



Registration

Building surveying contractor (partnership) Form 37

Use of this form

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

In Western Australia the *Building Services (Registration) Act 2011* provides for registration in two classes of building surveyor, building surveying practitioner and building surveying contractor.

What is a partnership?

A partnership can include one or more individuals (natural persons), corporations, unincorporated bodies, or a mixture of two or all three.

Registration as a building surveying practitioner

A registered building surveying practitioner is authorised to sign certificates of design, construction or building compliance under the *Building Act 2011*.

A registered building surveying practitioner may:

- use a prescribed title such as registered *building surveying practitioner*; and
- be a nominated supervisor for a registered building surveying contractor.

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

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 capacity, professional indemnity insurance, and arrangements in place to manage and supervise building surveying services.

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 building or incidental structure:

- with a floor area not exceeding 2,000m²; 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.

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. Refer to the nominated supervisor section of this form to inform the Board of the applicant's nominated supervisor(s).

Registration and application fees

Two fees are payable with this application, a registration fee and a non-refundable application fee.

The registration fee is for three years.

GST is not payable on the application or registration fee.

If the Board does not grant your registration the registration fee will be refunded.

Registration requirements

To be considered for registration you must:

- provide a complete application including payment of application and registration fees;
- not be an ineligible person or body of which an ineligible person is an officer;
- provide confirmation (for those partners of the partnership previously insolvent) of financial capacity to meet debts as and when they fall due;
- have professional indemnity insurance;
- have at least one nominated supervisor for the class of building surveying contractor applied for;
- have arrangements in place to ensure that building surveying services to be carried out will be managed and supervised in a proficient manner; and
- comply with any other requirements.

Complete your application

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

Incomplete applications

The department cannot process incomplete applications. If your application is incomplete at the time of lodgement it will be returned. If your application is later found to be incomplete or not fully informative, 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 returned. The application fee will not be refunded.

Applications and payments

Please complete and sign your application. Lodge it with your supporting documents and payment.



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

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.



In person (drop off only service)

Department of Mines, Industry
Regulation and Safety
Level 2, Gordon Stephenson House
140 William Street, PERTH



BPAY and online payment are not available for this application.



The department will not receive email or fax applications.

Return of documents

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

Certified copies

If you are providing a copy of a document with your application rather than the original it must be a certified copy. To have a copy certified you must show a copy of the document, together with the

original document to a person who is a qualified witness.

The witness must:

- certify the copy is a true copy of the original;
- place their signature, together with their full name and address and their qualification to be a witness, immediately adjacent to the words of certification.

The following people, who must not be related to the applicant, are qualified to witness:

- Accountant
- Bank Manager
- Chemist
- Dentist
- Doctor
- Justice of the Peace
- Lawyer
- Local Government Councillor
- Minister of Religion
- Police Officer
- Post Office Manager
- Public Servant
- Real Estate Agent

and other people listed in Schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act 2005*.

After your form is submitted

The department will confirm receipt of your application. If you do not receive an acknowledgement of your application within 15 business days, please contact the department on 1300 489 099.

When the department is satisfied that your application form is complete and payment is received, your application will be assessed and determined.

Review of Board decisions

If you are aggrieved by a decision of the Board refusing to grant your registration or imposing a condition on your registration, you may apply to the State Administrative Tribunal for a review of the decision.

More information

If you need more information about the status of your application or about contractor registration generally please call 1300 489 099 and ask for Licensing Services, or email bclicensing@dmirs.wa.gov.au.

Processing timeframes are published on the department website.



Registration

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Building surveying contractor (partnership)

An incomplete or inaccurate application will not be accepted. If you need help completing this form please call the department on 1300 489 099 and ask for Licensing Services.

CHECKLIST

Use this checklist to demonstrate you have completed all parts of your application and attached all necessary supporting documents.

- The partnership's business and contact details answered
- About the partnership – Professional indemnity insurance answered and attached
- About the partnership – Management and supervision arrangements answered
- About the partnership – Nominated supervisor for the partnership answered
 - Employment contract attached, as applicable
- About the people in the partnership – Ineligible person answered
- About the partner's answered, attachments answered and attached as applicable
 - Natural persons in the partnership – Attachment 1, as applicable
 - About the partner's – Natural persons details answered and documents attached, as applicable
 - Proof of identification – 100 points attached for each natural person
 - About the partner's – Natural persons history answered
 - Companies or unincorporated bodies in the partnership – Attachment 2, as applicable
 - About the partner's – Company(ies) or unincorporated body(ies) details answered
 - Extract from the ASIC register attached
 - About the partner's – Company(ies) or unincorporated body(ies) history answered and documents attached, as applicable
- Declaration signed and dated
- Payment made



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

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



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

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

Partnership details

Partnership name				<input type="checkbox"/>
Business name				<input type="checkbox"/>
ABN (mandatory)	ABN of registered entity. Not another entity or trust.			<input type="checkbox"/>

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

Street				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>

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

Street				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>

Postal address – address for correspondence from the department.

