Western Australia

Building Services (Registration) Act 2011

Building Services (Registration) Regulations 2011

As at 01 Jul 2026 Official Version
[PCO 02-aq0-00] Published on www.legislation.wa.gov.au

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Building Services (Registration) Regulations 2011

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Building Services (Registration) Regulations 2011

Part 1 — General provisions

1. Citation

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

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 the day on which Part 3 of the Act comes into operation.

3. Terms used

In these regulations —

builder work has the meaning given in regulation 13;

Building Code means the Building Code of Australia which is volumes 1 and 2, as amended from time to time, of the National Construction Code;

building engineering work has the meaning given in the *Building Services (Complaint Resolution and Administration) Regulations 2011* regulation 4B(1);

building surveying work level 1 has the meaning given in regulation 28A;

building surveying work level 2 has the meaning given in regulation 28A;

certificate of building compliance means a certificate that complies with the *Building Act 2011* section 57;

certificate of construction compliance means a certificate that complies with the *Building Act 2011* section 56;

certificate of design compliance means a certificate that complies with the *Building Act 2011* section 19;

compliance certificate means —

(a) a certificate of building compliance; or

(b) a certificate of construction compliance; or

(c) a certificate of design compliance;

National Construction Code means the National Construction Code series published by, or on behalf of, the Australian Building Codes Board;

National Register has the meaning given in the *National Vocational Education and Training Regulator Act 2011* (Commonwealth) section 3;

owner-builder, in relation to building work, means a person who has an owner-builder approval granted under the *Building Services (Registration) Act 2011* section 45 to carry out the building work;

painter work has the meaning given in regulation 28;

principal builder, in relation to builder work, means a person who carries out, or undertakes to carry out, the builder work for another person but does not include —

(a) a person engaged as a subcontractor to carry out all or part of the builder work; or

(b) a person who carries out, or undertakes to carry out, all or part of the builder work for an owner-builder;

section means section of the Act;

storey has the meaning given in the Building Code Schedule 3.

[Regulation 3 amended: Gazette 12 Mar 2012 p. 990 and p. 1008; 31 Mar 2017 p. 1941-2; SL 2020/196 r. 11; SL 2021/86 r. 15; SL 2021/213 r. 4; SL 2022/101 r. 4; SL 2023/64 r. 4.]

4. Prescribed building services

For the purposes of the definition of ***prescribed building service*** in section 3 the following building services are prescribed —

(a) builder work as a principal builder;

(ba) building surveying work level 1 as the person issuing a compliance certificate;

(bb) building surveying work level 2 as the person issuing a compliance certificate;

[(bc) deleted]

(b) painter work.

[Regulation 4 amended: Gazette 12 Mar 2012 p. 1008; 31 Mar 2017 p. 1942; SL 2023/64 r. 5; SL 2024/255 r. 6.]

5. Persons prescribed for purposes of s. 7

A person entitled to carry out builder work as a principal builder is prescribed for the purposes of section 7 in respect of painter work if —

(a) the person carries out, or undertakes to carry out, the painter work as part of a contract to carry out builder work; and

(b) the person engages the services of a building service contractor entitled to carry out painter work to carry out the painter work.

[Regulation 5 amended: Gazette 31 Mar 2017 p. 1942.]

6. Classes of building service practitioner and building service contractor

(1) For the purposes of section 9(1) the following classes of building service practitioner are prescribed —

(a) building practitioner;

(ba) building surveying practitioner level 1;

(bb) building surveying practitioner level 2;

(bc) building surveying practitioner technician;

(bd) building engineering practitioner, structural — professional;

(be) building engineering practitioner, structural — technologist;

(bf) building engineering practitioner, structural — associate;

(bg) building engineering practitioner, fire safety — professional;

(bh) building engineering practitioner, fire systems — technologist;

(bi) building engineering practitioner, fire systems — associate;

(bj) building engineering practitioner, civil — professional;

(bk) building engineering practitioner, civil — technologist;

(bl) building engineering practitioner, civil — associate;

(bm) building engineering practitioner, mechanical — professional;

(bn) building engineering practitioner, mechanical — technologist;

(bo) building engineering practitioner, mechanical — associate;

(b) painting practitioner.

(2) For the purposes of section 9(2) the following classes of building service contractor are prescribed —

(a) building contractor (individual);

(b) building contractor (partnership);

(c) building contractor (company);

(da) building surveying contractor level 1 (individual);

(db) building surveying contractor level 1 (partnership);

(dc) building surveying contractor level 1 (company);

(dd) building surveying contractor level 2 (individual);

(de) building surveying contractor level 2 (partnership);

(df) building surveying contractor level 2 (company);

(dg) building engineering contractor — professional (individual);

(dh) building engineering contractor — professional (partnership);

(di) building engineering contractor — professional (company);

(dj) building engineering contractor — technologist (individual);

(dk) building engineering contractor — technologist (partnership);

(dl) building engineering contractor — technologist (company);

(dm) building engineering contractor — associate (individual);

(dn) building engineering contractor — associate (partnership);

(do) building engineering contractor — associate (company);

(dp) building engineering contractor, fire systems — technologist (individual);

(dq) building engineering contractor, fire systems — technologist (partnership);

(dr) building engineering contractor, fire systems — technologist (company);

(ds) building engineering contractor, fire systems — associate (individual);

(dt) building engineering contractor, fire systems — associate (partnership);

(du) building engineering contractor, fire systems — associate (company);

(d) painting contractor (individual);

(e) painting contractor (partnership);

(f) painting contractor (company).

[Regulation 6 amended: Gazette 12 Mar 2012 p. 990-1; SL 2023/64 r. 6 and 19.]

7. Registration and renewal of registration

(1) An application for registration or renewal under section 13(1) or (2) must state that the registration or renewal is sought for a period of 3 years.

(2) For the purposes of section 15(1), the period commencing 12 weeks before the registration of a person is due to expire and ending when the person's registration expires is the renewal period for the application for the renewal of the person's registration.

[Regulation 7 inserted: Gazette 21 Sep 2018 p. 3534; amended: SL 2024/190 r. 4.]

7A. Information prescribed for register

(1) For the purposes of section 29(4)(g) and (5)(h), the information is as follows —

(a) conviction of an offence under any of the following —

(i) the Act;

(ii) the *Building Services (Complaint Resolution and Administration) Act 2011*;

(iii) the *Home Building Contracts Act 1991*;

(b) if the registered building service provider is a building service contractor, details of a fine imposed by the State Administrative Tribunal under section 59(3) on a person who is —

(i) a nominated supervisor of the contractor; or

(ii) if the contractor is a partnership — a partner; or

(iii) if the contractor is a body corporate — a director of the body corporate or a person who is concerned in the management of the body corporate; or

(iv) if the contractor is an unincorporated body — a person who is concerned in the management of the body;

(c) if the registered building service provider is a building service practitioner, details of a fine imposed by the State Administrative Tribunal under section 59(3) on that person in the person's capacity as —

(i) a nominated supervisor of a building service contractor; or

(ii) a partner of a building service contractor that is a partnership; or

(iii) a director of, or person concerned in the management of, a building service contractor that is a body corporate; or

(iv) a person concerned in the management of a building service contractor that is an unincorporated body;

(d) details of an order made by the Board under section 57(2)(a);

(e) details of a caution or reprimand issued by the Board under section 57(2)(b);

(f) details of a requirement of the Board for an undertaking under section 57(2)(c);

(g) details of an order made by the Board under section 57(2)(d) or 57(3);

(h) details of a caution or reprimand issued by the State Administrative Tribunal under section 58(1)(c).

(2) A reference in subregulation (1)(a) to a conviction includes a finding of guilt, or the acceptance of a guilty plea, whether or not a conviction is recorded.

(3) In the case of a building service contractor that is a partnership, subregulation (1)(a) applies in relation to the conviction of a partner.

(4) This regulation does not apply in relation to conduct by a registered building service provider that occurred before the commencement of the *Building Services (Registration) Amendment Regulations 2023* regulation 4.

[Regulation 7A inserted: SL 2023/76 r. 4.]

7B. Removing information from register

(1) The Building Commissioner must remove the information referred to in regulation 7A(1)(a), (b) or (c) as soon as practicable after, and in any event not later than 28 days after, the earlier of the following —

(a) the expiry of the period of 3 years beginning on the day of conviction or the day on which the fine is imposed (whichever is relevant);

(b) the conviction or the decision to impose a fine (whichever is relevant) is set aside on appeal.

(2) The Building Commissioner must remove the information referred to in regulation 7A(1)(d), (e), (f), (g) or (h) as soon as practicable after, and in any event not later than 28 days after, the earlier of the following —

(a) the expiry of the period of 12 months beginning on the day on which the order, caution or reprimand or requirement (whichever is relevant) is made or issued;

(b) the decision to make the order or issue the caution or reprimand or requirement (whichever is relevant) is set aside on review by the State Administrative Tribunal.

