

Renewal of registration

Building contractor (partnership)

Form 54

It is recommended that you use the Online Renewals System to apply. Refer to your renewal reminder email for details.

Use of this form

This form is to be used by builders trading in a partnership structure who are currently registered as contractors with the Building Services Board and are applying for their registration to be renewed.

If you decide that your partnership no longer requires a 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.

Each partner that is a natural person will also be required to attach their credit report to this application.

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 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

GST is not payable on all fees.

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

Return of documents

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

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 14
CLOISTERS SQUARE WA 6850

In person

Lodge 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 is not available for this renewal.

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 the application.

An additional fee is payable for late renewal of registration.

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

After your form is submitted

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

State Administrative Tribunal review of Board decisions

The decision to refuse an application for registration is a reviewable decision. If you disagree with the Board's decision in relation to this registration application, you may apply to the SAT for a review of the decision.

More information

If you need more information, contact Licensing Services on 1300 489 099 or email be.renewals@lgirs.wa.gov.au



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CHECKLIST

Incomplete applications cannot be assessed. Use this checklist to ensure all parts of your application are completed and all necessary supporting documents are attached.

- Form complete - all questions answered
- Contact person 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
 - Credit reports – each member that is a natural person 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 – LGIRS" 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 annual review

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

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Ensure you complete all parts of this application and attach all necessary supporting documents. You must submit the completed form, supporting documents and payment, no later than the partnership's registration expiry date. Incomplete applications **will not** be processed.

Partnership details

CONDITION

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 – Email for partnership 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 please provide name and date of birth.

First Name	Family name	Date of Birth



Attach a list if there is insufficient space above.

Attached

MANAGEMENT AND SUPERVISION

As a contractor your partnership is required to have arrangements in place to ensure building services are completed 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.wa.gov.au/government/multi-step-guides/builders-registration/building-contractor-registration-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.wa.gov.au/government/multi-step-guides/builders-registration/building-contractor-registration-renewal

2 'Business Profile Information' document completed and attached. Attached

INELIGIBLE PERSON

The State Administrative Tribunal will have informed you if you have been declared an "ineligible person".

3 Is any partner of 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 State Administrative Tribunal 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 Building Services Board's power to declare a person an excluded contractor. You will be contacted by the Department if further information is required.

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

- 6 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's/officer's name and 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 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.

FINANCIAL CAPACITY

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

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



Attach a current copy, less than three months old and 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.

Each natural person partner must obtain their credit report and attach it to this application.

You can usually access your credit report for free from any of the providers listed at <https://moneysmart.gov.au/managing-debt/credit-scores-and-credit-reports>.

Credit reports are not required for company partners.



Credit reports that are less than three months old

Attached

BUILDING SERVICE DEBT

If the partnership has a building service debt that has not been paid in full within the specific 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 (eg 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 partnership have any outstanding adjudicated amounts that are payable under the *Building and Construction Industry (Security of Payment) Act 2021* or the *Construction Contractors (Former Provisions) Act 2004*? Yes No

NOMINATED SUPERVISOR

Your 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	Current nominated supervisor?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No



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

Attached

This section has been left blank intentionally. Application continued on the next page.

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 Local Government, 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 applicant 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 partnership)

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