance

a) The need for a triggered Audit or Inspection shall be determined at the discretion of the relevant Certification Body if one or more of the following circumstances arise:

1. the identification of Critical Non-conformities that may affect compliance with Certification requirements;
2. the receipt of complaints or the occurrence of reportable incidents that raise reasonable concerns regarding the Certified Manufacturer's ongoing conformity; or
3. significant changes to manufacturing processes, materials, facilities, or other Certified Activities that may impact conformity with the scope of Certification.

b) A triggered Audit or Inspection must be proportionate to the nature and severity of the triggering event and may involve a partial or full reassessment of the scope of Certification, as determined by the Certification Body.

4.4.1.4 Ongoing surveillance

a) A Certification Body must undertake routine Surveillance of all manufacturing facilities for which the Certification Body holds ongoing responsibility.
b) The frequency and scope of routine Surveillance must be determined by the Certification Body having regard to the outcomes of the risk assessment in accordance with 4.3.1 Evaluation plan, and more frequent Surveillance may be required where the assessed risk warrants it.
c) Audits shall be conducted at intervals not exceeding twelve (12) months following the grant of Certification.
d) In addition to Audits required under 'c', factory Inspections shall be conducted at intervals not exceeding three (3) months following the grant of Certification and must, to the extent reasonably practicable, be undertaken on a random basis.

4.4.2 Non-conformities

a) Where a Certification Body becomes aware of a Non-conformity in relation to any aspect of the Scope of Certification, the Certification Body must provide written notice to the relevant Certified Manufacturer within five (5) business days.
b) The notice must specify:
    1. a description of the Non-conformity in accordance with (c); and
    2. the date by which the corrective action must be completed (the close-out date).
c) For the purposes of (b), each Non-conformity must be classified by the Certification Body as one of the following in accordance with Table 1:
    1. Critical Non-conformity
    2. Major Non-conformity; or
    3. Minor Non-conformity

4.4.2.1 Critical Non-conformity

a) Where a Critical Non-conformity is identified:
    1. the Certification Body must direct the Certified Manufacturer to take immediate corrective action and set a close-out date;
    2. production must cease until the Critical Non-conformity has been closed;
    3. the Certification Body must conduct On-site factory verification audit to confirm effective implementation of the corrective action, and/or examination of revised documentation, where the non-conformity relates to deficiencies in procedures or instructions; and
    4. if the Critical Non-conformity is not addressed by the close-out date, the Certification Body must immediately suspend or withdraw the Certificate of Conformity.

4.4.2.2 Major Non-conformity

a) Where a Major Non-conformity is identified:
    1. the Certification Body must direct the Certified Manufacturer to take immediate corrective action and set a close-out date proportionate to the nature and risk of the Non-conformity;
    2. the Certification Body must verify the effective implementation of the corrective action; and
    3. if the Major Non-conformity is not addressed by the close-out date, the Certification Body must determine that the Non-conformity has escalated to a Critical Non-conformity and apply the requirements for Critical Non-conformities accordingly.

4.4.2.3 Minor Non-conformity

a) Where a Minor Non-conformity is identified:
    a. the Certification Body must agree a reasonable close-out date with the Certified Manufacturer;
    b. the close-out date must reflect the level of risk associated with the nature of the Non-conformity and specify the required corrective action; and
    c. where the Minor Non-conformity is not addressed by the close-out date, the Certification Body must:
        i. review the reasons for non-action with the Certified Manufacturer; and
        ii. having regard to the nature of the Minor Non-conformity and its potential impact on compliance, determine whether to set a new close-out date or escalate the Minor Non-conformity to a Major or Critical Non-conformity.

4.5 Termination, suspension or withdrawal of Certification

a) A Certification Body may suspend or withdraw a Certificate of Conformity at any time for any of the following reasons:
    1. a breach of the conditions and limitations of a Certificate of Conformity;
    2. an unresolved Critical Non-conformity after the close-out date;
    3. a change to a characteristic of the Scope of Certification without prior notification to the Certification Body;
    4. failure to pay applicable fees, costs or charges associated with Certification;
    5. Non-conformity with Section 6 | Use of the Mark of Conformity - Use of the Mark of Conformity.

b) A Certification Body may:
    1. suspend Certification for any reason listed in Clause (a) where the Non-conformity is capable of being rectified within thirty (30) days; or
    2. withdraw Certification for any reason listed in Clause (a) where the Non-conformity cannot be rectified within thirty (30) days.

c) A Certified Manufacturer may terminate its Certification at any time by providing written notice to the Certification Body.

d) Where a Certification Body suspends or withdraws a Certificate of Conformity, it must notify the Scheme Administrator in writing as soon as practicable and no later than five (5) business days after the decision takes effect. The notification must include:
    1. the identity of the Certified Manufacturer;
    2. the certificate number and Scope of Certification affected;
    3. the effective date of the suspension or withdrawal;
    4. the reason(s) for the decision; and
    5. any conditions or requirements for reinstatement, where applicable.

