



# Renewal of registration

## Building contractor (partnership)

Form 54

### Use of this form

This form is to be used by builders trading in partnership structures that are currently registered as contractors with the Building Services Board and are applying for their registrations to be renewed.

If you decide that your partnership no longer requires building contractor registration, please advise the Board.

### Registration as a building practitioner

In Western Australia a builder who wishes to act as a nominated supervisor for a registered building contractor or wishes to use a prescribed title such as *registered building practitioner* must be registered as a building practitioner.

Registration as a building practitioner does not authorise a person to provide services as a building contractor.

### Registration as a building contractor

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

- be named as a builder on a building permit;
- provide services as a builder for work that requires a building permit, with a value of \$20,000 or more and is located within the area of the Board's jurisdiction; or
- use a prescribed title such as *registered building contractor*.

### Financial probity

If your partnership or one of its partners has experienced an insolvency event, further information regarding this event(s) may be required. In certain circumstances, the Board has the power to declare a person an excluded contractor from registration as a building contractor on either a temporary or permanent basis.

### Financial capacity

Building contractors must demonstrate their capacity to pay debts as and when they fall due. A contractor can do this by submitting one of the following supporting documents:

- a certificate of eligibility for Home Indemnity Insurance in the name of the contractor; or

- a letter from an independent qualified accountant to the effect that in the accountant's opinion at the time of signing you "can pay your debts as and when they fall due". The letter must be signed, dated and include the accountant's qualification.

The qualified accountant must not be an employee of the contractor, or of a related entity.

A qualified accountant is defined by section 88B of the *Corporations Act 2001* and the Australian Securities and Investments Commission (ASIC) as a member of one of the following:

- Chartered Accountants Australia and New Zealand (ICA) - CA, ACA and FCA;
- CPA Australia (CPA) - CPA and FCPA;
- Institute of Public Accountants (IPA) - AIPA, MIPA and FIPA; or
- Eligible foreign professional bodies.

### Nominated supervisor

It is an offence under the *Building Services (Registration) Act 2011* for a building contractor to carry out or undertake to carry out building services without a nominated supervisor.

If a building contractor changes a nominated supervisor the contractor must give written notice to the Board within seven days of this change.

### Building service debt

If your partnership has incurred a building service debt, being an unsatisfied court judgement or adjudication determination that has not been paid, its registration cannot be renewed.

### Ineligible person

If a partner of your partnership is currently declared an ineligible person, the partnership's registration cannot be renewed.

### Excluded contractor

If your partnership is currently declared an excluded contractor (either temporarily or permanently), the partnership's registration cannot be renewed.

### Registration expiry date

You must submit your form and supporting documents no later than the registration expiry date.



You are strongly encouraged to apply for renewal well before your expiry date to avoid your registration expiring.

### **Duration of registration**

The renewal is for a period of three years.

### **Registration renewal fee**

The registration renewal fee is for three years.

GST is not payable on this fee.

If the Board refuses your application the registration fee will be refunded.

### **Late renewal of registration**

If there is a reason you have not submitted your form by the expiry date you can apply for a late renewal. Late renewals can only be accepted within six months from the expiry date. However, the Board must also agree your circumstances are exceptional in order to accept your late renewal.

A fee is payable for late renewal of registration.

If you are not eligible for a late renewal you can re-apply for registration.

### **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.

### **Applications and payments**

Complete and sign your form. Submit it with your supporting documents and payment no later than the expiry date.

### **By post**

Pay by credit card using the payment slip on the 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.

Level 1, 303 Sevenoaks Street  
CANNINGTON WA 6107

Office hours are:

Mon–Fri 8:30am to 4:30pm.



BPAY and online payment are not available for this renewal.

### **State Administrative Tribunal review of Board decisions**

The decision to refuse an application for registration is a reviewable decision in certain circumstances. If you disagree with the Board's decision 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 renewal, contact the Licensing Renewals team on 1300 489 099 or email [be.renewals@dmirs.wa.gov.au](mailto:be.renewals@dmirs.wa.gov.au)



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**54**

## Building contractor (partnership)

### CHECKLIST

Use this checklist to ensure all parts of the application are completed and all necessary supporting documents are attached.

- Form complete - all questions answered
- Contact details provided
- Questions 1 to 11 answered
  - Management and Supervision Questionnaire downloaded, completed and attached
  - Business Profile Information document downloaded, completed and attached
  - Financial capacity - letter or certificate less than three months old attached
- Nominated supervisor(s) details provided
- Declaration signed and dated
- Payment details provided

### PAYMENT

#### CREDIT CARD PAYMENT DETAILS

(Payment will appear as "WA Gov – DMIRS" on your bank statement)

Card Type    Visa        Mastercard        (Only Visa and Mastercard accepted)

Card Number   

Card Holder     Please print

Expiry Date      /      *I authorise the Department to deduct the current prescribed fee\**

Signature / Authorisation        Date   

Cardholder's contact phone number:   

\*Fees are subject to change on 1 July of each year

ABN: 69 410 335 356

#### Office Use only

<b>Registration No:</b>		<b>Department Code</b>	BD	<b>Chart Description</b>	<input type="checkbox"/> Build Reg Fee Cont Pship Renewal
<b>Total Fee</b>	\$	<b>Link Licence</b>	Yes	<b>Late Fee</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>



# Renewal of registration

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**54**

## Building contractor (partnership)

Ensure all parts of this application are completed and all necessary supporting documents are attached. You must submit a completed form, supporting documents and payment by the partnership's registration expiry date. Incomplete applications **will not** be processed.