(3) A reference in subregulation (1)(a) to the day of conviction means (as applicable) —

(a) the day on which the conviction is recorded; or

(b) if no conviction is recorded —

(i) the day on which the finding of guilt is made in relation to the building service provider; or

(ii) the day on which the plea of guilty by the building service provider is accepted.

[Regulation 7B inserted: SL 2023/76 r. 4.]

8. Membership of Board: occupation groups

For the purposes of the definition of ***occupation group*** in section 67(1) the classes of registered building service providers listed in an item in the Table comprise the occupation group referred to for that item.

Table

Item	Classes of building service providers	Occupation group
1.	Building practitioner Building contractor (individual) Building contractor (partnership) Building contractor (company)	Builders
2A.	Building surveying practitioner level 1 Building surveying practitioner level 2 Building surveying practitioner technician Building surveying contractor level 1 (individual) Building surveying contractor level 1 (partnership) Building surveying contractor level 1 (company)	Building surveyors
	Building surveying contractor level 2 (individual)	

Item	Classes of building service providers	Occupation group
	Building surveying contractor level 2 (partnership) Building surveying contractor level 2 (company)	
2.	Painting practitioner Painting contractor (individual) Painting contractor (partnership) Painting contractor (company)	Painters

[Regulation 8 amended: Gazette 12 Mar 2012 p. 991-2.]

9. Fees

The fees set out in Schedule 1 are payable in respect of the matters referred to in that Schedule.

*[**9A.** Deleted: SL 2021/86 r. 16.]*

10. Reduction, waiver and refund of fees

(1) The Building Commissioner may reduce, waive or refund the whole or part of a fee under these regulations.

(2) The Building Commissioner may do so —

(a) on their own initiative; or

(b) on application by a person in the manner and form approved by the Building Commissioner.

[Regulation 10 inserted: SL 2024/255 r. 7.]

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.

[Regulation 10A inserted: SL 2022/101 r. 5.]

11. Notification of disciplinary action: prescribed Acts

For the purposes of section 36(1) the following Acts are prescribed —

(a) *Architects Act 2004*;

(ba) *Architects Act 2004* (Australian Capital Territory);

(bb) *Architects Act 2003* (New South Wales);

(bc) *Architects Act* (Northern Territory);

(bd) *Architects Act 2002* (Queensland);

(be) *Architects Act 1991* (Victoria);

(bf) *Architectural Practice Act 2009* (South Australia);

(b) *Building Act 1993* (Victoria);

(c) *Building Act* (Northern Territory);

(d) *Building Act 2000* (Tasmania);

(e) *Building Act 1993* (Victoria);

(fa) *Building Professionals Act 2005* (New South Wales);

(f) *Building Work Contractors Act 1995* (South Australia);

(g) *Construction Occupations (Licensing) Act 2004* (Australian Capital Territory);

(h) *Credit (Administration) Act 1984*;

(ha) *Design and Building Practitioners Act 2020* (New South Wales);

(ia) *Development Act 1993* (South Australia);

(i) *Electricity Act 1945*;

[(j) deleted]

(k) *Gas Standards Act 1972*;

(l) *Home Building Act 1989* (New South Wales);

(m) *Land Valuers Licensing Act 1978*;

(n) *Licensed Surveyors Act 1909*;

(oa) *Professional Engineers Act 2002* (Queensland);

(ob) *Professional Engineers Registration Act 2019* (Victoria);

(o) *Queensland Building Services Authority Act 1991* (Queensland);

(p) *Real Estate and Business Agents Act 1978*;

(q) *Settlement Agents Act 1981*;

(r) *Plumbers Licensing Act 1995*.

[Regulation 11 amended: Gazette 31 Jan 2012 p. 591-2; 14 Nov 2013 p. 5029; SL 2023/64 r. 7; SL 2026/19 r. 4.]

Part 2 — Builders

Division 1 — Preliminary

12. Terms used

In this Part —

building work has the meaning given in the *Building Act 2011* section 3;

farm building means any building of a permanent nature, other than a building used or intended to be used for residential purposes, that is —

(a) constructed, or to be constructed, on land used primarily for agricultural purposes; and

(b) itself used or intended to be used for agricultural purposes.

Division 2 — Building service providers

13. Terms used

(1) In this Division —

builder work means building work —

(a) for which a building permit is required; and

(b) with a value (based on the value of the work estimated under Schedule 2) of —

(i) if the work relates to a building that is a Class 10a building under the Building Code — $50 000 or more; or

(ii) otherwise — $20 000 or more;

and

(c) carried out in an area of the State set out in Schedule 3,

but does not include the following types of building work —

(d) construction of a farm building;

(e) production of a prefabricated or transportable building in a manufacturing yard;

(f) formation of a parking area;

(g) formation of outdoor sporting surfaces including associated fencing and lighting;

(h) construction of walkways, viewing and gathering platforms that do not form part of another building;

(i) construction of a water tank that is not incorporated into the structure of another building;

(j) construction of an incidental structure as defined in the *Building Act 2011* section 3;

(k) installation of fire sprinklers, free standing partitioning, safety systems, timber decking or glazing;

(l) cabinet making and installation;

(m) joinery (2^{nd} fixing) work;

[(n) deleted]

building contractor means —

(a) a building contractor (individual); or

(b) a building contractor (partnership); or

(c) a building contractor (company).

(2) If a person carries out, or undertakes to carry out, building work for another person under more than 1 distinct contract or engagement and the building work is substantially a single undertaking in connection with a single building, the value of all the work must be added together for the purposes of calculating the value of the building work.

[Regulation 13 amended: Gazette 31 Mar 2017 p. 1942; SL 2021/170 r. 4; SL 2026/54 r. 4.]

14. Prescribed titles: building practitioners and building contractors

(1) The titles listed in the Table are prescribed for the purposes of section 4(1).

Table

Part 1 — Building practitioners
Registered Builder: Practitioner Registered Building Practitioner Registered Building Services Practitioner
Part 2 — Building contractor (individual)
Registered Builder Registered Builder: Contractor Registered Building Contractor Registered Building Services Contractor
Part 3 — Building contractor (partnership)
Registered Building Partnership Registered Building Contractor: Partnership Registered Building Contractor (Partnership) Registered Building Services Contractor (Partnership)
Part 4 — Building contractor (company)
Registered Building Company Registered Building Contractor: Company Registered Building Contractor (Company)

Registered Building Services Contractor (Company)

(2) A building practitioner is entitled to use a title prescribed in Part 1 of the Table.

(3) A building contractor (individual) is entitled to use a title prescribed in Part 2 of the Table.

(4) A building contractor (partnership) is entitled to use a title prescribed in Part 3 of the Table.

(5) A building contractor (company) is entitled to use a title prescribed in Part 4 of the Table.

15. Building contractors: building services prescribed

For the purposes of section 11(a), builder work as a principal builder is prescribed as a building service that the following classes of building service contractors are entitled to carry out —

(a) building contractor (individual);

(b) building contractor (partnership);

(c) building contractor (company).

[Regulation 15 amended: Gazette 31 Mar 2017 p. 1942.]

16. Qualifications and experience: building practitioners

(1) For the purposes of section 17(1)(b) a qualification (if any) listed in a set in the Table, together with the experience listed in the same set, are prescribed as qualifications and experience for building practitioners.

