**Background**

To obtain Climate Active Certification for Upfront Carbon for Buildings, businesses must enter into a [licence agreement](https://www.climateactive.org.au/be-climate-active/tools-and-resources/licence-agreement) and this additional Annex A with the Department. This Annex A includes information on reporting obligations, validation requirements, expiry of certification and certification fees that works in accordance with, and supersedes where information is conflicting, the fee, reporting and validation schedules in the licence agreement.

The Climate Active Certification varies to the pathway offered by our delivery partner, the Green Building Council of Australia.

Climate Active offers certifications for the practical completion phase of a building (As-Built) or also at design phase, as a commitment confirmed after construction (Commitment). Refer to the [Guideline: Upfront Carbon for Buildings](https://www.climateactive.org.au/sites/default/files/2022-09/Guideline_Upfront%20Carbon%20for%20Buildings_Final.pdf) document for further information.

**Reporting obligations**

Unlike Carbon Neutral Buildings (operations) where the certification is recertified each year, the Upfront Carbon for Buildings Certification is an enduring certification that lasts the lifetime of the construction. This means that the base year reporting and ongoing reporting as outlined in the Licence Agreement (*Part A: Reporting requirements for Organisations, Products, Services and Precincts*) are not required for Upfront Building Product certifications.  Responsible entities must comply with the Reporting requirements set out below, depending if a Commitment or As-Built certification is sought.

|  |  |  |
| --- | --- | --- |
|   | Pre-practical completion  |  Post-practical completion |
| **Commitment certification** | Design Public Disclosure Statement (PDS) | As-Built Public Disclosure Statement (PDS) |
| **As-Built certification** | - | As-Built Public Disclosure Statement (PDS) |

 **Validation requirements**

Responsible Entities must comply with the Validation requirements set out below, depending if the certification is sought prior to practical completion (Commitment certification) or after practical-completion (As-built certification).

|  |  |  |
| --- | --- | --- |
|   | Pre-practical completion  |  Post-practical completion  |
| Commitment certification | Product Technical Assessment | Third Party Validation - Type 3  |
| As-Built certification | - | Product Technical Assessment and Third Party Validation - Type 3 |

Please refer to the [Technical Assessment for Carbon Neutral Certifications](https://www.climateactive.org.au/be-climate-active/tools-and-resources/technical-assessment-carbon-neutral-certification) for further information on Technical Assessments.

Please refer to the Validation Schedule in the [Licence Agreement](https://www.climateactive.org.au/be-climate-active/tools-and-resources/licence-agreement) for further information on Third Party Validation - Type 3 requirements.

**Expiry of Certification**

On the basis that Upfront Building Certifications are enduring certifications and do not expire, clauses 5.1 (b) and 5.2 of the Licence Agreement do not apply for the purposes of this agreement.

**Certification fees**

Commitment Certification

For projects seeking certification prior to building completion (Commitment), an estimate of the buildings emissions must be made in accordance with the Guideline: Upfront Carbon for Buildings. The emissions estimate will determine the upfront certification fee, which will be charged in accordance with the emissions-based fees outlined in the Fee Schedule of the Licence Agreement, with no further fee or refund being payable should the emission estimate vary to the ‘as-built’ figure. There are no other additional or ongoing fees for certification.

* It is important to note that fees will be calculated and applied for each Upfront Building Certification an entity may hold. Calculations of applicable fees will be done so on each individual Certification, and will not consider any other Certifications which may be held.

‘As-Built’ Certification

For projects seeking certification after building completion (‘As-Built’), the certification fee is based on the emissions reported in the ‘As-Built’ Public Disclosure Statement, and in accordance with the emissions-based fees outlined in the Fee Schedule of the Licence Agreement. This fee is paid in a single one-off instalment, with no other additional or ongoing fees payable for the certification.

Certification for either pathway will only be granted when the licence agreement is fully executed, fees are paid and all the requirements of the Climate Active Carbon Neutral Product and Services Standard are met.

**EXECUTION PAGE**

I declare and warrant that:

1. I am the individual that I assert to be;
2. I am authorised to act on behalf of Responsible Entity, ABN XX XX XX in connection with Responsible Entity’s Climate Active Carbon Neutral application for Certification and use of the Climate Active Carbon Neutral Certification Trade Mark (if it is granted);
3. all the information I have provided or will provide is true, complete and correct; and
4. I understand that giving false or misleading information is a serious offence.

**EXECUTED as an agreement**

|  |  |  |
| --- | --- | --- |
| **SIGNED** for and on behalf of Responsible Entity by its duly authorised representative |  |  |
|  |  |  |
| Name of authorised representative |  | Name of witness |
| Signature of authorised representative |  | Signature of witness  |
|  |  |  |
| Date |  | Date |