



Registered Building Contractor (Individual, Partnership or Company) Application Guidelines

To contract to provide building services in the class of *builder work* in Western Australia you must be registered by the Building Services Board ('the Board') as a builder contractor (individual, partnership or company). The Board registers building contractors under the *Building Services (Registration) Act 2011* ('the Act') and the Building Services (Registration) Regulations 2011 ('the Regulations').

A building contractor registration authorises the holder to:

- use the prescribed title of registered building services contractor for the licence class they are registered for; and
- contract to carry out building services meeting the definition of builder work set out in Schedule 3 of the Regulations. In summary, *builder work* is defined as work with the value of \$20,000 where a building permit is required within the designated areas of the State.

To be eligible to obtain a building contractor registration an applicant must:

- provide a complete written application including payment of application and registration fees;
- provide additional information relevant to the application as required by the Board; note that this may need to be provided in the form of a Statutory Declaration;
- on registration have at least one nominated supervisor for the class of building service contractor applied for;
- have arrangements in place to ensure that building services to be carried out will be managed and supervised in a proficient manner;
- is not a body of which an ineligible person is an officer of; and
- comply with any other requirements prescribed by the regulations for registration and a building service contractor in that class which is having the financial capacity to meet debts as and when they fall due.

False or misleading information

It is considered an offence to make a false or misleading statement to the Board. The offence has a maximum penalty of \$25,000.

As a building services contractor, building services must not be carried out or undertakings given to carry out building services work while the building contractor does not have a nominated supervisor. The offence has a maximum penalty of \$25,000.

If a change in nominated supervisor does occur the building contractor is required to give written notice to the Board within seven days of this change occurring. The offence has a maximum penalty of \$10,000.

Business profile

You must include a written statement of your proposed business profile. This document must specify the class(es) of building work, as set out in the Building Code of Australia, which you plan to undertake as a contractor. It must also specify the value of building services work expected to be performed over each of the next three years.

Option for individuals seeking to register as a building contractor

If you are an individual and sole trader seeking registration as a contractor, you have the option to provide a statement of intention and a personal financial statement as an alternative to providing a business plan as outlined below.

In providing a written statement of intention, the purpose of this statement is for the applicant to demonstrate their financial position is sufficient to meet the debts expected to be incurred in undertaking the activities proposed as advised in the statement of your proposed business profile. As part of the application process your financial position will be assessed against the level of activities the applicant proposes to undertake if registered.

You must also complete Contractor Form B1 - personal financial statement.

Business plan

If you are seeking registration as a partnership or a company your application must include a business plan consistent with Appendix A: Contents of a business plan.

If you are seeking registration as an individual, there is an option to provide a business plan as an alternative to providing a Statement of Intention.

Planning helps to ensure your business activities remain focused on your goals and that your time and capital are dedicated to specific objectives. A good business plan identifies your market, highlights trends, and establishes a regular review of procedures so that the business can react to and take advantage of any opportunities.

If you have limited experience in the preparation of a Business Plan, it makes sense to consider getting some help in developing your initial plan from your accountant or small business adviser. You can also refer to your local Small Business Development Corporation. They offer information, advice and referral services for business in general.

Additional information

For companies, a historical company extract from the Australian Securities and Investments Commission (ASIC), no older than one month from the date of submission of the application, is to be provided.

If the applicant trades under a business name or through a trust you should also provide a certificate of registration of business name and/or a copy of any trust deed.

Application checklist and supporting documentation

The registration package must include the following completed forms:

Individual (sole trader)	Partnership	Company / Body Corporate
Contractor Form A1 Contractor Form B1 Contractor Form E1	Contractor Forms A2, A2.1, A2.2 Contractor Form B2 Contractor Form C Contractor Form E2	Contractor Form A3 Contractor Form B3 Contractor Form C Contractor Form E3

Supporting documentation that must be submitted with this application is as follows:

- business profile,
- business plan or written statement of intention (sole trader only);
- personal financial statement or special purpose financial statement (sole trader only);
- current historic company extract from Australian Securities and Investments Commission (ASIC) for corporate partners or companies / bodies corporate (not more than one month old at time of application); and
- current historic business names search from the Department of Commerce (not more than one month old at time of application) or certified copy of trust deed.