Table

	Qualifications	**Experience**
Set 1	(aa) CPC50220 Diploma of Building and Construction (Building) as described on the National Register; or (a) CPC50210 Diploma of Building and Construction (Building) as described on the National Register including the following units — (i) CPCCBC4005A — Produce labour and material schedules for ordering;	carrying out or supervising building work for periods totalling at least the equivalent of 7 years full-time
	(ii) CPCCBC4018A — Apply site surveys and set-out procedures to building and construction projects; (iii) CPCCBC5005A — Select and manage building and construction contractors;	

	Qualifications	**Experience**
	(iv) CPCCBC5007A — Administer the legal obligations of a building or construction contract or CPCCBC5007B — Administer the legal obligations of a building or construction contractor; (v) CPCSUS5001A — Develop workplace policies and procedures for sustainability; (vi) CPCCBC4014A — Prepare simple building sketches and drawings;	
	[(vii) deleted] or (b) an equivalent qualification as determined by the Board	

	Qualifications	**Experience**
Set 2	qualifications acceptable for — (a) membership as Member (Level 1) or Member (Level 2) of the Royal Australian Institute of Architects; or (b) registration under the *Architects Act 2004*; or (c) membership as Professional Engineer (MIEAust or FIEAust) of the Institution of Engineers, Australia; or (d) membership as Fellow or Member of the Australasian Institute of Mining and Metallurgy, evidenced by such membership or registration	supervising building construction for periods totalling at least the equivalent of 5 years full-time
Set 3	qualifications acceptable for membership as Fellow or Member of the Australian Institute of Building evidenced by such membership	carrying out, supervising or managing building construction for periods totalling at least the equivalent of 5 years full-time
Set 4		experience in supervising or

	Qualifications	**Experience**
		managing building construction — (a) for periods totalling at least the equivalent of 5 years full-time; and (b) sufficient to gain knowledge and skills equivalent to those possessed by a person who has successfully completed a qualification referred to in set 1
Set 5		experience in carrying out building work, other than in the area set out in Schedule 3 or the area of the State within which the *Builders' Registration Act 1939* [1] applied before it was repealed — (a) for periods totalling at least the equivalent

	Qualifications	**Experience**
		of 7 years full-time; and (b) sufficient to gain knowledge and skills equivalent to those possessed by a person who has successfully completed a qualification referred to in set 1

(2) For the purposes of section 17(1)(b) the qualifications and experience for the renewal of the registration of a building practitioner are the qualifications (if any) and the experience that entitled the person to be registered as evidenced by such registration.

(3) For the purposes of section 17(1)(b) the qualifications and experience for registration as a building practitioner for an eligible person are the qualifications (if any) and the experience that entitled the eligible person to be previously registered as evidenced by such registration.

(4) In subregulation (3) —

eligible person means a person —

(a) who was previously registered at any time in the period of 3 years ending on the day on which an application for registration as a building practitioner is made; and

(b) whose registration expired or was suspended or cancelled at the request of the person;

previously registered means —

(a) registered as a building practitioner; or

(b) registered under the *Builders' Registration Act 1939* [1] section 9A(1) or 10(1).

[Regulation 16 amended: Gazette 31 Jan 2012 p. 592-5; 18 Dec 2012 p. 6586; SL 2021/213 r. 5.]

17. Conduct of examinations

For the purpose of assessing a person's knowledge and skills in relation to building work the Board may conduct such examinations as the Board considers appropriate.

[Regulation 17 amended: Gazette 31 Jan 2012 p. 595.]

18. Financial requirements: building contractors

(1) For the purposes of section 18(1)(b) the financial requirements prescribed for registration as a building contractor are that the applicant must have the capacity to meet debts as and when they fall due.

(2) For the purpose of assessing whether an applicant has the capacity to meet debts as and when they fall due the Board may have regard to the following —

(a) the net assets of the applicant;

(b) liquid funds available to the applicant;

(c) loan or overdraft facilities available to the applicant;

(d) the applicant's equity in property or non-current assets that a loan facility may be raised against;

(e) the proposed scale of operation of the applicant;

(f) any other consideration relevant to the applicant's financial capacity.

19. Prescribed requirements: building contractors

(1) For the purposes of section 18(1)(g) an applicant for registration as a building contractor (individual) must be an individual.

(2) For the purposes of section 18(1)(g) an applicant for registration as a building contractor (partnership) must be a partnership.

(3) For the purposes of section 18(1)(g) an applicant for registration as a building contractor (company) must be a corporation or an unincorporated body.

20. Supervisor for building contractor: eligible person

For the purposes of the definition of ***eligible person*** in section 21(1) building practitioner is prescribed as the class of building service practitioner for the following classes of building service contractor —

(a) building contractor (individual);

(b) building contractor (partnership);

(c) building contractor (company).

21. Display of signs

A building contractor who carries out builder work as a principal builder must ensure that there is attached to the site where the work is being carried out a sign that complies with the following requirements —

(a) the sign must be located in a prominent position on the site and be able to be read by members of the public from outside the site;

(b) the sign must be of reasonable dimensions and written in clearly legible letters and numerals;

(c) the sign must contain the following details —

(i) the name and registration number of the building contractor;

(ii) a contact telephone number for the building contractor;

(iii) the name and registration number of the nominated supervisor for the building contractor.

Penalty: a fine of $1 000.

[Regulation 21 amended: Gazette 31 Jan 2012 p. 595; 31 Mar 2017 p. 1942.]

Division 3 — Owner-builders

22. Terms used

In this Division —

Class 10 building means a building that is a Class 10 building for the purposes of the Building Code;

detached house means a building that is a Class 1a(i) building for the purposes of the Building Code;

small commercial building means a one or 2 storey building with a floor area of less than 500 m^2 that is not a detached house, a Class 10 building or a farm building.

[Regulation 22 amended: SL 2023/64 r. 8.]

23. Owner-builder work

For the purposes of the definition of ***owner-builder work*** in section 38 the following kinds of buildings are prescribed —

(a) a detached house;

(b) a Class 10 building;

(c) a small commercial building.

24A. Prescribed interests in land

For the purposes of the definition of ***owner*** in section 39(1) the following interests in land are prescribed —

(a) a leasehold interest in land if the terms of the lease allow the lessee to undertake building work without the consent of each person whose name is registered as a proprietor of the land;

(b) an interest as purchaser under a contract to purchase an estate in fee simple in the land.

[Regulation 24A inserted: Gazette 31 Jan 2012 p. 596.]

24. Evidence of knowledge of duties and responsibilities: owner-builders

For the purposes of section 43(3)(b) building practitioner is prescribed as a class of building service practitioner.

25. Requirements for owner-builder approval

For the purposes of section 45(1) the following requirements are prescribed for the grant of an owner-builder approval —

(a) if the owner-builder work relates to a detached house — the applicant intends to reside on the land on which the owner-builder work is to be carried out when the work is completed;

(b) if the owner-builder work relates to a Class 10 building or a small commercial building — the applicant intends to occupy or use the land on which the owner-builder work is to be carried out when the work is completed.

[Regulation 25 amended: Gazette 31 Jan 2012 p. 596.]

26. Conditions on owner-builder approvals

An owner-builder approval is subject to the condition that, if any part of the owner-builder work to which the approval relates must be carried out by a person registered under another written

law, the owner-builder must take all reasonable steps to ensure that the work is carried out by a person who is so registered.

27. Display of signs

(1) In this regulation —

approval number means the number assigned to an owner-builder approval by the Building Commissioner.

(2) An owner-builder who carries out owner-builder work must ensure that there is attached to the site where the work is being carried out a sign that complies with the following requirements —

(a) the sign must be located in a prominent position on the site and be able to be read by members of the public from outside the site;

(b) the sign must be of reasonable dimensions and written in clearly legible letters and numerals;

(c) the sign must contain the following details —

(i) the name of the owner-builder;

(ii) a contact telephone number for the owner-builder;

(iii) the approval number for the owner-builder approval granted in respect of the work.

Penalty for this subregulation: a fine of $1 000.

[Regulation 27 amended: Gazette 31 Jan 2012 p. 596; SL 2023/64 r. 9.]

Part 2A — Building surveyors

[Heading inserted: Gazette 12 Mar 2012 p. 992; amended: SL 2023/64 r. 10.]

28A. Terms used

In this Part —

building surveying contractor means —

(a) a building surveying contractor level 1 (individual); or

(b) a building surveying contractor level 1 (partnership); or

(c) a building surveying contractor level 1 (company); or

(d) a building surveying contractor level 2 (individual); or

(e) a building surveying contractor level 2 (partnership); or

(f) a building surveying contractor level 2 (company);

building surveying work has the meaning given in the *Building Services (Complaint Resolution and Administration) Regulations 2011* regulation 4A;

building surveying work level 1 means building surveying work in respect of any building or incidental structure;

building surveying work level 2 means building surveying work in respect of —

(a) a Class 1 or Class 10 building or incidental structure; or

(b) a Class 2 to 9 building or incidental structure —

(i) with a floor area up to 2 000 m^2; and

(ii) not more than 3 storeys in height.

[Regulation 28A inserted: Gazette 12 Mar 2012 p. 992-3; amended: Gazette 8 Aug 2017 p. 4345.]

28B. Prescribed titles: building surveying practitioners and building surveying contractors

(1) The titles listed under each Part heading in the Table are prescribed for the purposes of section 4(1).

Table

Part 1 — General
Registered Building Surveyor
Part 2 — Building surveying practitioners level 1
Registered Building Surveying Practitioner Registered Building Surveying Practitioner Level 1
Part 3 — Building surveying practitioners level 2
Registered Building Surveying Practitioner Level 2
Part 4 — Building surveying practitioners technicians
Registered Building Surveying Practitioner Technician
Part 5 — Building surveying contractors level 1 and level 2 (individual)
Registered Building Surveying Contractor
Part 6 — Building surveying contractors level 1 and level 2 (partnership)
Registered Building Surveying Partnership Registered Building Surveying Contractor: Partnership Registered Building Surveying Contractor (Partnership)
Part 7 — Building surveying contractors level 1 and level 2 (company)
Registered Building Surveying Company

Registered Building Surveying Contractor: Company
Registered Building Surveying Contractor (Company)

(2) A building surveying practitioner level 1 is entitled to use a title prescribed in Parts 1 and 2 of the Table.

