
From: [REDACTED]
Sent: Monday, 4 August 2025 1:23 PM
To: CMTEDD FOI; EPSDFOI
Subject: FOI Request - Home Warranty Insurer Claim Statistics
Categories: EPSDD Stream, Access Application

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City & Environment Directorate FOI area / CMTEDD FOI (on behalf of Commissioner for Fair Trading),

Request the Claim Statistics (ie. sub section/clauses a through e in the table below) for:

- **The Insurer (QBE) for FY23-24 & FY=24-25**
- **Approved Fidelity Fund Scheme (MBFF) for FY23-24 (may be 4 separate quarterly reports) and first 3 quarters of FY24-25.**

This request is in line with the release of information under **FOI24-070** and **FOI 23-025119** and the following Building Act Sections:

- Insurer (QBE) - *Building Act 2004* - Section 95 (4)
- Approved Fidelity Fund Scheme (Master Builders Fidelity Fund) - *2005-250 - Building (Prudential Standards) Determination 2005* - Clause 58

Insurance - QBE s95 (4) Building Act	Approved Fidelity Funds - MBFF S57 / 58 – Prudential Stds – Building Act Determination	Comment Insurance v Fidelity Fund
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<p>On or before 31 July in each year, an authorised insurer must give a written statement to the construction occupations registrar in relation to claims on residential building insurance policies dealt with by the insurer in the financial year ending on the previous 30 June, stating the following:</p>	<p>1. 57. The trustees must report to the commissioner for fair trading each decision by the trustees to pay or refuse a request under a fidelity certificate:</p> <p>(a) every three months, commencing from the date of approval of the approved scheme; and</p> <p>(b) if requested in a written direction from the Minister, within the period specified in the direction.</p> <p>58. The report for the purposes of clause 57 must include, in respect of a financial year:</p>	<p>Reporting timeframes and reporting to differ.</p>
<p>(a) the number of claims;</p>	<p>(a) the number of requests for payment received by the trustees pursuant to fidelity certificates;</p>	<p>Number of Claims (Requests for payment)</p>
<p>(b) the amount of each claim;</p>	<p>(b) the amount sought under each request for payment pursuant to a fidelity certificate;</p>	<p>Amount of each Claim (Requests for payment)</p>
<p>(c) the number of claims that were paid;</p>	<p>(c) the number of payments made in response to requests for payment pursuant to fidelity certificates;</p>	<p>Number of Claims paid (payments made on Requests for payment)</p>
<p>(d) the amount paid on each claim;</p>	<p>(d) for each request for payment pursuant to a fidelity certificate that was paid, the amount that was paid, and</p>	<p>Amount paid on each Claim (request for payment) amount</p>
<p>(e) if a claim was rejected—the reason for its rejection.</p>	<p>(e) where a request for payment pursuant to a fidelity certificate was rejected, the reason for its rejection.</p>	<p>If claim (request for payment) rejected, reason for rejection</p>

Regards,



From: [REDACTED]
Sent: Monday, 4 August 2025 12:09 PM
To: EPSDFOI
Subject: FOI Request - Master Builders Fidelity Fund Administrative Documents
Attachments: 230511a - FOI 23_030654-Decision Letter.pdf; 230511b - Attachment A-FOI 23_030654-Schedule.pdf

Categories: EPSDD Stream, Access Application

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City & Environment Directorate FOI area,

Request the following Administrative Documents be released:

- Master Builders Fidelity Fund (MBFF) Trust Deed (latest version)
- Any updated versions of the MBFF Compliance and Contingency Plans from those released under FOI 23/030654.

This FOI Request is line with the:

- Previous decision by EPSDD FOI (dated 11 May 23) to release the Master Builders Fidelity Fund (MBFF) Administrative Documents:
 - MBFF Compliance Plan - dated 7 Dec 04, and
 - MBFF Contingency Plan - dated 12 Jun 04
- Previous correspondence/discussions with EPSDD during the drafting of the:
 - *Fidelity Fund Scheme Review - Interim Report* - Mar 2023, and
 - *Review of Residential Building Work Insurance Regulatory Settings - Final Report* - Dec 2023
- Whereby EPSDD Reform Team identified that an updated Trust Deed was being drafted
- MBFF being required to provide the ACT Government any updates to these Administrative documents, noting that the ACT Government provides the Regulatory oversight function in lieu of APRA of this Fidelity Fund in accordance with the legislation and it's intent.

Regards,

From: [REDACTED]
Sent: Monday, 4 August 2025 12:36 PM
To: EPSDFOI
Subject: FOI Request - Building - Consumer Representative - for Fidelity Fund
Attachments: 2024-469 - Building -Consumer Representative- Appointment - Effective 240823 - NI2024-469.PDF; 2024-470 - Building -Consumer Representative- Terms of Reference 2024 - Effective 240823 NI2024-470.PDF

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City & Environment Directorate FOI area,

Request responses to the following:

- In the 11.5 months since the Appointment of the **Consumer Representative** by the Minister for Sustainable Building and Construction under Notifiable Instrument NI2024-469 and Terms of Reference under NI2024-470:
 - How many meetings of the Trustees of the Master Builders Fidelity Fund has the Representative attended?
 - How has the Representative consulted with homeowners about the operation of the approved scheme (Master Builders Fidelity Fund)?
 - What reports, advice or information has the Representative provided the Minister? and
 - What interaction has the Minister had with the Representative?

This is in line with Notifiable Instruments:

- NI2024-469 - *Building (Consumer Representative) Appointment 2024* dated 21 Aug 24
- NI2024-470 - *Building (Consumer Representative) Terms of Reference 2024* dated 21 Aug 24, and
- Division 6.6 of the *Building Act 2004 with Effect 23 Aug 24*

From: [REDACTED]
Sent: Monday, 4 August 2025 11:37 AM
To: EPSDFOI
Subject: FOI Request - Master Builder's Fidelity Fund Annual Report
Attachments: 221117c - Final Decision Reasons AFOI-RR.22.10009 - 20221117 (2)[73].pdf
Categories: EPSDD Stream, Access Application

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City & Environment Directorate FOI area,

In line with the Ombudsman's varied Decision (dated 17 Nov 22 - attached), request the following Master Builder's Fidelity Fund (MBFF) Annual Report:

- Master Builder's Fidelity Fund Financial Report for the Year Ended 30 Jun 2020

Through multiple past FOI's I have received all Master Builder's Fidelity Fund Financial Reports from its inception (Year End 30 Jun 2003) through to Year End 30 Jun 2019, and will continue to request the follow-on report each year.

Regards,
[REDACTED]