



Registered building surveying contractor obligations

A guide to registration obligations and the compliance audit program.

The Building Commissioner is responsible for monitoring and reviewing the operation of the building services Acts and administering the Building Services Board (the Board) that governs the registration of building surveyors in Western Australia. The building services Acts set out the obligations that registered building service providers must adhere to.

General registration obligations

Written notice must be given to the Board within seven days of any of the following occurring:

- You change your address.
- There is a change in your eligibility.
- You are suffering financial difficulty.
- You have been charged with a serious offence.
- You are convicted of an offence against the law of the Commonwealth or another jurisdiction in connection with the provision of a building service.
- You no longer have an eligible nominated supervisor.

If your registration is amended, suspended or cancelled you must return your registration certificate to the Board no later than 14 days after you are notified.

Certificates and standards

As a registered building surveying contractor you are responsible for issuing certificates of design compliance, certificates of construction compliance and certificates of building compliance. It is essential that all parts of a certificate are completed and accompanied by required prescribed items.

Prior to issuing a certificate, you as a building surveyor should be satisfied that the design or completed

building complies with each applicable building standard, and that adequate documentation has been provided and referenced in order to demonstrate compliance with the standards.

Display of certificate of registration, signage and advertising requirements

You must ensure that your contractor certificate of registration is displayed in a prominent location at the premises where you principally carry out business. The certificate of registration of any practitioner who is a nominated supervisor is to be displayed in the same manner.

A building surveying contractor who carries out building surveying work as a person issuing a compliance certificate must ensure that there is a sign displayed at the premises where the contractor principally carries on business. The sign must be in a prominent position and be able to be read by a person entering the premises.

The signage must contain the registered name of the contractor, the trading name if different to the registered name, the class of registration, the contractor's registration number and the name and registration number of at least one nominated supervisor for the contractor.

A building surveying contractor who carries on a business at a private residence is not required to display the registration certificate or signage where no

part of the premises is used for meeting with clients or prospective clients.

Any advertising published must also contain your registration number.

Supervision requirements

The registration of a building surveying contractor is subject to the condition that the work of any building surveying practitioner technician employed or engaged by the contractor must be supervised by a building surveying practitioner level 1 or a building surveying practitioner level 2.

Compliance audit program

The compliance audit program monitors that:

- building surveying services are being carried out effectively;
- the appropriate approved forms are completed and the correct statements are being made;
- performance requirements are being adequately addressed;
- correct building standards being identified and addressed; and
- the registration system works as intended.

Written notice of an audit will be issued to the registered building surveying contractor to allow adequate time to prepare documents for the audit. During the audit, the registered building surveying contractor will have the opportunity to discuss any compliance related matters with the auditing officer. Officers of Building and Energy are bound by the Department of Mines, Industry Regulation and Safety's Code of Conduct. Any information obtained during the audit will remain confidential unless the Board or Building and Energy is required to disclose the information by law.

A technical inspection of certifications may also be conducted during a compliance audit. This part of the audit process usually takes up to two hours provided these documents are available for examination. If there is a large amount of documentation it may be required for the assessment of documents be carried out at Building and Energy's offices, in these cases a copy of the relative documents should be supplied.

What happens after an audit is completed?

Building and Energy acknowledges compliance efforts and will support registered building surveying contractors and practitioners who are endeavouring to comply with their requirements. When necessary, actions taken for non-compliance may include prosecutions seeking the imposition of penalties, the use of a public warning to protect consumers from serious non-compliance and/or the commencement of disciplinary action.

General inspections

In addition to its audit activities Building and Energy also undertakes general inspections to monitor how building services are being carried out and how building standards are being applied. Information arising from general inspections is reviewed and may be used to inform and amend the schedule of audits.

Further information

Further information regarding responsibilities and obligations, including internal quality assurance checklists, are located on the department's website at www.dmirs.wa.gov.au

Copies of the building services Acts are available on the Parliamentary Counsel's Office website at www.legislation.wa.gov.au

This publication is available in alternative formats upon request.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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