e) The Certification Body must notify the Scheme Administrator in writing within five (5) business days of a certificate expiring without renewal, including:
    1. the identity of the Certified Manufacturer;
    2. the certificate number and scope; and
    3. the effective expiry date.

f) Upon receipt of notification, the Scheme Administrator must update the Scheme register and, where relevant, notify the Scheme Owner and other affected stakeholders.

g) Where Certification is reinstated or varied following suspension, the Certification Body must notify the Scheme Administrator in writing within five (5) business days of the decision, including the effective date and any revised conditions or scope.

h) The Certification Body may publish details of any Certificates of Conformity that have been terminated, reduced, suspended or withdrawn.

i) Certification that has expired must not be represented as current or relied upon for the purpose of demonstrating conformity with the Scheme or applicable regulatory requirements.

Section 5 | Process for design approvals

5.1 Scope and general requirements

a) Design Approval applies only to Class 1 and Class 2 Prefabricated Buildings and Components. Plumbing and drainage designs are not eligible.
b) Design Approval does not:
    1. constitute approval to carry out building work;
    2. remove the requirement to obtain project-specific Building Approvals;
    3. apply to site-specific elements, including foundations, ground conditions, services connections, or other external works.
c) When applying for Design Approval, the Applicants must ensure that:
    1. The design is appropriate for consistent, repeatable production, with due consideration given to tolerances, materials, sequencing, and quality controls; and
    2. designs are properly controlled, versioned, and traceable.

5.2 Form of application

a) A Design Approval application must be made in writing to a Design Assessment Body in a form approved by the Scheme Administrator.
b) An application must be complete, accurate, and accompanied by all information and documentation required under (c).
c) The application shall, at a minimum, include
    1. the number of designs for which Certification is being sought;
    2. the scope of the design and any associated minor variations, including size, height, configuration, and use limitations;
    3. NCC building classification, where relevant to the design;
    4. applicable site assumptions, including but not limited to wind, bushfire, seismic, climate zone, and other hazard parameters;
    5. drawings and specifications, including defined interfaces with foundations and site services and connections;
    6. applicable NCC Performance Requirements for which approval is sought, including any State and Territory variations;
    7. a checklist for each applicable Performance Requirement that identifies whether compliance is achieved through a Deemed-to-Satisfy Solution or a Performance Solution and specifies the location within the

submitted documentation where the supporting evidence of compliance is recorded.

8. Where the design incorporates a Performance Solution, verification that it complies with relevant Performance Requirements;
9. key design risks; and
10. all assumptions, constraints, exclusions, variations and limitations applicable to the design.

d) Where a Performance Solution is proposed:
   1. it must be developed in accordance with *NCC Clause A2G2 – Performance Solution*.
   2. for the purposes of the Scheme, the Design Assessment Body is taken to perform the role of the "Appropriate Authority"; and

e) The Design Assessment Body may request any additional information, documentation, or evidence reasonably required to undertake the assessment and may decline to proceed to evaluation or approval where such information is incomplete or insufficient.

f) Before commencing the evaluation, the Design Assessment Body must provide the Applicant with written advice of the estimated costs and indicative timeframes for the evaluation.

5.3 Evaluation

a) Upon receipt of an application, the Design Assessment Body must conduct an application review to determine whether sufficient information has been provided to proceed to assessment.

b) The Design Assessment Body must document the outcomes of all assessment activities conducted during the evaluation process and consolidate these outcomes in an evaluation report. The evaluation report must include a summary of:

   1. all matters considered as part of the evaluation;
   2. any non-conformities identified during the evaluation;
   3. the technical basis for any non-conformity determinations; and
   4. the results of any peer reviews undertaken.

c) The evaluation report must be reviewed by a person who was not involved in the evaluation and who has been determined as being a competent person in accordance 2.6.6 Competency and resource requirements.

d) For the purposes of clause b.3, the Applicant may revise and resubmit the design, and clauses 'a' and 'b' apply to any such revised submission.

Note: In evaluating designs, the Design Assessment Body may have regard to the 'Protocol for the Evaluation and Certification of Prefabricated Construction Designs', which has been developed to promote consistency and transparency in design assessments.