Note all supporting documentation is required to be either certified copies or the original documents. A certified copy is a copy of an original document that has been certified as a true and correct copy by a person authorised to witness a statutory declaration under the *Oaths, Affidavits and Statutory Declarations Act 2005 (WA)* or the *Statutory Declarations Act 1959 (Commonwealth)*. A table of authorised witnesses for Statutory Declarations and certifying documents is at Attachment B.

The Act also provides for the Board to request any additional information that it requires relevant to the application to be verified by Statutory Declaration.

Fees

	Application fee	Registration fee
Individual	\$125.00*	\$183.00 (18 months) \$366.00 (3 years)
Partnership	\$250.00*	\$628.50 (18 months) \$1,257.00 (3 years)
Company / Body Corporate	\$319.00*	\$1,431.00 (18 months) \$2,862.00 (3 years)

*Note Application fee is non-refundable
Fees current at 1 January 2014
GST is not applicable

The application and registration fees must be paid at the time of lodging an application for a building contractor registration with the Board. If your application is unsuccessful the registration fee will automatically be refunded and posted to the address specified on the application form.

Lodging your application

Your application cannot be processed unless all of the relevant information and supporting documentation is provided. At the time of lodgement, your application should be complete, signed and witnessed.

Applications can be lodged:



In person (at):

The Building Commission
Level 1, 31 Troode Street
West Perth WA 6005
Mon -Fri 8:30am to 5:00pm



By post (addressed to):

The Building Services Board
c/o the Building Commission Licensing Branch
Locked Bag 12
West Perth WA 6872

Once your application has been determined, you will be notified of the decision in writing.

Should you have any queries regarding your application for the building contractor registration, please contact the Building Commission on 1300 489 099. You can also obtain additional information from our website at www.buildingcommission.wa.gov.au.

Payment methods

Online (credit card) at www.buildingcommission.wa.gov.au

Post (credit card, cheque or money order)

In person (cash, eftpos, credit card, cheque, or money order)

Payment slip

Applicant name: _____

Contact telephone number: _____

Amount payable: _____

Payment method visa card , master card , cheque , money order , online

Online receipt number: _____

For credit card transactions

Card holder name: _____

Card number: _____ Expiry Date (MM/YYYY): _____

Card holder's signature: _____

Attachment A: Contents of a business plan

The typical contents of a business plan are as follows.

The Executive summary

The Executive Summary provides an overview of the entire business operation, including the business, the market, the business potential, business strategies, financials and objectives.

Structure and the management

- when and why the business was started;
- a summary of past performance (if applicable);
- management - present positions and experience;
- additions planned to the management team; and
- plans to cover illness or sudden departure of key personnel.

Marketing plan

How your product or service will fit into the market and how you will establish and promote it.

Operational plan

The internal structure and workings of the business. The operational plan should describe the kind of facilities, space, capital equipment and labour force (part and full-time) required to deliver your product or service.

Financial plan

Details of trading history and current performance (if any), assets and debt structure, financial statements (if any) and income and expenditure projections.

The information contained in the Marketing and Operational Plans provide the basis for the annual budget and cash flow. The annual budget consists of a projected profit and loss account and a projected balance sheet.

Action plan

Plans for making the Business Plan happen must be identified – who, when, what and how of being in business.

The business plan also needs to include special purpose financial statements and proof of working capital as set out below.

Special purpose financial statements

Note not required for newly incorporated company or a company that has been dormant.

The objective of the production of special purpose financial reports is to provide the Board with an accurate and up to date assessment of the applicant's financial position. The statements should relate to the entirety of the company or body corporate, irrespective of whether or not the applicant engages or proposes to engage in activities other than building.