(3) A building surveying practitioner level 2 is entitled to use a title prescribed in Parts 1 and 3 of the Table.

(4) A building surveying practitioner technician is entitled to use a title prescribed in Parts 1 and 4 of the Table.

(5) A building surveying contractor level 1 (individual) or building surveying contractor level 2 (individual) is entitled to use a title prescribed in Parts 1 and 5 of the Table.

(6) A building surveying contractor level 1 (partnership) or building surveying contractor level 2 (partnership) is entitled to use a title prescribed in Part 6 of the Table.

(7) A building surveying contractor level 1 (company) or building surveying contractor level 2 (company) is entitled to use a title prescribed in Part 7 of the Table.

[Regulation 28B inserted: Gazette 12 Mar 2012 p. 993-5.]

28C. Building surveying contractors: building services prescribed

(1) For the purposes of section 11(a), building surveying work level 1 as the person issuing a compliance certificate is prescribed as a building service that the following classes of building service contractors are entitled to carry out —

(a) building surveying contractor level 1 (individual);

(b) building surveying contractor level 1 (partnership);

(c) building surveying contractor level 1 (company).

(2) For the purposes of section 11(a), building surveying work level 2 as the person issuing a compliance certificate is

prescribed as a building service that the following classes of building service contractors are entitled to carry out —

(a) building surveying contractor level 2 (individual);

(b) building surveying contractor level 2 (partnership);

(c) building surveying contractor level 2 (company).

[Regulation 28C inserted: Gazette 12 Mar 2012 p. 1009.]

28D. Qualifications and experience: building surveying practitioners

(1) For the purposes of section 17(1)(b) —

(a) a qualification listed in set 1 in the Table, together with the experience listed in set 1, are prescribed as qualifications and experience for a building surveying practitioner level 1; and

(b) a qualification listed in set 2, set 3 or set 4 in the Table, together with the experience (if any) listed in the same set, are prescribed as qualifications and experience for —

(i) the renewal of the registration of a building surveying practitioner level 1; and

(ii) the registration of a building surveying practitioner level 1 until 30 June 2013; and

(iii) the registration of a building surveying practitioner level 1 who is an eligible person.

Table

	Qualifications	**Experience**
Set 1	Bachelor of Building Surveying and Certification granted by the Central Queensland University; or	experience in building surveying work for periods totalling at least the equivalent of 3 years full-time

	Qualifications	**Experience**
	an equivalent qualification as determined by the Board	
Set 2	Building Surveyors Certificate of Qualification issued under the *Local Government (Qualifications of Municipal Officers) Regulations 1984* [2] regulation 12(1) or (2)	periods totalling at least the equivalent of 5 years full-time unrestricted experience as a building surveyor including at least the equivalent of 4 years full-time experience with a local government in Western Australia in the period since 1 July 1998
Set 3	CPC60108 Advanced Diploma of Building Surveying as described on the National Register	periods totalling at least the equivalent of 5 years full-time unrestricted experience as a building surveyor including at least the equivalent of 4 years full-time experience with a local government in Western Australia in the period since 1 July 1998

	Qualifications	**Experience**
Set 4	Building Surveyor Level 1 certificate granted under the *Local Government (Building Surveyors) Regulations 2008* [3] regulation 21	

(2A) In subregulation (1) —

eligible person means a person —

(a) who was registered as a building surveying practitioner level 1 at any time in the period of 3 years ending on the day on which an application for registration as a building surveying practitioner level 1 is made; and

(b) whose registration expired or was suspended or cancelled at the request of the person.

(2) For the purposes of section 17(1)(b) —

(a) a qualification listed in set 1 in the Table, together with the experience listed in set 1, are prescribed as qualifications and experience for a building surveying practitioner level 2; and

(b) a qualification (if any) listed in set 2, set 3 or set 4 in the Table, together with the experience (if any) listed in the same set, are prescribed as qualifications and experience for —

(i) the renewal of the registration of a building surveying practitioner level 2; and

(ii) the registration of a building surveying practitioner level 2 until 30 June 2013; and

(iii) the registration of a building surveying practitioner level 2 who is an eligible person.

Table

	Qualifications	**Experience**
Set 1	(a) CPC60121 Advanced Diploma of Building Surveying as described on the National Register; or (b) CPC60115 Advanced Diploma of Building Surveying as described on the National Register; or (c) CPC60108 Advanced Diploma of Building Surveying as described on the National Register; or (d) an equivalent qualification as determined by the Board	experience in building surveying work for periods totalling at least the equivalent of 2 years full-time

	Qualifications	**Experience**
Set 2	CPC50108 Diploma of Building Surveying as described on the National Register	periods totalling at least the equivalent of 4 years full-time unrestricted experience as a building surveyor for a local government in Western Australia in the period since 1 July 1998
Set 3		periods totalling at least the equivalent of 6 years full-time unrestricted experience as a building surveyor including at least the equivalent of 4 years full-time experience with a local government in Western Australia in the period since 1 July 1998
Set 4	Building Surveyor Level 2 certificate granted under the *Local Government (Building Surveyors) Regulations 2008* [3] regulation 21	

(3A) In subregulation (2) —

eligible person means a person —

(a) who was registered as a building surveying practitioner level 2 at any time in the period of 3 years ending on the

day on which an application for registration as a building surveying practitioner level 2 is made; and

(b) whose registration expired or was suspended or cancelled at the request of the person.

(3) For the purposes of section 17(1)(b), a qualification listed in set 1 in the Table or the experience listed in set 2, are prescribed as qualifications and experience for a building surveying practitioner technician.

Table

	Qualifications	**Experience**
Set 1	(a) CPCSS00005 Provide building surveying services for residential buildings up to three storeys as described on the National Register; or (b) CPCSS00004 Provide building surveying services for residential buildings up to three storeys as described on the National Register; or (c) CPC50108 Diploma of	

	Qualifications	**Experience**
	Building Surveying as described on the National Register; or (d) an equivalent qualification as determined by the Board	
Set 2		12 months full-time experience as a building surveyor for a local government in Western Australia in the period between 1 July 2007 and 30 June 2008

[Regulation 28D inserted: Gazette 12 Mar 2012 p. 995-9; amended: Gazette 6 Nov 2012 p. 5294; 18 Dec 2012 p. 6586-9; 22 Jan 2013 p. 211; 19 Dec 2014 p. 4842; SL 2021/213 r. 6.]

28E. Financial requirements: building surveying contractors

(1) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a building surveying contractor level 1 (individual) or a building surveying contractor level 2 (individual) —

(a) the applicant must not be an insolvent;

(b) if the applicant has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

(2) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a building

surveying contractor level 1 (partnership) or a building surveying contractor level 2 (partnership) —

(a) each partner of the partnership must not be an insolvent;

(b) if a partner of the partnership has previously been an insolvent, the partnership must have the capacity to meet debts as and when they fall due.

(3) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a building surveying contractor level 1 (company) or a building surveying contractor level 2 (company) —

(a) the applicant and each officer of the applicant must not be an insolvent;

(b) if the applicant or an officer has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

[Regulation 28E inserted: Gazette 12 Mar 2012 p. 999-1000.]

28F. Insurance requirements: building surveying contractors

For the purposes of section 18(1)(c), the insurance requirements for registration as a building surveying contractor are —

(a) the applicant must have professional indemnity insurance appropriate to manage the risk associated with the work the applicant is likely to carry out, taking into account all of the following —

(i) the nature of, and risks associated with, the work likely to be carried out by the applicant;

(ii) the size and volume of the work likely to be carried out by the applicant;

(iii) the employment or engagement by the applicant of a building surveying practitioner and the length of time the building surveying practitioner has been registered under section 17;

(iv) a reasonable estimate of the quantum of civil claims that might be brought against the applicant given the matters described in subparagraphs (i) to (iii);

(v) the financial capacity of the applicant;

(vi) the terms of the policy;

or

(b) the applicant must demonstrate that the applicant —

(i) is a member of a professional standards scheme operated by a professional body; and

(ii) satisfies the insurance requirements imposed by the body in accordance with the professional standards scheme.

[Regulation 28F inserted: SL 2023/64 r. 11.]

28G. Prescribed requirements: building surveying contractors

(1) For the purposes of section 18(1)(g) an applicant for registration as a building surveying contractor level 1 (individual) or a building surveying contractor level 2 (individual) must be an individual.

