



ACT
Government



**Construction
Occupation
Form for Appointment
of Nominee**

This form is to be used to:

- **appoint a nominee** for a corporation or partnership licence under the *Construction Occupations (Licensing) Act 2004*.

Please ensure that the nominee and a Director of the corporation or Partner of the partnership have signed the form, where required.

Please complete only the relevant sections of this form.

Privacy Information

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 on the http://cmd.act.gov.au/legal/privacy_statement.

Section A — Corporation or partnership details

Entity Name _____

Australian Corporation 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 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 will only be discussed with the relevant contact person for the application or a director or partner.*

Given Name _____ Surname _____

Mobile Number* _____ Email* _____

Section B — Nominee Details

The individual that will be the corporation or partnership's nominee must be licensed in a construction occupation that the corporation or partnership is licensed in or applying to be licensed in.

Under the *Construction Occupations (Licensing) Act 2004*, it is a legal requirement that:

- a nominee must also be able to exercise functions of a nominee on a daily basis, which includes that the nominee is available to attend locations where the construction services the nominee will be responsible for supervising are being carried out;
- any individual being nominated as a nominee for a corporation or partnership must not have any conditions imposed on their individual licence that the cannot supervise trainees or licensees, or must be supervised by someone else, or must not be a nominee.

Title _____ Surname _____

Given Names _____ Date of Birth _____

Individual Licence _____ Expiry Date _____

Mobile Number _____ Email _____

Section C — Nominee eligibility to be appointed to Corporation / 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.

Under the *Construction Occupations (Licensing) Act 2004*, it is a legal requirement that a nominee be able to exercise functions of a nominee on a daily basis, which includes that the nominee is available to attend locations where the construction services the nominee will be responsible for supervising are being carried out

An individual being nominated as a nominee for a corporation or partnership must not have any conditions imposed on their individual licence that the licensee cannot supervise trainees or licensees, or must be supervised by someone else, or must not be a nominee.

1. Is the proposed nominee a director of the corporation?

Yes — A historical company extract issued by the Australian Securities and Investment Commission needs to be provided to prove the proposed nominee is a Director.

2. Is the proposed nominee an employee of the corporation?

Yes — Evidence of the employment relationship between the proposed nominee and the corporation must be provided.

3. Is the proposed nominee a partner in the partnership?

Yes — details will need to be provided of a partnership to prove the proposed nominee is a partner.

4. Is the proposed nominee available to exercise the functions of a nominee on a daily basis, including that they are available to attend locations where the construction services the nominee will be responsible for supervising are being carried out?

Yes —details will need to be provided of a partnership to prove the proposed nominee is a partner.

No —the proposed nominee is not eligible to be appointed.

5. Does the proposed nominee have any conditions imposed on their individual licence that the licensee cannot supervise trainees or licensees, or must be supervised by someone else, or must not be a nominee?

Yes —any licence conditions will be confirmed by Access Canberra.

No —the proposed nominee is not eligible to be appointed.

6. Is the proposed nominee a nominee for any other corporation or partnership licensed under the *Construction Occupations (Licensing) Act*?

No

Yes —please provide details of other appointments.

Appointment 1

Entity Name _____

Licence Number _____

Appointment 2

Entity Name _____

Licence Number _____

Please attach further information for additional appointments

Section E — Nominee declarations

1. I have read and understood the *Construction Occupations Licensing Guide for Nominees of a corporation or partnership* available at <https://www.planning.act.gov.au/build-buy-renovate>

Yes

No

2. I am available to exercise the functions of a nominee on a daily basis, including being available to attend locations where the construction services the nominee will be responsible for supervising are being carried out.

Yes

No

3. I do not have any conditions imposed my individual licence that I cannot supervise trainees or licensees, or must be supervised by someone else, or must not be a nominee.

Yes

No

4. I understand that I will remain the nominee of the corporation/partnership until such time as I become ineligible to stay a nominee if I cease to be licensed in a construction or occupation class appropriate for any of the construction services for which I as the nominee am responsible.

Yes

No

5. I understand that as a nominee I am responsible for adequately supervising ensuring the compliance of work with relevant requirements undertaken on behalf of the corporation/partnership and that disciplinary action can be taken against my individual licence under the *Construction Occupations (Licensing) Act 2004*.

Yes

No

6. I understand that as a nominee I may give the corporation/partnership a written requirement that the corporation/partnership do something, or not do something, in compliance with, or to achieve compliance with the Construction Occupations (Licensing) Act or an operational Act (a mandatory requirement), and that failing to comply with a mandatory requirement is grounds for me seeking resignation as a nominee.

Yes

No

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

Yes

No

8. I understand that I can resign from being a nominee for the corporation/partnership only with approval from the Construction Occupations Registrar.

Yes

No

9. I understand that if I am a sole nominee for a corporation/partnership then the corporation/partnership will be automatically suspended and no longer eligible to hold a licence if I resign; and that the Construction Occupations Registrar will write to the corporation/partnership informing them of my resignation if approved.

Yes

No

10. I understand that the corporation/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 and the corporation/partnership in relation to any application for the of the revocation of my appointment.

Yes

No

11. I believe that the statements (1 - 10) in this declaration are true and correct.

12. I agree that my application as the licensed nominee for _____ corresponds with the details provided in the corporation or partnership application form.

Pursuant to section 28 of the *Construction Occupations (Licensing) Act 2004*, I,
_____ agree to being appointed as the nominee for the

_____ (insert corporation name or partnership) for

the construction services _____.

Signature of Proposed Nominee _____ Date _____

Section F — Corporation / Partnership Declaration

As Director/Partner I agree to the appointment of _____ to be nominee for the Corporation/Partnership as referenced below.

Individual /Entity Name _____ ACN _____

Construction Occupation _____ Construction Occupation Class _____

1. I understand that a licensed corporation or partnership commits an offence if its nominees fail to adequately supervise the relevant construction services or the relevant construction services fail to comply with the Construction Occupations (Licensing) Act or an operational Act.
2. I understand that a nominee may give the corporation/partnership a written requirement that the corporation do something, or not do something, in compliance with, or to achieve compliance with the Construction Occupations (Licensing) Act or an operational Act (a mandatory requirement), and that failing to comply with a mandatory requirement is grounds for the nominee seeking resignation as a nominee.
3. I understand that if more than one licensed nominee is appointed to the corporation/partnership, the corporation/partnership must retain records that document the work each nominee was responsible for.
4. I understand that if there is a sole nominee for the construction services for the corporation/partnership and they stop being a nominee, the corporation/partnership licence will be automatically suspended.
5. I believe that the statements (1 - 5) in this declaration are true and correct.

Director/Partner Name _____

Signature of Director/Partner _____ Date _____

Section G — Payment Details (new appointments)

Upon lodgement of your application you will be required to pay a fee to appoint a new nominee.

If the appointment of a nominee changes the occupation or occupation class of the company/partnership, a fee for a replacement card will need to be paid.

Section H — Lodgement and Contact Information

Access Canberra Environment Planning and Land Shopfront

GPO Box 1908, Canberra City ACT 2601

16 Challis Street, Dickson ACT 2602

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

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