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Application for Construction Occupation Licence Company or Partnership

Construction Occupations (Licensing) Act 2004,
s128 and s17

This approved form is to be used for companies or partnerships applying under the *Construction Occupations (Licensing) Act 2004* to the Construction Occupations Registrar for a company or partnership licence to provide licensable services in the ACT. This application will not be considered unless it is complete and all supporting documentation provided.

This form should be completed by a director of a company or a partner of a partnership.

All supporting documentation must:

- be originals or certified true copies of original documents where relevant; and
- be in English. If original documents are not in English, you must provide a certified copy of the original document and an official translation of the document.

Privacy Notice

The personal information on this form is provided to Access Canberra of the ACT Government to enable the processing of your application. If all or some of the personal information is not collected, Access Canberra cannot process your application. The personal information you provide may be disclosed to the other ACT Government Directorates, and third parties external to the ACT Government, as required by specific legislations administered by Access Canberra. The [Information Privacy Policy Annex](#) contains information in regard to what information Access Canberra collects and to whom it is disclosed. The policy also contains information about how you may access or seek to correct your personal information held by Access Canberra, and how you may complain about an alleged breach of the Territory Privacy Principles. The Information Privacy Policy can be found at the <http://www.cmd.act.gov.au/legal/privacy>.

Section A — Company or Partnership Details

Entity Name _____

Australian Company Number/Australian Business Number (ACN/ABN) _____

Business Address _____

Suburb _____ State _____ Postcode _____

Postal Address _____

Suburb _____ State _____ Postcode _____

Phone Number (Business Hours) _____ Fax _____

Mobile Number* _____ Email* _____

**Please note that under s170 of the Construction Occupations (Licensing) Act 2004 it is a requirement to provide a valid mobile telephone number and email address.*

Contact Person**:

***Please note licence applications for a company or partnership will only be discussed with the relevant contact person for the application or a director or partner.*

Given Name _____ Surname _____

Mobile Number* _____ Email* _____

I understand that it is a requirement under law that should the licence be issued that the Construction Occupations Registrar must be notified of any changes to address details within two weeks of the change.

I understand

Section B — Company or Partnership

A corporation or partnership is eligible to be licensed only in the following construction occupations or occupation classes:

- a) builder
- b) building surveyor
- c) drainer
- d) electrical contractor
- e) gasfitter
- f) plumber
- g) plumbing plan certifier
- h) works assessor

A company or partnership is only eligible to be licensed in a construction occupation or occupation class if the corporation or partnership has a nominee who is licensed in the occupation or class being applied for.

Please indicate what type of licence you are applying for:

Company

Partnership

Section C — Historical Company Extract

Complete this section only if you are applying for a company licence.

Requirement: Historical company extract issued by the Australian Securities and Investment Commission (www.asic.gov.au) and must be issued within the last three months

OR

Company extract issued by the Australian Securities and Investment Commission (www.asic.gov.au) if the corporation is less than three months old.

Yes — please attach a copy of the historical company extract.

No — please note that you may not be eligible for a licence.

Section D — Partnership Agreement

Complete this section only if you are applying for a partnership licence.

Requirement: The partnership agreement must state, in the least, the name of the partners entering into the agreement; the name of the business; the term of the agreement; the principal occupation of the partnership; the location where the partnership will be primarily located; and a clause surrounding what actions would occur from potential insolvency of the partnership i.e. voluntary termination, death or missing person.

Yes —please attach a copy of the partnership agreement.

No — please note that you may not be eligible for a licence.

Section C — Nominee details

Title _____ Surname _____

Given Names _____ Date of Birth _____

Licence _____ Expiry Date _____

Mobile Number _____

Pursuant to section 28 of the *Construction Occupations (Licensing) Act 2004* I agree to become the nominee for the company/partnership in the occupation(s) of _____.

Section C — Nominee eligibility to be appointed to Company / Partnership

Requirement: To be eligible to be a nominee for a corporation the proposed nominee must be a Director or Employee of the corporation.

OR

To be eligible to be a nominee for a partnership the proposed nominee must be a partner in the partnership or a nominee of the corporation within the partnership.