5.4 Approval and conditions of use

a) Where the Design Assessment Body determines that the design complies with the applicable requirements, it must issue a Design Approval Certificate.
b) A Design Assessment Body must not represent any decision they make as being a decision made as an agent of the Scheme Owner or with the endorsement of the Scheme Owner or the Scheme Administrator.
c) A Design Approval Certificate issued under this Scheme may be relied upon across multiple projects and must be used as evidence of compliance with the applicable Performance Requirements of the NCC, provided that:
    1. the project's design is within the scope of the approved design; and
    2. all Conditions of Use, as described in clauses 'd' 'e' and 'f' are satisfied.
d) A Design Assessment Body must:
    1. within 7 days after the issue or renewal of a Design Approval Certificate, provide a copy of the Design Approval Certificate to the Scheme Administrator; and
    2. within 7 days after the withdrawal of a Design Approval Certificate, notify the Scheme Administrator of that action.
e) A Design Assessment Body must ensure that each Design Approval Certificate:
    1. is issued using the template provided by the Scheme Administrator;
    2. has a period of validity of 3 years, subject to withdrawal or suspension; and
    3. is published only in its entirety.
f) A Design Assessment Body must only use a unique identification number on a Design Approval Certificate where that number has been allocated to the Design Assessment Body by the Scheme Administrator as part of an assigned block of numbers.
g) When issuing a Design Approval Certificate, a Design Assessment Body must:
    1. allocate a unique identification number to the certificate;
    2. include the name and address of the Design Assessment Body;
    3. include the name and address of the Applicant to whom the certificate is issued;
    4. include the signature of authorised representatives of the Design Assessment Body;

5. clearly identify the approved design, including drawings and specifications;
6. specify the applicable NCC edition and any referenced standards against which the design has been assessed;
7. reference the evidence relied upon in making the determination;
8. include a clear and detailed statement of limitations, specifying, as a minimum:
    i. applicable site assumptions and design parameters;
    ii. any restrictions on use, configuration, or application of the design; and
    iii. the extent to which permissible variations are covered.

5.5 Audit and oversight

a) The Scheme Administrator may engage an independent expert to conduct routine or unscheduled Surveillance to verify the integrity, consistency, and technical validity of Design Approval Certificates.

b) Routine Surveillance must be conducted at intervals not exceeding twelve (12) months following the initial registration.

c) All Surveillance outcomes must include:
    1. identification of non-conformities;
    2. specification of required corrective actions and applicable timeframes; and
    3. a recommendation in respect of the Design Assessment Body's registration status.

d) Where non-compliance is identified through Surveillance of a Design Assessment Body, including non-compliance relating to the issuing, maintenance, or oversight of a Design Approval Certificate, the Scheme Administrator may:

    1. require the Design Assessment Body to implement corrective actions, including investigation of root causes, rectification of identified deficiencies, and implementation of measures to prevent recurrence;

    2. require the Design Assessment Body to reassess, amend, or withdraw affected Design Approval Certificates, as appropriate, to ensure continued compliance; and

    3. suspend or withdraw the Design Assessment Body's registration under the Scheme.

e) Where a recall is required, the Applicant must undertake the recall in accordance with the Australian Competition and Consumer Commission (ACCC) Consumer Product Safety Recall Guidelines, including any

requirements relating to risk assessment, notification to regulators, communication with affected parties, and corrective actions.

Section 6 | Use of the Mark of Conformity

6.1 General rules

a) An Approved User and the Scheme Owner may use or display the Mark of Conformity with the symbol ® on:
    1. Certificates of Conformity;
    2. Manufacturer Declaration of Conformity;
    3. Design Approval Certificates; and
    4. Surveillance reports, stationery, documents or advertising materials associated with the Scheme.
b) If a certificate number has been issued by a Certification Body, the Certified Manufacturer must use the Mark of Conformity only with that certificate number. *Note: Mark of Conformity pending.*
c) A Certified Manufacturer must apply the Mark of Conformity to the Manufacturer Declaration of Conformity.
d) A Design Assessment Body must apply the Mark of Conformity to the Design Approval Certificate.
e) An Approved User may apply in writing to the Scheme Administrator for approval to:
    1. use the Mark of Conformity without the certificate number;
    2. apply the Mark of Conformity in a different manner to that described in (b); or
    3. vary the acceptable format of the Mark of Conformity detailed in Rule 5.2.
f) If the Scheme Administrator grants approval, the Approved User must use the Mark of Conformity in accordance with that approval.
    1. A Certified Manufacturer, when reproducing the Certificate of Conformity containing the Mark of Conformity, must only do so by reproducing the entire Certificate of Conformity.
g) A Certified Manufacturer, must not:
    1. use the Mark of Conformity in such a manner as to bring the Scheme Owner, the Scheme Administrator, the Accreditation Body, the Design Assessment Body or the Certification Body into disrepute; or
    2. make any statements regarding the Certification of manufacturing facility which may be considered misleading or unauthorised.
h) A Certified Manufacturer upon the termination, suspension or withdrawal of a Certificate of Conformity, must:

1. discontinue immediately the use of advertising material that contains any reference to the Mark of Conformity; and
2. comply with the terms contained in written directions issued by the Certification Body associated with the termination, suspension or withdrawal of the Certificate of Conformity.

i) When using a Mark of Conformity in any communication media including documents, brochures and advertising, an Approved User is responsible for ensuring their own compliance with the requirements of these Scheme Rules.

6.2. Acceptable formats

a) An Approved User must render the Mark of Conformity in one of the acceptable formats set out below:
b) An Approved User must, to retain the integrity of the mark, use the Mark of Conformity by:

Consultation note: The acceptable formats, artwork specifications and style requirements for the Mark of Conformity are currently being developed and will be incorporated into the final Scheme Rules.