
COMMERCE

CM301

Building Services (Registration) Act 2011

**Building Services (Registration) Amendment
Regulations 2022**

SL 2022/101

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building Services (Registration) Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 February 2023.

3. Regulations amended

These regulations amend the *Building Services (Registration) Regulations 2011*.

4. Regulation 3 amended

In regulation 3 delete the definition of *insolvent*.

5. Regulation 10A inserted

After regulation 10 insert:

10A. Notification of new director of building service contractor: prescribed information

- (1) For the purposes of section 32A(3), the following information must be included in a notice of the appointment of any new director of a body that is a building service contractor —
- (a) a copy of an ASIC current and historical company extract for the body that was extracted within the previous 30 days;
 - (b) the new director's Director Identification Number (*DIN*) if the new director is required to have a DIN under the *Corporations Act 2001* (Commonwealth) Part 9.1A;
 - (c) whether the new director is (or has been) a bankrupt or a person whose affairs are under insolvency laws, according to the *Interpretation Act 1984* section 13D;
 - (d) whether the new director has not paid a building service debt of a kind referred to in section 53(4) that the new director has incurred;
 - (e) whether the new director is (or has been) an officer of a corporation or a non-corporate body that became an insolvent on at least 1 occasion, but only if the period of 3 years has not elapsed since the insolvency event that resulted in the last insolvency.
- (2) A term used in subregulation (1)(e) has the same meaning as it has in Part 5A of the Act.

6. Schedule 5 Division 2 amended

In Schedule 5 Division 2 after the row relating to s. 32(1) insert:

s. 32A(2)	Failure to notify the Board of new director	\$1 000
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V. MOLAN, Clerk of the Executive Council.