Yes — the Historical Company Extract required in Section C will identify if the proposed nominee is a Director and the Partnership agreement required in Section D will identify if the proposed nominee is a partner. If the proposed nominee is an employee of the corporation then evidence of the employment relationship between the proposed nominee and the corporation must be provided.

No — please note that the corporation/partnership application may be refused on the basis that the proposed nominee is determined not eligible to be appointed.

Section C — Nominee declarations

1. I understand that I will remain the nominee of the company/partnership until such time as I become ineligible to stay a nominee and should I become ineligible to remain as nominee I must notify the Construction Occupations Registrar immediately?

Yes

No

2. I understand that as a nominee I am responsible for work undertaken on behalf of the company/partnership and that disciplinary action can be taken against my individual licence under the *Construction Occupations (Licensing) Act 2004*.

Yes

No

3. I understand that if more than one nominee is appointed to the company/partnership I may wish to retain records that document the particular work I was responsible for on behalf of the company/partnership.

Yes

No

4. I understand that as a nominee I must be able to exercise the functions of a nominee on a daily basis.

Yes

No

5. I understand that I can resign at any time from being a nominee for the company/partnership only with approval from the Construction Occupations Registrar.

Yes

No

6. I understand that if I am a sole nominee for a company/partnership then the company/partnership will cease being a licensed entity if I resign; and that the Construction Occupations Registrar will write to the company/partnership informing them of my resignation.

Yes

No

7. I understand that the company/partnership can revoke my appointment as a nominee only with approval by the Construction Occupations Registrar; and that the Construction Occupation Registrar will write to me informing me of the revocation of my appointment.

Yes

No

Signature of Nominee _____ Date _____

*Please note: If more than one nominee is to be appointed to the company at the time of submitting this application, please attach a completed Application for **Construction Occupation Licence - Update Nominees** form for each additional nominee. This form can be found at www.accesscanberra.act.gov.au.*

Section D — Director / Partner Agreement

As Director/Partner I agree to the appointment of the above licensee to be nominee for the Company/Partnership.

Director/Partner Name _____

Signature of Director/Partner _____ Date _____

Section G — Evidence of Financial Resources

Evidence of financial resources is required to help demonstrate your ability to fulfil contractual obligations when providing construction services. Failure to provide information below may result in your licence being refused.

1. Does the company/partnership have access to financial resources adequate to complete works performed under the licence applied for?

Yes

No — please note you may not be eligible for a licence.

2. Is the company/partnership currently bankrupt, or has it been previously deemed bankrupt or insolvent?

Yes — please attach details and official documentation of bankruptcy

No

3. Are any of the directors or partners currently, or have they previously been, deemed bankrupt or personally insolvent?

Yes — please attach details and official documentation of bankruptcy/insolvency

No

4. I understand that it is a requirement under law that should the company/partnership licence be issued, I must notify the Construction Occupations Registrar should the company, partnership, directors or partners become bankrupt or personally insolvent.

I have read and understand the above statement.

Section H — Licence History Declarations

1. Have any of the directors/partners previously held a company or partnership licence in the relevant construction occupation in the ACT or elsewhere in Australia or overseas for this or another company or partnership?

Yes — provide details of the company/partnership name, licence details and company/partnership status

No

2. Is your licence as a company or partnership, in Australia or overseas, currently suspended or cancelled?

Yes — you must attach details

No

3. Have any of the directors/partners previously had a company or partnership licence cancelled, refused or suspended in Australia or overseas for this or another company or partnership?

Yes — you must provide comprehensive details in an attachment to this application

No

4. I understand that I should notify the Construction Occupations Registrar if my company or partnership licence is cancelled, refused or suspended in Australia or overseas.

I have read and understand the above statement.

5. Has your company or partnership licence ever been subject to conditions, undertakings, limitations or restrictions in Australia or overseas?

Yes — you must provide comprehensive details in an attachment to this application

No

6. Are any of the directors/partners disqualified under the *Construction Occupations (Licensing) Act 2004*, or a corresponding prior Act, from applying for licence, or being licensed, in a construction occupation?