Street or PO Box				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>

Partnership contact details

Phone (office)		Phone (fax)		<input type="checkbox"/>
Phone (mobile)		Email		<input type="checkbox"/>

Contact person for enquiries for this form

Name				<input type="checkbox"/>
Phone (mobile)		Email		<input type="checkbox"/>

ABOUT THE PARTNERSHIP – PROFESSIONAL INDEMNITY INSURANCE

The Building Services (Registration) Regulations 2011 outlines the insurance requirement for registration as a building surveying contractor.

The applicant 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.

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Does the partnership 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 every building surveying contractor will renew and maintain their insurance cover for their period of registration. Sections 33(1) and (2) of the *Building Services (Registration) Act 2011* require a registered building service provider to give the Board written notice of any change in circumstances that affect eligibility to remain registered. A change in the contractor’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.

ABOUT THE PARTNERSHIP – MANAGEMENT AND SUPERVISION ARRANGEMENTS

For the purposes of registration as a building services contractor, the *Building Services (Registration) Act 2011* requires contractors to have arrangements to ensure that building surveying services to be carried out by the applicant will be managed and supervised in a proficient manner.

Confirm the following:

- | | | | |
|---|---|------------------------------|--------------------------|
| 1 | The partnership will manage and supervise building surveying services in a proficient manner. | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| 2 | The partnership has knowledge of its obligations and will ensure compliance with the <i>Building Act 2011</i> and the Building Regulations 2012. | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| 3 | The partnership 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. | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| 4 | The partnership 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. | <input type="checkbox"/> Yes | <input type="checkbox"/> |

This has been left blank intentionally

ABOUT THE PEOPLE IN THE PARTNERSHIP – INELIGIBLE PERSON

If the State Administrative Tribunal has cancelled or suspended the registration of a building service contractor the Tribunal may use a power in section 60 of the *Building Services (Registration) Act 2011* to declare an officer of the partnership to be an 'ineligible person'. An officer includes a partner, director, secretary, or other person in a position to control the business, for example a general manager.

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Has the State Administrative Tribunal ever declared any officer of the partnership to be an ineligible person? Yes No

If you answered 'yes' name the officer(s):

Phone the department's Licensing team on 1300 489 099 for help with this question.

ABOUT THE PARTNERSHIP – PARTNER DETAILS

Partnerships can be made of:

- two or more people (natural persons); or
- two or more companies/unincorporated bodies; or
- a mixture of natural persons and companies/unincorporated bodies.

The partnership's partners

Tick which applies to your partnership. Complete only those attachments applicable to your partnership.

1 Does the partnership include natural persons as partners? Yes No



Attachment 1: Natural persons partners Attached N/A

2 Does the partnership include companies or unincorporated bodies? Yes No



Attachment 2: Companies or unincorporated bodies partners Attached N/A

This has been left blank intentionally

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 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 partnership by a person authorised by the partnership.

Declaration

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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 my criminal records. 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 _____

Name of applicant

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 (print)

Name (print)

Date

Date

ABOUT THE PARTNER'S - NATURAL PERSONS DETAILS

If the partnership includes natural persons, complete the information below.

If necessary, make copies and complete this page for each natural person on the partnership.

Partner's personal details

Salutation	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Other please specify	<input type="checkbox"/>
Family name					<input type="checkbox"/>
First name					<input type="checkbox"/>
Other name(s)		Date of birth			<input type="checkbox"/>
Has the partner been known by any other names?				<input type="checkbox"/> No	<input type="checkbox"/> Yes

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If you answered 'yes' above, attach a separate page with full details.

Attached

Postal address

Street or PO Box				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>

Contact details

Phone (home)		Phone (office)		<input type="checkbox"/>
Phone (mobile)		Phone (fax)		<input type="checkbox"/>
Email				<input type="checkbox"/>



Provide proof of your identity by attaching certified copies of two or more documents making a total of at least 100 points. At least one document must include photo identification.

