

# Changes to the Commercial Building Disclosure Program



On 1 July 2017, the mandatory disclosure threshold on commercial office buildings and office spaces will be lowered from 2000m<sup>2</sup> to 1000m<sup>2</sup>.

Information on the CBD Program Changes can be found at [cbd.gov.au](http://cbd.gov.au).

## Are you prepared and what is required?

- If your building is disclosure affected, under the BEED Act it is a legal requirement that you obtain from the Australian Government a Building Energy Efficiency Certificate (BEEC) before you offer your office space for sale, lease or sublease.
- BEECs are valid for up to 12 months and include:
  - The building's National Australian Built Environment Rating System (NABERS) Energy for offices star rating, issued by NSW Office of Environment and Heritage
  - A Tenancy Lighting Assessment of the relevant area of the building.
- The NABERS Energy star rating must be provided on **all** forms of advertising.

## What is required...continued

- You will need to appoint a CBD Accredited Assessor to apply for a Building Energy Efficiency Certificate (BEEC) on your behalf.
- It is recommended you commence this process at least 2 months prior to your desired listing date to avoid any delays.
- There are more than 200 Accredited Assessors nationwide.
- The list of Accredited Assessors can be found online at – [www.cbd.gov.au](http://www.cbd.gov.au)

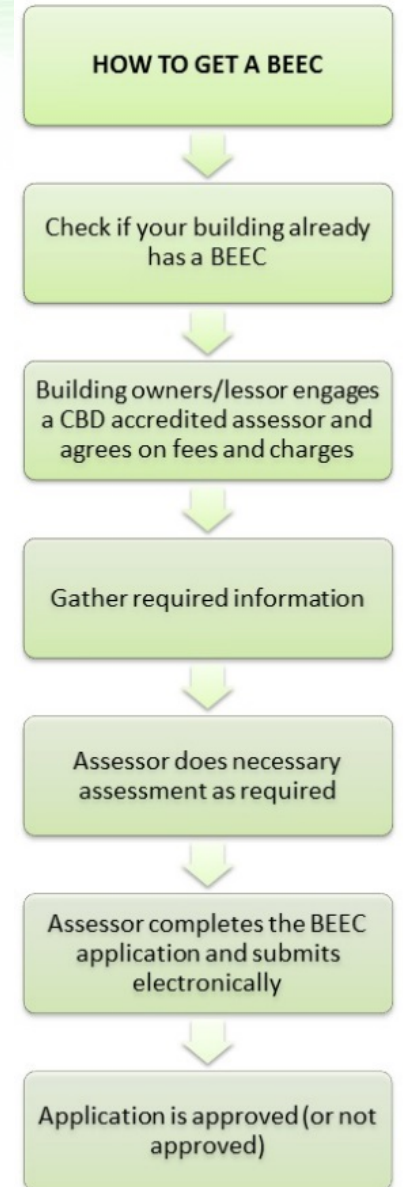
# Obtaining a Building Energy Efficiency Certificate (BEEC)

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## How to obtain a Building Energy Efficiency Certificate (BEEC)

- Plan ahead – allow time to obtain a BEEC before leases expire or sales processes are initiated.
- Check if your building already has a BEEC or exemption by going to the Building Energy Efficiency Register online: <http://cbd.gov.au/register/find-a-rated-building>.
- Engage a CBD Accredited Assessor and agree on fees and charges.
- Gather required information (utility bills, NLA surveys), organise records and provide to assessor. The assessor will guide you through this process.
- Arrange access for assessor to complete the assessments required.
- Only a CBD Accredited Assessor can apply for a BEEC on behalf of building owners and lessors.
- Only once the BEEC is granted, may the building owner/lessor commence advertising.
- Provide the BEEC to prospective purchasers or lessors and include the actual NABERS rating on all advertisements.



**Only once the Building Energy Efficiency Certificate (BEEC) has been granted can the building owner/lessor start offering the office space and commence advertising.**

## Compliance and Penalties

- If your commercial office building is disclosure affected, you cannot advertise it for sale, lease or sublease without a Building Energy Efficiency Certificate (BEEC) or an exemption.
- Compliance with the program is monitored by the Australian Government Department of the Environment and Energy.
- Penalties under the BEED Act for breaches are per day of non-compliance
  - Civil penalties of up to \$180,000 for the first day and \$18,000 for each subsequent day may be imposed by a Court for each breach of a disclosure obligation.
  - Alternately, the Department can issue an infringement notice of up to \$18,000 for the first day and \$1,800 for each subsequent day of non-compliance.
  - Two breaches in one year will lead to a listing on the Energy Efficiency Non-Disclosure Register.
  - Penalties can apply to owners and their agents.



## Additional Resources

- Additional information on the CBD Program is available on the CBD website [www.cbd.gov.au](http://www.cbd.gov.au) where:
  - The Building Energy Efficiency Register displays all current Building Energy Efficiency Certificates (BEECs)
  - You can find a CBD Accredited Assessor
  - There is a FAQ page providing answers to specific questions
  - There is information on how to improve your NABERS rating
- For further information please contact the CBD Team
  - Ph: 1800 020 131      Email: [info@cbd.gov.au](mailto:info@cbd.gov.au)