(2) For the purposes of section 18(1)(g) an applicant for registration as a building surveying contractor level 1 (partnership) or a building surveying contractor level 2 (partnership) must be a partnership.

(3) For the purposes of section 18(1)(g) an applicant for registration as a building surveying contractor level 1 (company) or a building surveying contractor level 2 (company) must be a corporation or an unincorporated body.

[Regulation 28G inserted: Gazette 12 Mar 2012 p. 1001.]

28H. Supervisor for building surveying contractors: eligible person

(1) For the purposes of the definition of ***eligible person*** in section 21(1), building surveying practitioner level 1 is prescribed as the class of building service practitioner for the following classes of building service contractor —

(a) building surveying contractor level 1 (individual);

(b) building surveying contractor level 1 (partnership);

(c) building surveying contractor level 1 (company).

(2) For the purposes of the definition of ***eligible person*** in section 21(1), building surveying practitioner level 1 and building surveying practitioner level 2 are prescribed as classes of building service practitioner for the following classes of building service contractor —

(a) building surveying contractor level 2 (individual);

(b) building surveying contractor level 2 (partnership);

(c) building surveying contractor level 2 (company).

[Regulation 28H inserted: Gazette 12 Mar 2012 p. 1001-2.]

28I. Condition on registration: building surveying contractor

The registration of a building surveying contractor is subject to the condition that the work of any building surveying practitioner technician employed or engaged by the contractor must be supervised by a building surveying practitioner level 1 or a building surveying practitioner level 2.

[Regulation 28I inserted: Gazette 12 Mar 2012 p. 1010.]

Part 2B — Building engineers

[Heading inserted: SL 2023/64 r. 13.]

28J. Terms used

In this Part —

building engineering contractor means any of the following —

(a) a building engineering contractor — professional (individual);

(b) a building engineering contractor — professional (partnership);

(c) a building engineering contractor — professional (company);

(d) a building engineering contractor — technologist (individual);

(e) a building engineering contractor — technologist (partnership);

(f) a building engineering contractor — technologist (company);

(g) a building engineering contractor — associate (individual);

(h) a building engineering contractor — associate (partnership);

(i) a building engineering contractor — associate (company);

(j) a building engineering contractor, fire systems — technologist (individual);

(k) a building engineering contractor, fire systems — technologist (partnership);

(l) a building engineering contractor, fire systems — technologist (company);

(m) a building engineering contractor, fire systems — associate (individual);

(n) a building engineering contractor, fire systems — associate (partnership);

(o) a building engineering contractor, fire systems — associate (company);

building engineering practitioner means any of the following —

(a) a building engineering practitioner, structural — professional;

(b) a building engineering practitioner, structural — technologist;

(c) a building engineering practitioner, structural — associate;

(d) a building engineering practitioner, fire safety — professional;

(e) a building engineering practitioner, fire systems — technologist;

(f) a building engineering practitioner, fire systems — associate;

(g) a building engineering practitioner, civil — professional;

(h) a building engineering practitioner, civil — technologist;

(i) a building engineering practitioner, civil — associate;

(j) a building engineering practitioner, mechanical — professional;

(k) a building engineering practitioner, mechanical — technologist;

(l) a building engineering practitioner, mechanical — associate.

[Regulation 28J inserted: SL 2023/64 r. 13; amended: SL 2023/64 r. 20.]

28K. Prescribed titles: building engineering practitioners and building engineering contractors

(1) The titles listed under each Part heading in the Table are prescribed for the purposes of section 4(1).

Table

Part 1 — Building engineering practitioners
Registered Building Engineer
Registered Building Engineering Practitioner: Structural (Professional)
Registered Building Engineering Practitioner: Structural (Technologist)
Registered Building Engineering Practitioner: Structural (Associate)
Registered Building Engineering Practitioner: Fire Safety (Professional)
Registered Building Engineering Practitioner: Fire Systems (Technologist)
Registered Building Engineering Practitioner: Fire Systems (Associate)
Registered Building Engineering Practitioner: Civil (Professional)
Registered Building Engineering Practitioner: Civil (Technologist)
Registered Building Engineering Practitioner: Civil (Associate)

Registered Building Engineering Practitioner: Mechanical (Professional)
Registered Building Engineering Practitioner: Mechanical (Technologist)
Registered Building Engineering Practitioner: Mechanical (Associate)
Part 2 — Building engineering contractors
Registered Building Engineering Contractor
Registered Building Engineering Contractor: Professional (Individual)
Registered Building Engineering Contractor: Professional (Partnership)
Registered Building Engineering Contractor: Professional (Company)
Registered Building Engineering Contractor: Technologist (Individual)
Registered Building Engineering Contractor: Technologist (Partnership)
Registered Building Engineering Contractor: Technologist (Company)
Registered Building Engineering Contractor: Associate (Individual)
Registered Building Engineering Contractor: Associate (Partnership)
Registered Building Engineering Contractor: Associate (Company)
Registered Building Engineering Contractor, Fire Systems: Technologist (Individual)

Registered Building Engineering Contractor, Fire Systems: Technologist (Partnership)
Registered Building Engineering Contractor, Fire Systems: Technologist (Company)
Registered Building Engineering Contractor, Fire Systems: Associate (Individual)
Registered Building Engineering Contractor, Fire Systems: Associate (Partnership)
Registered Building Engineering Contractor, Fire Systems: Associate (Company)

(2) A building engineering practitioner is entitled to use a title prescribed in Part 1 of the Table to subregulation (1).

(3) A building engineering contractor is entitled to use a title prescribed in Part 2 of the Table to subregulation (1).

[Regulation 28K inserted: SL 2023/64 r. 13; amended: SL 2023/64 r. 21.]

28L. Building engineering contractors: building services prescribed

(1) In this regulation —

low-rise building means a building that, under the Building Code, is —

(a) a Class 1 or 10 building; or

(b) a Class 2 to 9 building with a gross floor area of not more than 2 000 m^2, except a building of Type A or Type B construction;

medium-rise building means a building that, under the Building Code, is —

(a) a Class 2, 3 or 9 building not referred to in paragraph (b) of the definition of ***low-rise building*** to a maximum of 3 storeys above a Class 7a storey; or

(b) a Class 4 to 8 building not referred to in paragraph (b) of the definition of ***low-rise building*** to a maximum of 3 storeys above a Class 7a storey, except a building of Type A construction;

professional engineering work has the meaning given in the *Building Services (Complaint Resolution and Administration) Regulations 2011* regulation 4B(1);

technical engineering work has the meaning given in the *Building Services (Complaint Resolution and Administration) Regulations 2011* regulation 4B(1).

(2) For the purposes of section 11(a) —

(a) building engineering work comprising professional engineering work or technical engineering work is prescribed for the following —

(i) a building engineering contractor — professional (individual);

(ii) a building engineering contractor — professional (partnership);

(iii) a building engineering contractor — professional (company);

and

(b) building engineering work comprising technical engineering work is prescribed for the following —

(i) a building engineering contractor, fire systems — technologist (individual);

(ii) a building engineering contractor, fire systems — technologist (partnership);

(iii) a building engineering contractor, fire systems — technologist (company);

and

(c) building engineering work comprising technical engineering work for a low-rise building or medium-rise building, or incidental structure, is prescribed for the following —

(i) a building engineering contractor — technologist (individual);

(ii) a building engineering contractor — technologist (partnership);

(iii) a building engineering contractor — technologist (company);

(iv) a building engineering contractor, fire systems — associate (individual);

(v) a building engineering contractor, fire systems — associate (partnership);

(vi) a building engineering contractor, fire systems — associate (company);

and

(d) building engineering work comprising technical engineering work for a low-rise building or incidental structure is prescribed for the following —

(i) a building engineering contractor — associate (individual);

(ii) a building engineering contractor — associate (partnership);

(iii) a building engineering contractor — associate (company).

[Regulation 28L inserted: SL 2023/64 r. 13; amended: SL 2024/255 r. 8.]

28M. Qualifications and experience: building engineering practitioners

(1) In this regulation —

eligible person means a person —

(a) who was previously registered at any time in the period of 3 years ending on the day on which an application for registration as a building engineering practitioner is made; and

(b) whose registration expired or was suspended or cancelled at the request of the person;

prescribed fire system means any of the following —

(a) a hydraulic fire safety system, including the following —

(i) a fire hydrant system;

(ii) a fire hose reel system;

(iii) a fire sprinkler system (whether a wall wetting sprinkler, drencher system or other system);

(iv) any type of automatic fire suppression system of a hydraulic nature;

(b) a fire detection and alarm system;

(c) a mechanical ducted smoke control system;

previously registered means previously registered as a building engineering practitioner;

relevant, in relation to experience in building engineering or the building engineering industry, has the meaning given in subregulation (5).

