



# Application for Construction Occupation Licence Corporation

## Builder and Building Surveyor

*Construction Occupations (Licensing) Act 2004,*  
s128

This approved form is to be used for corporations applying under the *Construction Occupations (Licensing) Act 2004* to the Construction Occupations Registrar for a corporation 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 must be completed by a director of the corporation.**

**Note: All directors must sign the declaration for this application to be complete.**

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

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 licence details within two weeks of the change.**

I understand

## Section B — Corporation occupation

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

- a) builder
- b) building surveyor
- c) drainer (apply using other than building and building surveyor form)
- d) electrical contractor (apply using other than building and building surveyor form)
- e) gasfitter (apply using other than building and building surveyor form)
- f) plumber (apply using other than building and building surveyor form)
- g) plumbing plan certifier (apply using other than building and building surveyor form)
- h) works assessor (apply using other than building and building surveyor form)

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

Please indicate what type of licence you are applying for:

Builder

Building surveyor

## Section C — Historical Company Extract

**Requirement:**

Historical company extract issued by the Australian Securities and Investment Commission ([www.asic.gov.au](http://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](http://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 — Nominee details

The individual that will be the corporation's nominee must be licensed in a construction occupation that the corporation 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 E — Nominee eligibility to be appointed for a corporation

**Requirement:** To be eligible to be a nominee for a corporation the proposed nominee must be a **director or employee** of the corporation.

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 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.

4. 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.

5. Is the proposed nominee a nominee for any other corporation or partnerships 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 F — Nominee declarations (Proposed nominee to complete)

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 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 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 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.
- Yes  No
7. I understand that if more than one nominee is appointed to the corporation I may wish to retain records that document the particular work I was responsible for on behalf of the corporation.
- Yes  No
8. I understand that I can resign from being a nominee for the corporation only with approval from the Construction Occupations Registrar.
- Yes  No
9. I understand that if I am a sole nominee for a corporation then the corporation 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 informing them of my resignation.
- Yes  No
10. I understand that the corporation 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 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.

Pursuant to section 28 of the *Construction Occupations (Licensing) Act 2004*, I,  
 \_\_\_\_\_ agree to being appointed as the nominee for the  
 \_\_\_\_\_ (insert corporation name) for  
 the construction services \_\_\_\_\_.

Signature of Proposed 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 – Appoint Nominees** form for each additional nominee. This form can be found at [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au).*

## Section G — Director Agreement

As Director, I agree to the appointment of the above licensee to be nominee for the corporation.

Director Name \_\_\_\_\_

Signature of Director \_\_\_\_\_ Date \_\_\_\_\_

## Section H — Financial Probity (corporation)

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 corporation have access to financial resources adequate to complete works performed under the licence applied for?**

- Yes
- No — you may not be eligible for a licence

2. **Is the corporation currently bankrupt, or has it been previously deemed bankrupt or insolvent?**

- Yes — please attach details and official documentation of bankruptcy/insolvency – please note you may be refused a licence
- No

3. **Are any of the directors currently, or have they previously been, deemed bankrupt or personally insolvent, being any of the following:**

- a. Bankrupt or party to a debt agreement as a debtor under Bankruptcy Act 1966 (Commonwealth);
- b. A party to a personal insolvency agreement as a debtor under the Bankruptcy Act 1966 (Commonwealth);
- c. Have authorised a controlling trustee to control the individual's property, whether or not the individual has entered into a personal insolvency agreement as a debtor under the Bankruptcy Act 1966 (Commonwealth);
- d. Having a status under a law of a foreign country substantially similar to a circumstance in (a) to (d)?
- e. Otherwise has applied to take the benefit of any law for the relief of bankrupt or insolvent debtors?
- f. The director of a company that was an externally administered body corporate within the meaning of the Corporations Act 2001 (Commonwealth)?

- Yes — please attach details and official documentation of bankruptcy/insolvency – please note if a partner is bankrupt or personally insolvent you are not eligible for a partnership licence.
- No

4. **Are any of the directors aware of any actions being undertaken by them, the corporation or another entity to enter into arrangements, or bring about the bankruptcy, insolvency or closing of the corporation?**

- Yes — please attach details and any official documentation
- No.

5. **Are any of the directors aware of any actions being undertaken by them, the corporation or another entity to enter into arrangements, or bring about the any of the circumstances described in question 3 in this section in relation to a director?**

- Yes — please attach details and any official documentation
- No.

6. **I understand that it is a requirement under law that should the corporation licence be issued, I must notify the Construction Occupations Registrar should the corporation or directors become bankrupt or personally insolvent.**

- I have read and understand the above statement.