The special purpose financial statements should include; Balance Sheet (including working capital), Trading Profit & Loss Statement, List of Aged Debtors and Creditors, List of work in

progress (if applicable) and Notes to and forming part of the statements for the preceding two years, the most current statements must be no older than three months. The statements must be certified by an independent Accountant and one of the directors of the applicant company or members of the board of management of the body corporate.

Proof of working capital

Proof of working capital is to be supported by documentary evidence consistent with the following:

Share issue – proof of paid up / called amount (ie. share certificate, proof of amount paid) and that the money is in the company or body corporate's respective bank account.

Loans – Verification of the loan position (ie. amount left outstanding and extent of any redraw on the amount paid back) and a copy of the loan document itself setting out the terms and conditions of the loans and the parties. Loans that are repayable on demand or repayable within a period shorter than 12 months, which include default clauses giving priority to related party creditors over general and unsecured creditors, or where the terms of the loan can be varied at the request of a related party, are less likely to be accepted by the Board (given the risk exposure to the company) than independent third party loans.

Note that with respect to loans other than loans from financial institutions (including director or related entity loans to/from the company or body corporate) the applicant will need to provide the Board with a special purpose financial report from an accountant, detailing the impact of the loan and its terms and conditions on the current financial position, with particular focus on the company or body corporate's liquidity relative to its proposed future building activities.

Overdraft facility – Verification that a facility has been extended to the applicant setting out terms and conditions accompanied by a statement showing the current balance.

Money gifted to the company or body corporate must be documented by way of a Statutory Declaration and should be beyond recall.

Current bank statement verifying the company or body corporate's cash balances. Bank statements should be provided for a period of four months preceding the application.

Additional information

A historical company extract from the Australian Securities and Investments Commission (ASIC), no older than one month from the date of submission of the application, is to be provided. If the company or body corporate trades under a business name or through a trust you should also provide a certificate of registration of business name from the Department of Commerce and/or a copy of any trust deed.

General purpose or audited financials, proof of ownership and valuation of property may be requested if the Board considers necessary. The Board may also, where it considers necessary, require the company to provide a report, prepared by a financial member of a recognised Australian Accounting body eg. CA, CPA or NIA, confirming the financial position and ability/viability to trade as a registered building services contractor (in accordance with the business plan provided to the Board) and highlighting the impact of any loans (particularly director and related entity loans) on the company or body corporate's financial position.

Attachment B: Authorised witnesses, statutory declarations and certifying documents

The following are persons who may witness Statutory Declarations as well as certify copies of original documents pursuant to the *Oaths, Affidavits and Statutory Declarations Act 2005* in Western Australia.

1. Academic (post-secondary institution)
2. Accountant
3. Architect
4. Australian Consular Officer
5. Australian Diplomatic Officer
6. Bailiff
7. Bank manager
8. Chartered secretary
9. Chemist
10. Chiropractor
11. Company auditor or liquidator
12. Court officer
13. Defence force officer
14. Dentist
15. Doctor
16. Electorate officer of a member of State Parliament
17. Engineer
18. Industrial organisation secretary
19. Insurance broker
20. Justice of the Peace
21. Landgate officer
22. Lawyer
23. Local government CEO or deputy CEO
24. Local government councillor
25. Loss adjuster
26. Marriage celebrant
27. Member of Parliament
28. Minister of religion
29. Nurse
30. Optometrist
31. Patent attorney
32. Physiotherapist
33. Podiatrist
34. Police officer
35. Post office manager
36. Psychologist
37. Public notary
38. Public servant (Commonwealth)
39. Public servant (State)
40. Real estate agent
41. Settlement agent
42. Sheriff or deputy sheriff
43. Surveyor
44. Teacher
45. Tribunal officer
46. Veterinary surgeon

Or any other person whom, under the *Statutory Declarations Act 1959* of the Commonwealth, Statutory Declaration may be made.