



# Registration

## Building surveying contractor (company)

Form 38

### Use of this form

This form is to be used by companies applying to be registered as building surveying contractors with the Building Services Board.

Registration as a building surveying contractor entitles the registration holder to provide building surveying services.

### Registration as a building surveying contractor

A person, partnership or company must be registered as a building surveying contractor to:

- contract with others to provide building surveying services;
- issue compliance certificates; or
- use a prescribed title such as *registered building surveying contractor*.

When considering an application for registration as a building surveying contractor the Board considers among other factors, the applicant's financial history, financial capacity and arrangements in place to manage and supervise building surveying services.

### Nominated supervisor

Every building surveying contractor must have at least one nominated supervisor.

Building surveying practitioner technicians cannot be nominated supervisors for building surveying contractors.

### Level 1 building surveyors

Level 1 building surveying contractors are authorised to certify any type of building or incidental structure.

To be registered as a level 1 building surveying contractor, a person must also be registered as a level 1 building surveying practitioner.

### Level 2 building surveyors

Level 2 building surveying contractors are authorised to certify:

- a Class 1 or Class 10 building or incidental structure; and
- a Class 2 to 9 building or incidental structure with a floor area not exceeding 2,000m<sup>2</sup>; and not higher than three storeys.

To be registered as a level 2 building surveying contractor, a person must also be registered as a level 2 building surveying practitioner.

### Financial probity

If your company or any of its officers have experienced an insolvency event, further information regarding this event may be required. In certain circumstances, the Board has the power to declare a person an excluded contractor from registration as a building surveying contractor on either a temporary or permanent basis.

### Building service debt

If your company has incurred a building service debt, being an unsatisfied court judgement or adjudication determination that has not been paid, it cannot be registered as a building surveying contractor.

### Ineligible person

If an officer of your company is currently declared an ineligible person, the company cannot be registered as a building surveying contractor.

### Excluded contractor

If your company is currently declared an excluded contractor (either temporarily or permanently), the company cannot be registered as a building surveying contractor.

### Financial capacity

Building surveying contractors must inform the Board if they have been an insolvent in the last three years.

### Duration of registration

Registration is for a period of three years.

### Application and registration fee

Payment of both an application fee and a registration fee must accompany this application.

GST is not payable on these fees.

The registration fee is for the three years.

If the Board refuses your application the registration fee will be refunded. The application fee is non-refundable.

Please refer to our website for the current schedule of fees.

### Complete your application

Your application cannot be processed unless all sections are completed, all attachments provided and fees paid.

**Incomplete applications**

The Department cannot assess incomplete applications. If your application is incomplete at the time of lodgement, you will be requested to provide outstanding or additional information. If you do not provide the information by the date stated in the request, your application will be lapsed or refused. The application fee will not be refunded.

**Return of documents**

The Department does not return documents. If required, make a copy before you submit your form and attachments.

**After your form is submitted**

If the Department requires further information, you will be contacted.

**How to submit and pay**

Pay for and submit your application, including attachments:

**Online**

Submit your application and pay online:  
<https://www.commerce.wa.gov.au/building-and-energy/building-contractor-registration>

**By post**

Pay by credit card using the payment slip on the form online:  
<https://www.commerce.wa.gov.au/publications/application-payment-form> or pay by cheque or money order made payable to –

Department of Mines, Industry  
Regulation and Safety

Licensing Services Branch  
Locked Bag 100  
EAST PERTH WA 6892

**In person**

Submit your application and pay by cash, cheque, money order or card at the customer service counter.

Applications will not be assessed for completeness upon submission. Your application will be assessed following allocation to a Licensing Officer.

Level 1, 303 Sevenoaks Street  
CANNINGTON WA 6107

Office hours are:  
Mon–Fri 8:30am to 4:30pm.



Fax and email submission is not available for this application.

**State Administrative Tribunal review of Board decisions**

The decision to refuse an application for registration or impose a condition for registration is a reviewable decision in certain circumstances. If you disagree with the Board's determination in relation to this registration application, you may be able to apply to the SAT for a review of the decision.

**More information**

If you need more information about the status of your application, contact 1300 489 099 or email [be.licensing@dmirs.wa.gov.au](mailto:be.licensing@dmirs.wa.gov.au)



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## Building surveying contractor (company)

### CHECKLIST

Use this checklist to ensure you all parts of the application have been complete and that all necessary supporting documents are ready to attach.

- Business and contact details answered
- Management board details completed
- All questions answered and documents ready to attach, where applicable
- Professional indemnity insurance answered and ready to attach
- Nominated supervisor details answered and employment contract attached, if applicable
- Declaration signed and dated
- Payment – *appropriate payment at the time of submitting application made*

### PAYMENT

Visit the [building fee schedule](#) page for current application and registration fees.