(2) For the purposes of section 17(1)(b), a qualification (if any) listed in the Table, together with the experience listed opposite the qualification, are prescribed as qualifications and experience for building engineering practitioners.

Table

Qualifications	Experience
1. Building engineering practitioner, structural — professional	
Bachelor or Master of civil or structural engineering accredited to the Washington Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
2. Building engineering practitioner, structural — technologist	
Bachelor of engineering technology, science or design in the structural discipline accredited to the Sydney Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
3. Building engineering practitioner, structural — associate	
Advanced Diploma or Associate Degree in structural design or drafting accredited to the Dublin Accord and published by Engineers Australia's	5 years of full-time relevant building engineering

Qualifications	**Experience**
Australian Engineering Accreditation Centre	experience (at least 4 years being post-graduate) in the past 10 years
4. Building engineering practitioner, fire safety — professional	
Bachelor or Master in a relevant field of engineering accredited to the Washington Accord and published by Engineers Australia's Australian Engineering Accreditation Centre and, if the degree is not in fire engineering, a Graduate Diploma in fire engineering or a Master of fire engineering	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
5. Building engineering practitioner, fire systems — technologist	
Diploma in fire systems design with units relevant to 1 or more prescribed fire systems	5 years of full-time relevant building engineering experience in the past 10 years
6. Building engineering practitioner, fire systems — associate	
Diploma in fire systems design with units relevant to 1 or more prescribed fire systems	3 years of full-time relevant building

Qualifications	**Experience**
	engineering experience in the past 6 years
7. Building engineering practitioner, civil — professional	
Bachelor or Master of civil engineering accredited to the Washington Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
8. Building engineering practitioner, civil — technologist	
Bachelor of engineering technology, science or design in the civil discipline accredited to the Sydney Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
9. Building engineering practitioner, civil — associate	
Advanced Diploma or Associate Degree in civil design, construction or drafting accredited to the Dublin Accord and	5 years of full-time relevant building

Qualifications	**Experience**
published by Engineers Australia's Australian Engineering Accreditation Centre	engineering experience (at least 4 years being post-graduate) in the past 10 years
10. Building engineering practitioner, mechanical — professional	
Bachelor or Master of mechanical engineering accredited to the Washington Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years
11. Building engineering practitioner, mechanical — technologist	
Bachelor of engineering technology, science or design in the mechanical discipline accredited to the Sydney Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years

Qualifications	Experience
12. Building engineering practitioner, mechanical — associate	
Advanced Diploma or Associate Degree in mechanical design or drafting accredited to the Dublin Accord and published by Engineers Australia's Australian Engineering Accreditation Centre	5 years of full-time relevant building engineering experience (at least 4 years being post-graduate) in the past 10 years

(3) For the purposes of section 17(1)(b), the qualifications and experience for the renewal of the registration of a building engineering practitioner are the qualifications (if any) and the experience that entitled the person to be registered as evidenced by the registration.

(4) For the purposes of section 17(1)(b), the qualifications and experience for registration as a building engineering practitioner for an eligible person are the qualifications (if any) and the experience that entitled the eligible person to be previously registered as evidenced by the registration.

(5) For the purposes of section 17(1)(d), reference in the Table to subregulation (2) to ***relevant*** experience in building engineering or the building engineering industry is a reference to experience demonstrating, at a level appropriate to the qualification, competency in each of the following —

(a) engineering knowledge relevant to the applicant's area of practice, including a knowledge of any relevant standards and practices;

(b) the practice of building engineering;

(c) the development of safe and sustainable solutions to engineering problems or issues;

(d) the identification, assessment and management of risks;

(e) the handling of ethical issues.

(6) For the purposes of section 17(1)(d), an application for registration as a building engineering practitioner must include certification from an assessment entity approved by the Building Commissioner that the applicant's qualifications and experience, considered together, are equivalent to, or exceed, the requirements in the Table to subregulation (2).

[Regulation 28M inserted: SL 2023/64 r. 13; amended: SL 2023/64 r. 22.]

28N. Financial requirements: building engineering contractors

(1) In this regulation —

building engineering contractor (company) means —

(a) a building engineering contractor — professional (company);

(b) a building engineering contractor — technologist (company);

(c) a building engineering contractor — associate (company);

(d) a building engineering contractor, fire systems — technologist (company);

(e) a building engineering contractor, fire systems — associate (company);

building engineering contractor (individual) means —

(a) a building engineering contractor — professional (individual);

(b) a building engineering contractor — technologist (individual);

(c) a building engineering contractor — associate (individual);

(d) a building engineering contractor, fire systems — technologist (individual);

(e) a building engineering contractor, fire systems — associate (individual);

building engineering contractor (partnership) means —

(a) a building engineering contractor — professional (partnership);

(b) a building engineering contractor — technologist (partnership);

(c) a building engineering contractor — associate (partnership);

(d) a building engineering contractor, fire systems — technologist (partnership);

(e) a building engineering contractor, fire systems — associate (partnership).

(2) For the purposes of section 18(1)(b), the following financial requirements are prescribed for registration as a building engineering contractor (individual) —

(a) the applicant must not be an insolvent;

(b) if the applicant has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

(3) For the purposes of section 18(1)(b), the following financial requirements are prescribed for registration as a building engineering contractor (partnership) —

(a) each partner of the partnership must not be an insolvent;

(b) if a partner of the partnership has previously been an insolvent, the partnership must have the capacity to meet debts as and when they fall due.

(4) For the purposes of section 18(1)(b), the following financial requirements are prescribed for registration as a building engineering contractor (company) —

(a) the applicant and each officer of the applicant must not be an insolvent;

(b) if the applicant or an officer of the applicant has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

[Regulation 28N inserted: SL 2023/64 r. 13.]

28O. Insurance requirements: building engineering contractors

For the purposes of section 18(1)(c), the insurance requirements for registration as a building engineering contractor are —

(a) the applicant must have professional indemnity insurance appropriate to manage the risk associated with the work the applicant is likely to carry out, taking into account all of the following —

(i) the nature of, and risks associated with, the work likely to be carried out by the applicant;

(ii) the size and volume of the work likely to be carried out by the applicant;

(iii) the employment or engagement by the applicant of a building engineering practitioner and the length of time the building engineering practitioner has been registered under section 17;

(iv) a reasonable estimate of the quantum of civil claims that might be brought against the applicant given the matters described in subparagraphs (i) to (iii);

(v) the financial capacity of the applicant;

(vi) the terms of the policy;

or

(b) the applicant must demonstrate that the applicant —

(i) is a member of a professional standards scheme operated by a professional body; and

(ii) satisfies the insurance requirements imposed by the body in accordance with the professional standards scheme.

[Regulation 28O inserted: SL 2023/64 r. 13.]

28P. Prescribed requirements: building engineering practitioner

(1) In this regulation —

approved continuing professional development means continuing professional development approved by the Building Commissioner and published on the Department's website.

(2) For the purposes of section 17(1)(d) —

(a) an applicant for renewal of registration as a building engineering practitioner, fire systems — technologist must have completed 60 hours of approved continuing professional development in the period of 3 years ending on the day on which the application is made; and

(b) an applicant for renewal of registration as a building engineering practitioner, fire systems — associate must have completed 50 hours of approved continuing professional development in the period of 3 years ending on the day on which the application is made; and

(c) an applicant for renewal of registration as any other building engineering practitioner must have completed 150 hours of approved continuing professional development in the period of 3 years ending on the day on which the application is made.

(3) The applicant is taken to satisfy the requirement in subregulation (2) if the applicant can evidence continuing

membership of an industry association or professional standards scheme approved by the Building Commissioner.

[Regulation 28P inserted: SL 2023/64 r. 13; amended: SL 2023/164 r. 4.]

28Q. Supervisor for building engineering contractors: eligible person

(1) In this regulation —

building engineering practitioner — associate means any of the following —

(a) a building engineering practitioner, structural — associate;

(b) a building engineering practitioner, fire systems — associate;

(c) a building engineering practitioner, civil — associate;

(d) a building engineering practitioner, mechanical — associate;

building engineering practitioner — professional means any of the following —

(a) a building engineering practitioner, structural — professional;

(b) a building engineering practitioner, fire safety — professional;

(c) a building engineering practitioner, civil — professional;

(d) a building engineering practitioner, mechanical — professional;

building engineering practitioner — technologist means any of the following —

(a) a building engineering practitioner, structural — technologist;

(b) a building engineering practitioner, fire systems — technologist;

(c) a building engineering practitioner, civil — technologist;

(d) a building engineering practitioner, mechanical — technologist.