### Partnership details

CONDITION

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Registration No.		Expiry date	
Partnership name			
Business name		ABN*	

\*ABN of registered entity. Not another entity or trust.

**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.

As above

Street or PO Box			
Suburb		State	Postcode

**Partnership contact details** – partnership 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			

**Partners' details** – for each partner provide name and date of birth.

First Name	Family name	Date of Birth	OFFICE USE
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



Attach a list if there is insufficient space above.

Attached

## MANAGEMENT AND SUPERVISION

The partnership is required to have arrangements in place to ensure building services are managed and supervised in a proficient manner.

Download and complete the 'Management and Supervision Questionnaire' and attach to this application. The 'Management and Supervision Questionnaire' is available at: [www.commerce.wa.gov.au/building-and-energy/building-contractor-renewal](http://www.commerce.wa.gov.au/building-and-energy/building-contractor-renewal)

1 'Management and Supervision Questionnaire' completed and attached.

Attached

## BUSINESS PROFILE INFORMATION

Download and complete the 'Business Profile Information' document and attach to this application. The 'Business Profile Information' document is available at: [www.commerce.wa.gov.au/building-and-energy/building-contractor-renewal](http://www.commerce.wa.gov.au/building-and-energy/building-contractor-renewal)

2 'Business Profile Information' document completed and attached.

Attached

## INELIGIBLE PERSON

If a partner is currently an ineligible person, the partnership's registration cannot be renewed. The State Administrative Tribunal will have informed a partner if they have been declared an "ineligible person".

3 Is any partner (who is either an individual or an officer of the company which constitutes the partnership) currently declared an ineligible person by the State Administrative Tribunal?

Yes  No

## EXCLUDED CONTRACTOR

If the partnership is currently an excluded contractor, the partnership's registration cannot be renewed. The Building Services Board will have informed the partnership if it has been declared an "excluded contractor".

4 Is the partnership currently declared an excluded contractor by the Building Services Board?

Yes  No

**FINANCIAL PROBITY**

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

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5 Is any partner partner (who is either an individual or an officer of the company, or the company which constitutes the partnership) currently declared an excluded contractor by the Building Services Board?  Yes  No

7 Has any partner (who is either an individual or an officer of the company which constitutes the partnership) experienced an insolvency event\* in the last five years?  Yes  No

*\*An insolvency event for an individual (officer) 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' above, identify the partner/officer's name and current status:

Still bankrupt  Discharged Date discharged: / /

7 If a company constitutes the partnership, has the company experienced an insolvency event^ in the last five years?  Yes  No

*^An insolvency event for a company includes appointment of an administrator, a Deed of Company Arrangement or appointment of a receiver or cancellation by the State Administrative Tribunal on financial grounds.*

If you answered 'yes' above, identify the external administrator's current status:

Still appointed  Retired Date retired: / /

8 If a company constitutes the partnership, has any officer of the company been a director or company secretary of a company(s) within two years of that company(s) experiencing an insolvency event^ in the last five years?  Yes  No

If you answered 'yes' above, provide the following details:

Company name	ACN	Full name of officer



Attach a list if there is insufficient space above.

Attached

**FINANCIAL CAPACITY**

The partnership must demonstrate capacity to meet debts as and when they fall due.

OFFICE USE

- 9 Do the partners have the capacity to meet their debts as and when they fall due?  Yes  No



As evidence, attach a current copy (less than three months old), in the name used for registration, of one of the documents listed below:

- a certificate of eligibility for Home Indemnity Insurance (HII).  Attached  N/A   
All Western Australian HII policies are issued by QBE Insurance (Australia) Limited; or
- a letter from an independent qualified accountant to the effect that in the accountant's opinion at the time of signing the contractor "can pay its debts as and when they fall due".  Attached  N/A   
The letter must be signed, dated and include the accountant's qualification.

**BUILDING SERVICE DEBT**

If the partnership has a building service debt that has not been paid in full within the specified period (or is not subject to a payment arrangement, or proceedings have not commenced for an appeal or review), its registration cannot be renewed.

- 10 Does the partnership 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

- 11 Does the 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

**NOMINATED SUPERVISOR**

The partnership is required to have at least one nominated supervisor who is a registered practitioner. For each nominated supervisor provide details below.

First name	Family name	Registration No.	Current nominated supervisor?	
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>



- Attach a list if the partnership has more than three nominated supervisors.  Attached

**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.

**Information for document execution**

This document is to be executed on behalf of the partnership by a person authorised by the partnership.

**Declaration**

I/we hereby 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 reports of the partnership and its partners. 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.

Executed for and on behalf of:

\_\_\_\_\_  
Applicant's name (name of registered entity)

OFFICE  
USE



\_\_\_\_\_  
Signature of applicant partner/director of partner (if applicable)  
For and on behalf of the partnership  
Delete if not applicable

\_\_\_\_\_  
Signature of partner/director of partner (if applicable) or  
Signature of company secretary (being sole director/secretary  
of the company, if applicable)  
For and on behalf of the partnership Delete if not applicable

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date