Yes — you must provide comprehensive details in an attachment to this application

No

7. Have any of the directors/partners ever been, or are currently, the subject of complaints, occupational discipline, demerit activity or rectification orders whilst licensed under the *Construction Occupations (Licensing) Act 2004*, a corresponding prior Act, or the law of another jurisdiction in Australia or overseas, where those proceedings were not finalised?

Yes — you must provide comprehensive details in an attachment to this application

No

8. Have any of the directors/partners been convicted or found guilty of a criminal offence* that involves fraud, dishonesty or violence and is punishable by imprisonment of 1 year or more?

Yes — you must provide comprehensive details in an attachment to this application and a recent criminal history check

No

**Please note: Spent convictions under the Spent Convictions Act 2000 do not need to be included in this declaration*

9. I understand that it is a requirement under law that should the licence be issued I must notify the Construction Occupations Registrar if any of the directors/partners are convicted of such an offence in the future.

I have read and understand the above statement.

- 10. I understand that it is a requirement under law that should the licence be issued then the company or partnership must not perform any licensable work that is outside the scope of what the licence authorises.**

I have read and understand the above statement.

- 11. I understand that it is a requirement under law that should the licence be issued then evidence must be given to clients of the insurance the company may hold in relation to any relevant licensable construction service the company intends to undertake prior to providing the services.**

I have read and understand the above statement.

- 12. I understand that it is a requirement under law that should the licence be issued the company/partnership must only advertise licensable construction services with the full name of the licensed entity (as it appears on the licence) and the licence number.***

I have read and understand the above statement.

**Please note: It is an offence to advertise licensable construction services as an individual without including the above.*

- 13. I understand that it is a requirement under law that should the licence be issued, all licensable services performed under the licence must comply with all relevant legislation, codes and standards.**

I have read and understand the above statement.

Please note: Licensed services may be audited by the Construction Occupations Registrar in the ACT for compliance against the relevant laws. Licensed entities identified performing non-compliant services may be subject to occupational discipline or other licensing action.

Section I — Consent and Application Declaration

I,

Insert name, position, address and occupation of person making the declaration

make the following declaration:

1. I declare:

- a) that I make this application to the Construction Occupations Registrar for a construction occupations licence and that all statements, and the documents/information provided in support of the application, are accurate, true and correct.

2. I authorise and consent:

- a) to the Construction Occupations Registrar and Access Canberra to make enquiries of, and exchange information with, the relevant regulatory authorities of any Australian State or Territory, or other country, regarding my construction occupation licence and practice of my relevant construction occupation, or otherwise regarding matters relevant to this application.
- b) to receiving information from the Construction Occupations Registrar relevant to my construction occupation licence or the construction industry electronically.

3. I acknowledge:

- a) that the Construction Occupations Registrar and Access Canberra may validate documents provided in support of this application or wish to confirm my identity.
- b) that failure to complete all relevant sections of this application and enclose all supporting documentation may result in this application not being accepted or additional fees being applied as

per the statutory instrument authorising fees to be taken under the *Construction Occupations (Licensing) Act 2004*.

- c) that the Construction Occupations Registrar has the legal right to refuse my application if not satisfied that I am eligible to hold a licence or impose a condition on my licence if it is deemed necessary or desirable to protect the public.

4. I undertake:

- a) to comply with the *Construction Occupations (Licensing) Act 2004* (and its operational Acts) and the codes, standards and guidelines relevant to my construction occupation licence when providing, or offering to provide, a relevant construction service.

5. I believe that the statements (1 - 4) in this declaration are true.

Signature of Applicant (director/partner): _____

Date: ____/____/____

Section J — Payment Details

Upon lodgement of your application you will be required to pay an application assessment fee. This fee is **non-refundable**. You will be provided with a notice of decision in relation to your application. If your application is approved a licence term fee will be payable prior to the issue of your licence. View the [Access Canberra Website](#) for licence application fee and charges.

Section K — Lodgement and Contact Information

Access Canberra Environment Planning and Land Shopfront

GPO Box 1908, Canberra City 2601

16 Challis Street, Dickson ACT 2602

Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)

Phone: (02) 6207 8096

Email: cwpl@act.gov.au