(2) For the purposes of the definition of ***eligible person*** in section 21(1), building engineering practitioner — professional is prescribed as the class of building service practitioner for the following classes of building service contractor —

(a) building engineering contractor — professional (individual);

(b) building engineering contractor — professional (partnership);

(c) building engineering contractor — professional (company).

(3) For the purposes of the definition of ***eligible person*** in section 21(1), building engineering practitioner — professional and building engineering practitioner — technologist are prescribed as classes of building service practitioner for the following classes of building service contractor —

(a) building engineering contractor — technologist (individual);

(b) building engineering contractor — technologist (partnership);

(c) building engineering contractor — technologist (company).

(4) For the purposes of the definition of ***eligible person*** in section 21(1), building engineering practitioner — professional, building engineering practitioner — technologist and building engineering practitioner — associate are prescribed as classes of building service practitioner for the following classes of building service contractor —

(a) building engineering contractor — associate (individual);

(b) building engineering contractor — associate (partnership);

(c) building engineering contractor — associate (company).

(5) For the purposes of the definition of ***eligible person*** in section 21(1), building engineering practitioner, fire systems — technologist is prescribed as the class of building service practitioner for the following classes of building service contractor —

(a) building engineering contractor, fire systems — technologist (individual);

(b) building engineering contractor, fire systems — technologist (partnership);

(c) building engineering contractor, fire systems — technologist (company).

(6) For the purposes of the definition of ***eligible person*** in section 21(1), building engineering practitioner, fire systems — technologist and building engineering practitioner, fire systems — associate are prescribed as classes of building service practitioner for the following classes of building service contractor —

(a) building engineering contractor, fire systems — associate (individual);

(b) building engineering contractor, fire systems — associate (partnership);

(c) building engineering contractor, fire systems — associate (company).

[Regulation 28Q inserted: SL 2023/64 r. 13; amended: SL 2023/64 r. 23.]

Part 3 — Painters

28. Terms used

(1) In this Part —

painter work means painting work —

(a) carried out for payment or reward; and

(b) with a value $1 000 or more based on the value of the work estimated under Schedule 2; and

(c) carried out in an area of the State set out in Schedule 4;

painting contractor means —

(a) a painting contractor (individual); or

(b) a painting contractor (partnership); or

(c) a painting contractor (company);

painting work has the meaning given in the *Building Services (Complaint Resolution and Administration) Regulations 2011* regulation 4.

(2) The value of painting work to be carried out under different contracts is to be added together for the purposes of calculating the value of painting work if —

(a) the person contracting to carry out the painting work is the same for each of the contracts; and

(b) the different contracts are entered into to carry out painting work in respect of the same building or fixture or in respect of the same part or a number of different parts of the same building or fixture; and

(c) the aggregate of the painting work contracted to be done under the contracts substantially is a single undertaking in respect of the building or fixture.

(3) If materials used in painting are provided or supplied at the cost of a person other than the person carrying out the painting the value of the materials is to be added to the value of the contract

to carry out the work for the purposes of calculating the value of the painting work.

29. Prescribed titles: painting practitioners and painting contractors

(1) The titles listed in the Table are prescribed for the purposes of section 4(1).

Table

Part 1 — Painting practitioners
Registered Painter: Practitioner Registered Painting Practitioner Registered Painting Services Practitioner
Part 2 — Painting contractor (individual)
Registered Painter Registered Painter: Contractor Registered Painting Contractor Registered Painting Services Contractor
Part 3 — Painting contractor (partnership)
Registered Painting Partnership Registered Painting Contractor: Partnership Registered Painting Contractor (Partnership) Registered Painting Services Contractor (Partnership)

Part 4 — Painting contractor (company)
Registered Painting Company
Registered Painting Contractor: Company
Registered Painting Contractor (Company)
Registered Painting Services Contractor (Company)

(2) A painting practitioner is entitled to use a title prescribed in Part 1 of the Table.

(3) A painting contractor (individual) is entitled to use a title prescribed in Part 2 of the Table.

(4) A painting contractor (partnership) is entitled to use a title prescribed in Part 3 of the Table.

(5) A painting contractor (company) is entitled to use a title prescribed in Part 4 of the Table.

30. Painting contractors: building services prescribed

For the purposes of section 11(a), painter work is prescribed as a building service that the following classes of building service contractors are entitled to carry out —

(a) painting contractor (individual);

(b) painting contractor (partnership);

(c) painting contractor (company).

31. Qualifications and experience: painting practitioners

(1) For the purposes of section 17(1)(b) a qualification (if any) listed in a set in the Table, together with the experience (if any) listed in the same set, are prescribed as qualifications and experience for painting practitioners.

Table

	Qualifications	**Experience**
Set 1	(a) CPC30620 Certificate III in Painting and Decorating as described on the National Register including the units in small business management and estimating and specification that are provided as part of the qualification referred to in paragraph (a)(i) of set 2; or (b) an equivalent qualification as determined by the Board	(a) experience in carrying out painting work gained in the course of the completion of an apprenticeship in painting; or (b) experience in carrying out painting work for periods totalling at least the equivalent of 4 years full-time covering a significant range of painting techniques
Set 2	(a) either — (i) 52921WA Course in Painters Registration being an approved VET course as defined in the *Vocational Education and Training Act 1996* section 5(1); or	experience in carrying out painting work for periods totalling at least the equivalent of 5 years full-time covering a significant range of painting techniques

	Qualifications	**Experience**
	(ii) an equivalent qualification as determined by the Board; and (b) successful completion of a practical trades test, as determined by the Board, conducted by a person authorised under the *Vocational Education and Training Act 1996* to provide 52921WA Course in Painters Registration	

(2) For the purposes of section 17(1)(b) the qualifications and experience for the renewal of the registration of a painting practitioner are the qualifications (if any) and the experience that entitled the person to be registered as evidenced by such registration.

(3) For the purposes of section 17(1)(b) the qualifications and experience for registration as a painting practitioner for an eligible person are the qualifications (if any) and the experience that entitled the eligible person to be previously registered as evidenced by such registration.

(4) In subregulation (3) —

eligible person means a person —

(a) who was previously registered as a painting practitioner at any time in the period of 3 years ending on the day on which an application for registration as a painting practitioner is made; and

(b) whose registration expired or was suspended or cancelled at the request of the person.

[Regulation 31 amended: Gazette 31 Jan 2012 p. 596-9; 18 Dec 2012 p. 6589; 5 Jan 2018 p. 5-6; SL 2021/213 r. 7; SL 2023/164 r. 5; SL 2025/144 r. 4.]

*[**32.** Deleted: SL 2024/96 r. 8.]*

33. Financial requirements: painting contractors

(1) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a painting contractor (individual) —

(a) the applicant must not be an insolvent;

(b) if the applicant has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

(2) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a painting contractor (partnership) —

(a) each partner of the partnership must not be an insolvent;

(b) if a partner of the partnership has previously been an insolvent, the partnership must have the capacity to meet debts as and when they fall due.

(3) For the purposes of section 18(1)(b) the following financial requirements are prescribed for registration as a painting contractor (company) —

(a) the applicant and each officer of the applicant must not be an insolvent;

(b) if the applicant or an officer has previously been an insolvent, the applicant must have the capacity to meet debts as and when they fall due.

34. Prescribed requirements: painting contractors

(1) For the purposes of section 18(1)(g) an applicant for registration as a painting contractor (individual) must be an individual.

(2) For the purposes of section 18(1)(g) an applicant for registration as a painting contractor (partnership) must be a partnership.

(3) For the purposes of section 18(1)(g) an applicant for registration as a painting contractor (company) must be a corporation or an unincorporated body.

35. Supervisor for painting contractor: eligible person

For the purposes of the definition of ***eligible person*** in section 21(1) painting practitioner is prescribed as the class of building service practitioner for the following classes of building service contractor —

(a) painting contractor (individual);

(b) painting contractor (partnership);

(c) painting contractor (company).

36. Display of signs

A painting contractor who carries out painter work must ensure that there is attached to the site where the work is being carried out a sign that complies with the following requirements —

(a) the sign must be located in a prominent position on the site and be able to be read by members of the public from outside the site;

(b) the sign must be of reasonable dimensions and written in clearly legible letters and numerals;

(c) the sign must contain the following details —

(i) the name and registration number of the painting contractor;

(ii) a contact telephone number for the painting contractor;

(iii) the name and registration number of the nominated supervisor for the painting contractor.

Penalty: a fine of $500.

[Regulation 36 amended: Gazette 31 Jan 2012 p. 599.]

Part 3B — Infringement notices

[Heading inserted: Gazette 26 Apr 2019 p. 1215.]

36A. Prescribed offences and modified penalties

(1) The offences specified in Schedule 5 are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.