## Section I — Criminal convictions (corporation)

1. **Has the corporation been convicted or found guilty of a criminal offence\* that involves fraud, violence or dishonesty and is punishable by imprisonment of 1 year or more anywhere in Australia or in another country?**

Yes – you must provide comprehensive details in an attachment to this application  No

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

2. **Is the corporation currently being prosecuted for a criminal offence\* that involves fraud, violence or dishonesty and is punishable by imprisonment of 1 year or more anywhere in Australia or in another country?**

Yes – you must provide comprehensive details in an attachment to this application  No

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

3. **Have any of the corporation's directors been convicted or found guilty of a criminal offence\* that involves fraud, violence or dishonesty and is punishable by imprisonment of 1 year or more anywhere in Australia or in another country?**

Yes – you must provide comprehensive details in an attachment to this application  No

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

4. **Are any of the corporation's directors currently being prosecuted for a criminal offence\* that involves fraud or dishonesty and is punishable by imprisonment of 1 year or more anywhere in Australia or in another country?**

Yes – you must provide comprehensive details in an attachment to this application  No

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

5. **I understand that it is a requirement under law that should the corporation be issued a licence, the corporation must notify the Construction Occupations Registrar of any convictions of such offences in the future.**

I have read and understand the above statement.

6. **Do you authorise Access Canberra to obtain a criminal history check in relation to your licence application?**

Yes – I authorise Access Canberra to obtain a criminal history check

No – I do not authorise Access Canberra to obtain criminal history check in relation to the corporation – please note that if you do not provide authorisation to confirm your criminal history, you may be ineligible for a licence.

## Section J — Licence History Declarations

1. **Have any of the directors previously held a corporation licence in the relevant construction occupation in the ACT or elsewhere in Australia or overseas for this or another corporation?**  
 Yes — provide details of the corporation including name, licence details and corporation status  
 No
2. **Is your licence as a corporation, in Australia or overseas, currently suspended or cancelled?**  
 Yes — you must attach details  No
3. **Have you or any of the directors previously had a corporation licence cancelled, refused or suspended in Australia or overseas for this or another corporation?**  
 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 corporation licence is cancelled, refused or suspended in Australia or overseas.**  
 I have read and understand the above statement.
5. **Has your corporation 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, or have they ever been, disqualified under the *Construction Occupations (Licensing) Act 2004*, or a corresponding prior Act, from applying for licence, or being licensed, in a construction occupation either personally or part of a licensed business?**  
 Yes — you must provide comprehensive details in an attachment to this application  No
7. **Have any of the directors ever been, or are currently, the subject of complaints, occupational discipline, demerit activity or rectification orders whilst licensed, or a director or partner of a licensed entity under the *Construction Occupations (Licensing) Act 2004*, a corresponding prior Act, or the law of another jurisdiction in Australia or overseas?**  
 Yes — you must provide comprehensive details in an attachment to this application  No
8. **Does the corporation or any director have any outstanding debts in relation to a rectification order (or equivalent) or regulatory action or as a result of a decision of a Tribunal, Board, Commission, Court or Authority in the ACT or another jurisdiction in relation to a construction service you have provided?**  
 Yes — you must provide comprehensive details in an attachment to this application  No

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 K — Consent and Application Declaration (all Directors to complete)

I,

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Insert name, address and occupation of person making the declaration

make the following declaration as a director of the corporation:

**1. I declare:**

- a) that information and 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 they construction occupation licence and practice in the relevant occupation or otherwise regarding matters relevant to this application.
- b) to receiving information from the Construction Occupations Registrar relevant to the 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 or the identities of other directors.
- b) that the Construction Occupations Registrar and Access Canberra may request more information from the corporation to help it decide whether to grant this application for a corporation license.
- c) 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*.
- d) that the Construction Occupations Registrar has the legal right to refuse the licence if not satisfied that the corporation is eligible to hold a licence or impose a condition on the licence if it is deemed necessary or desirable to protect the public.
- e) that it is an offence to make any false or misleading statement or provide any false or misleading information

**4. Should the corporation be issued with a construction occupations licence the corporation undertakes:**

- 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 understand that the corporation must advise the registrar within 1 business day after any change in directors or nominee, or changes in eligibility requirements.**

**6. I understand that it is a requirement under law that should the licence be issued the corporation must not perform any licensable work that is outside the scope of what the licence authorises.**

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

8. I understand that it is a requirement under law that should the licence be issued the corporation must only advertise licensable construction services with the full name of the licensed entity (as it appears on the licence) and the licence number.
9. 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.
10. I understand that a licensed corporation 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.
11. I understand that a nominee may give the corporation 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.
12. I understand that if more than one licensed nominee is appointed to the corporation, the corporation must retain records that document the work each nominee was responsible for.
13. I understand that if there is a sole nominee for the construction services for the corporation and they stop being a nominee, the corporation licence will be automatically suspended.
14. I believe that the statements (1 - 13) in this declaration are true and correct.

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.

Signature of Director \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Section L — 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 M — 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](mailto:cwpl@act.gov.au)