Submit and pay for your application:

- Online**  
 If you are submitting your application online, you will be able to make payment using the Department's secure payment gateway.
- By post (or in person) using your credit card**  
 If you are submitting this application by post (or in person) and are making payment by credit card, you must complete the Application Payment Form: <https://www.commerce.wa.gov.au/publications/application-payment-form> and attach it your application.

#### Office Use only

Total Fee	\$	Department Code	BC	Chart Description	
					<input type="checkbox"/> BSurv App Fee Cont Comp Initial – Lvl 1&2
					<input type="checkbox"/> BSurv Reg Fee Cont Comp Initial – Lvl 1&2



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## Building surveying contractor (company)

Your application cannot be assessed unless all sections are completed and all attachments are provided.

Tick the level of building surveying contractor you are applying for

Level 1     Level 2    Must be the same as your nominated supervisor's building surveying practitioner level.

### Company details

Company name as registered with ASIC			
Business name			
ACN			

**Principal place of business address** – required for publication on the register. It cannot be a post office box number.

Street			
Suburb		State	Postcode

**Address for service** – required for the purpose of serving documents. It cannot be a post office box number.     As above

Street			
Suburb		State	Postcode

**Postal address** – address for correspondence from the Department.

Street or PO Box			
Suburb		State	Postcode

**Company contact details** – email address required for courtesy renewal reminders and other notifications. Mobile required for important notifications via SMS.

Phone (office)		Phone (mobile)	
Email			

**Contact person for enquiries for this form**

Name			
Phone (mobile)			
Email			

## MANAGEMENT BOARD DETAILS

Provide the following information for the company's directors and company secretary. If more space is needed, document information on a separate sheet and provide as an attachment to this application.

Full name	Date of birth	Postal address	Position(s) held (tick where appropriate)		Director ID
			Director	Secretary	

## REGISTRATION HISTORY

- 1 Has the company been refused a licence or registration in the last ten years?  Yes  No
- 
- 2 Has the company had a licence or registration cancelled or suspended in the last ten years?  Yes  No
- 
- 3 Has the company or any director of the company been involved in court, tribunal or disciplinary proceedings (including remedy orders) in the last ten years?  Yes  No

If you answered 'yes' to any of the questions above, provide full details on a separate  Attached page and submit with this application.

## MANAGEMENT AND SUPERVISION ARRANGEMENTS

The company is required to have arrangements in place to ensure building surveying services carried out will be managed and supervised in a proficient manner.

### Confirm the following:

- 1 The company has sufficient management and supervision arrangements in place to ensure building surveying services are carried out in a proficient manner.  Yes
- 
- 2 The company has knowledge of its obligations and will ensure compliance with the *Building Act 2011* and the Building Regulations 2012.  Yes
- 
- 3 The company has knowledge of the minimum technical construction standards of the National Construction Code which is comprised of Volumes One and Two of the Building Code of Australia.  Yes
- 
- 4 The company will ensure any building surveyor practitioner technician employed or engaged will be supervised by a building surveyor practitioner level 1 or building surveyor practitioner level 2.  Yes

**INELIGIBLE PERSON**

If an officer of the company is currently an ineligible person, the company cannot be registered as a building surveying contractor. The State Administrative Tribunal will have informed an officer if they have been declared an “ineligible person”.

- 7 Is any officer of the company currently declared an ineligible person by the State Administrative Tribunal?  Yes  No

**EXCLUDED CONTRACTOR**

If the company is currently an excluded contractor, the company cannot be registered as a building surveying contractor. The Building Services Board will have informed the company if it has been declared an “excluded contractor”.

- 8 Is the company currently declared an excluded contractor by the Building Services Board?  Yes  No

**FINANCIAL PROBITY**

If the company or any of its officers have experienced an insolvency event, you may be required to provide further information about this event(s) in relation to the Building Services Board’s power to declare a person an excluded contractor. You will be contacted by the Department if further information is required.

- 9 Is any officer of the company currently declared an excluded contractor by the Building Services Board?  Yes  No

- 10 Has any officer of the company experienced an insolvency event\* in the last five years?  Yes  No

*\*An insolvency event for individuals includes bankruptcy, Part IX (Debt Agreements), Part X (Personal Insolvency Agreement) or cancellation by the State Administrative Tribunal on financial grounds.*

If you answered ‘yes’, identify the officer’s current status:

- Still bankrupt  Discharged Date discharged: / /

- 11 Has the company experienced an insolvency event^ in the last five years?  Yes  No

*^An insolvency event for companies includes members’ voluntary liquidation, court liquidation, creditors’ voluntary liquidation, appointment of an administrator, a Deed of Company Arrangement, appointment of a receiver or cancellation by the State Administrative Tribunal on financial grounds.*

- Still appointed  Retired Date retired: / /

- 12 Has any officer of the company been a director or company secretary of a company(s) within two years of that company(s) being subject to an insolvency event^ in the last five years?  Yes  No

If you answered ‘yes’ above, provide the following details:

Company Name	ACN	Name of Officer

- Attach a list if there is insufficient space above.  Attached



## FINANCIAL CAPACITY

The company must satisfy the financial requirements, where it and its officers must not be an insolvent. If the company or an officer has previously been an insolvent, the company must have the capacity to meet debts as and when they fall due.