Points allowed	Document	Points
70 points	<input type="checkbox"/> Birth certificate (not an extract) <input type="checkbox"/> Current passport <input type="checkbox"/> Australian citizenship certificate	
40 points - for first document from this category. 25 points - for additional documents from this category.	<input type="checkbox"/> Current Australian issued licence or permit card e.g. Driver's licence <input type="checkbox"/> Current Australian government issued identification card <input type="checkbox"/> Australian tertiary student identification	
35 points A document from this set must show your name and current residential address.	<input type="checkbox"/> Mortgage document held by an Australian financial body <input type="checkbox"/> Australian Land Title Office record <input type="checkbox"/> Document from the Credit Reference Association of Australia	
25 points	<input type="checkbox"/> Australian public utility bill, rates notice or bank statement <input type="checkbox"/> Credit or debit card issued by Australian banking or credit institution <input type="checkbox"/> Medicare card <input type="checkbox"/> Marriage certificate (for maiden name only) or change of name certificate	
Total points		<input type="checkbox"/>

ABOUT THE PARTNER'S – NATURAL PERSONS HISTORY

The Building Services (Registration) Regulations 2011 state that a partner must not be an insolvent, and if the partner has previously been an insolvent, then the partnership must have the capacity to meet debts as and when they fall due.

It is important that to note individual partners are jointly and severely liable for any debts incurred by the partnership.

Name of partner	
------------------------	--

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1 Have you ever been a bankrupt? Yes No

If you answered 'yes' to question 1, answer questions 2-3.

If you answered 'no' to question 1, you do not need to answer the remaining questions in this section.

2 Identify the status of your bankruptcy:

Still bankrupt Discharged Date discharged: / /

If you answered 'discharged' to question 2, proceed to question 3.

If you answered 'still bankrupt' to question 2, the partnership is not eligible for registration.

3 Does the partnership, made up of the partners, have the capacity to meet debts as and when they fall due? Yes No

If you answered 'no' to question 3, the partnership is not eligible for registration.



If you answered 'yes' to question 1, attach documents to verify these events. Attached N/A

ABOUT THE PARTNER'S - COMPANIES OR UNINCORPORATED BODIES DETAILS

If the partnership includes a company, body corporate or unincorporated body, provide the required information. If necessary, make copies and complete this page for each company, body corporate or unincorporated body in the partnership.

Partner details

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Company name as registered with ASIC				<input type="checkbox"/>
Business name				<input type="checkbox"/>
ABN (mandatory)	<small>ABN of registered entity. Not another entity or trust.</small>			<input type="checkbox"/>
ACN				<input type="checkbox"/>

Postal address

Street or PO Box				<input type="checkbox"/>
Suburb	State	Postcode		<input type="checkbox"/>

Contact

Phone (office)				<input type="checkbox"/>
Phone (mobile)				<input type="checkbox"/>
Phone (fax)				<input type="checkbox"/>
Email				<input type="checkbox"/>



Attach an ASIC "Current and Historical Company Extract" issued within one month prior to this application.

 Attached

The information on the extract which the department considers, includes, but is not limited to:

- Office holders details: directors' names, dates of birth, postal addresses and positions held;
- Date of company registration;
- Current organisation details; and
- Documents – this is where matters relating to administration and insolvency will appear.

This has been left blank intentionally

ABOUT THE PARTNER'S - COMPANIES OR UNINCORPORATED BODIES HISTORY

The Building Services (Registration) Regulations 2011 state that a partner must not be an insolvent, and if the partner has previously been an insolvent, then the partnership must have the capacity to meet debts as and when they fall due.

It is important that to note: partners are jointly and severely liable for any debts incurred by the partnership.

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- 1 Has the company ever been insolvent, in external administration or under a deed of company arrangement? Yes No

If you answered 'yes' to question 1, answer questions 2-3.

If you answered 'no' to question 1, you do not need to answer the remaining questions in this section.

- 2 Identify the status:

- | | | | |
|--|--|---|--------------------------|
| <input type="checkbox"/> Still insolvent | <input type="checkbox"/> No longer insolvent | Insolvency ceased date:
/ / | |
| <input type="checkbox"/> Still under administration | <input type="checkbox"/> No longer in administration | Administration ceased date:
/ / | |
| <input type="checkbox"/> Still under deed of company arrangement | <input type="checkbox"/> No longer under deed of company arrangement | Deed of company arrangement ceased date:
/ / | <input type="checkbox"/> |

If the partner company is still insolvent/under administration/still under deed of company arrangement, the partnership is not eligible for registration.

- 3 Does the partnership, made up of the partners, have the capacity to meet debts as and when they fall due? Yes No

If you answered 'no' to question 3, the partnership is not eligible for registration.



- If you answered 'yes' to question 1, attach documents to verify these events. Attached N/A