- 13 Does the company have the capacity to meet its debts as and when they fall due?  Yes  No

## BUILDING SERVICE DEBT

If the company has an unpaid building service debt that has not been paid in full within the specified period or are not subject to a payment arrangement or proceedings have not commenced for an appeal or review, it cannot be registered as a building surveying contractor.

- 14 Does the company have any outstanding debts for which judgement has been entered in a court of competent jurisdiction (e.g. Magistrates, District, Federal Court) in connection with a contract for a building service or for the supply of goods or services for a building service?  Yes  No

- 15 Does the company have any outstanding adjudicated amounts that are payable under the *Building and Construction Industry (Security of Payment) Act 2021* or the *Construction Contracts (Former Provisions) Act 2004*?  Yes  No

## PROFESSIONAL INDEMNITY INSURANCE

The company must have professional indemnity insurance with a minimum level of indemnity of -

- a) \$1,000,000 for any one claim; and
- b) \$2,000,000 in aggregate during any one period of insurance.

- 16 Does the company have the appropriate level of professional indemnity insurance?  Yes  No



Attach a copy of your certificate of professional indemnity insurance.

Attached

It is expected that the company will renew and maintain its insurance cover for the period of its registration.

The *Building Services (Registration) Act 2011* requires you to give the Building Service Board written notice of any change in circumstances that affects the partnership's eligibility to remain registered.

A change in the company's insurance arrangements could constitute such a change in circumstances. The notice to the Board must be given within seven days after the change in circumstances. The penalty for the offence of not notifying the Board is a fine of \$10,000.

## NOMINATED SUPERVISOR

The company must have at least one nominated supervisor who is a registered building surveying practitioner.

If necessary, make copies and complete this page for each nominated supervisor.

### Nominated supervisor's details

Salutation	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Other please specify
Family name				
First name				
Other name(s)				
Registration number			Level*	
Conditions on registration	<input type="checkbox"/> No	<input type="checkbox"/> Yes**, specify		

\* A practitioner technician cannot be a nominated supervisor.

\*\* Conditions of the nominated supervisor's registration may be reflected in the company's registration.

### Employment details

Each nominated supervisor must be an employee or a director of the company.

1 Date of commencement as nominated supervisor / /

2 The nominated supervisor is:  a director of the company,  
 an employee of the contractor.



If you answered 'an employee' to question 2, provide a copy of the nominated supervisor's employment contract.  Attached

An employment contract includes the following details:

- Names of parties- employee and employer;
- Employment basis and hours: full time/part time and hours per week;
- Leave entitlements; and
- Arrangements for the payment of superannuation and income tax.

A person engaged in a sub-contract arrangement cannot be a nominated supervisor for a company.

### Confirmation by nominated supervisor

I confirm the information stated above is true and correct.

\_\_\_\_\_  
Signature of nominated supervisor

\_\_\_\_\_  
Date



## DECLARATION BY APPLICANT

### False and misleading information

Section 99 of the *Building Services (Registration) Act 2011* provides for penalties of up to \$25,000 where a person makes a false or misleading statement or provides false or misleading information or particulars as part of an application for registration or renewal of registration. By signing this application form, you give consent to the Building Services Board and its staff to make enquires and to receive and disclose any information about this application.

### Information for document execution

This document is to be executed on behalf of the company by either:

- two directors, or one director and one secretary; or
- one director where that person is both sole director and sole secretary.

### Declaration

I

\_\_\_\_\_  
Full name of applicant

- 1 authorise the Building Services Board, the Department of Mines, Industry Regulation and Safety or persons acting on behalf of the Board or the department to make enquiries considered necessary to assess this application. My general consent includes the specific consent to the acquisition of copies of the criminal records and credit checks of the applicant and its directors and officers. I agree that the Board can use any or all information received pursuant to this authority for the purposes of the assessment or audit of this application.
- 2 sincerely declare that this application is true and correct.

Executed by

\_\_\_\_\_  
Company name of applicant

ACN

\_\_\_\_\_  
In accordance with Section 127 of the *Corporations Act 2001*

\_\_\_\_\_  
Signature of director

\_\_\_\_\_  
Signature of director (if applicable) or  
Signature of company secretary (being sole director/secretary of the  
company)  
Delete as applicable

\_\_\_\_\_  
Name of director (print)

\_\_\_\_\_  
Name of director/secretary (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date