(2) The modified penalty specified opposite an offence in Schedule 5 is the modified penalty for that offence for the purposes of the *Criminal Procedure Act 2004* section 5(3).

[Regulation 36A inserted: Gazette 26 Apr 2019 p. 1215.]

36B. Authorised officers and approved officers

(1) The Building Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.

(2) The Building Commissioner must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

[Regulation 36B inserted: Gazette 26 Apr 2019 p. 1215-16.]

36C. Forms

For the purposes of the *Criminal Procedure Act 2004* Part 2 —

(a) Schedule 6 Form 1 is the prescribed form for an infringement notice; and

(b) Schedule 6 Form 2 is the prescribed form for the withdrawal of an infringement notice.

[Regulation 36C inserted: Gazette 26 Apr 2019 p. 1216.]

Part 4 — Transitional provisions

Division 1 — *Builders' Registration Act 1939*

37. Terms used

In this Division —

commencement day means the day on which section 107 comes into operation;

former board means the Builders' Registration Board of Western Australia constituted under section 5(1) of the repealed Act;

former registrar means the registrar under the repealed Act;

owner-builder authorisation means authorisation given by the former board under section 4(1a) of the repealed Act;

repealed Act means the *Builders' Registration Act 1939* [1].

38. Continuation of registration (Act s. 114)

(1) For the purposes of section 114 —

(a) a person registered under section 9A(1) or 10(1) of the repealed Act is to be taken to be registered as a building practitioner and a building contractor (individual); and

(b) a partnership registered under section 10(2) of the repealed Act is to be taken to be registered as a building contractor (partnership); and

(c) a company or other body corporate registered under section 10(2) of the repealed Act is to be taken to be registered as a building contractor (company).

(2) The Building Commissioner may extend the period for which a person is to be taken under section 114 to be registered as a building practitioner or building contractor for a period of up to 3 months.

39. Continuation of declaration of ineligible persons

A declaration made under section 13(1ba)(a) of the repealed Act that is in force immediately before commencement day is to be taken to continue in effect as if it were an order made by the State Administrative Tribunal under section 60.

40. Membership of Board — experience as builder

For the purposes of section 67(2)(c) a person who has experience as a person registered under section 9A or 10 of the repealed Act is to be taken to be a person who has experience as a registered building service provider in a class listed in item 1 of the Table to regulation 8.

41. Continuation of owner-builder authorisation

(1) A person who, before commencement day, had owner-builder authorisation to construct a building is to be taken to have been granted an owner-builder approval on commencement day to carry out building work for the building.

(2) A person who is taken to have been granted an owner-builder approval under this regulation —

(a) is not required to comply with regulation 27(2)(c)(ii); and

(b) is to be taken to have complied with regulation 27(2)(c)(iii) if the sign contains the number assigned to the owner-builder authorisation by the former board.

42. Building Commissioner may exercise powers

The Building Commissioner may, on or after commencement day —

(a) exercise any of the powers of the former board for the purposes of an investigation authorised to be made by the former board under the repealed Act; and

(b) exercise any of the powers of the former registrar for the purposes of taking proceedings under the repealed Act.

Division 2 — *Painters' Registration Act 1961*

43. Terms used

In this Division —

commencement day means the day on which section 108 comes into operation;

former board means the Painters' Registration Board established under section 5 of the repealed Act;

former registrar means the Registrar under the repealed Act;

repealed Act means the *Painters' Registration Act 1961* [4].

44. Continuation of registration (Act s. 127)

(1) For the purposes of section 127 —

(a) a person registered under section 12(1) or (2) of the repealed Act is to be taken to be registered as a painting practitioner and a painting contractor (individual); and

(b) a partnership registered under section 14(1) of the repealed Act is to be taken to be registered as a painting contractor (partnership); and

(c) a company or other body corporate registered under section 14(1) of the repealed Act is to be taken to be registered as a painting contractor (company).

(2) The Building Commissioner may extend the period for which a person is to be taken under section 127 to be registered as a painting practitioner or painting contractor for a period of up to 3 months.

45. Membership of Board — experience as painter

For the purposes of section 67(2)(c) a person who has experience as a person registered under section 12 of the

repealed Act is to be taken to be a person who has experience as a registered building service provider in a class listed in item 2 of the Table to regulation 8.

46. Building Commissioner may exercise powers

The Building Commissioner may, on or after commencement day —

(a) exercise any of the powers of the former board for the purposes of an investigation authorised to be made by the former board under the repealed Act; and

(b) exercise any of the powers of the former registrar for the purposes of taking proceedings under the repealed Act.

Division 3 — *Local Government (Building Surveyors) Regulations 2008*

[Heading inserted: Gazette 12 Mar 2012 p. 1002.]

47. Terms used

In this Division —

2008 regulations means the *Local Government (Building Surveyors) Regulations 2008* [3];

repeal day means the day on which section 112 comes into operation [3].

[Regulation 47 inserted: Gazette 12 Mar 2012 p. 1002.]

48. Continuation of registration

(1) For the purposes of section 139 —

(a) a person who holds any of the following qualifications is to be taken to be registered as a building surveying practitioner level 1 —

(i) a Building Surveyor Level 1 certificate granted under regulation 21 of the 2008 regulations;

(ii) a Building Surveyors Certificate of Qualification issued by the Municipal Building Surveyors Qualifications Committee under the *Local Government (Qualifications of Municipal Officers) Regulations 1984* [2] regulation 12(1) or (2);

and

(b) a person who holds a Building Surveyor Level 2 certificate granted under regulation 21 of the 2008 regulations is to be taken to be registered as a building surveying practitioner level 2; and

(c) a person who holds a Building Surveyor Technician certificate granted under regulation 21 of the 2008 regulations is to be taken to be registered as a building surveying practitioner technician.

(2) The Building Commissioner may extend the period for which a person is to be taken under section 139 to be registered as a building surveying practitioner for a period of up to 5 months.

[Regulation 48 inserted: Gazette 12 Mar 2012 p. 1002-3.]

49. Nominated supervisors for contractors before repeal day

Before repeal day —

(a) a person who holds any of the following qualifications is to be taken to be registered as a building surveying practitioner level 1 for the purposes of regulation 28H(1) —

(i) a Building Surveyor Level 1 certificate granted under regulation 21 of the 2008 regulations;

(ii) a Building Surveyors Certificate of Qualification issued by the Municipal Building Surveyors Qualifications Committee under the *Local Government (Qualifications of Municipal*

Officers) Regulations 1984 [2] regulation 12(1) or (2);

and

(b) a person who holds a Building Surveyor Level 2 certificate granted under regulation 21 of the 2008 regulations is to be taken to be registered as a building surveying practitioner level 2 for the purposes of regulation 28H(1) and (2).

[Regulation 49 inserted: Gazette 12 Mar 2012 p. 1003-4.]

50. Cancellation of certificate

(1) The Board may cancel a certificate of qualification issued under the 2008 regulations to a person who obtained the certificate by fraud or misrepresentation.

(2) Section 64(2) applies to a decision of the Board to cancel a certificate of qualification under this regulation as if the decision was a reviewable decision as defined in section 64(1).

(3) If the Board decides to cancel a person's certificate of qualification the Board must give the person written notice of the decision, the reasons for the decision and the person's right of review under section 64(2).

[Regulation 50 inserted: Gazette 12 Mar 2012 p. 1004.]

51. Membership of Board — experience as a building surveyor

For the purposes of section 67(2)(c) a person referred to in regulation 49(a) or (b) is to be taken to be a person who has experience as a registered building service provider in a class listed in item 2A of the Table to regulation 8.

[Regulation 51 inserted: Gazette 12 Mar 2012 p. 1004-5.]

Division 4 — *Building Services (Registration) Amendment Regulations (No. 2) 2017*

[Heading inserted: Gazette 5 Jan 2018 p. 6.]

52. Painting practitioners: applications for registration made before 1 September 2018

Despite regulation 31(1), in relation to an application for registration as a painting practitioner made, but not determined, before 1 September 2018, a qualification (if any) listed in a set in the Table, together with the experience (if any) listed in the same set, are prescribed for the purposes of section 17(1)(b) as qualifications and experience for painting practitioners.

Table

	Qualifications	Experience
Set 1	(a) CPC30611 Certificate III in Painting and Decorating as described in the CPC08: Construction, Plumbing and Services Training Package published by Training.gov.au including the units in small business management and estimating and specification that are provided as part of the qualification referred to in	(a) experience in carrying out painting work gained in the course of the completion of an apprenticeship in painting; or (b) experience in carrying out painting work for periods totalling at least the equivalent of 4 years full-time covering a significant range of painting techniques

	Qualifications	Experience
	paragraph (a) of set 3; or (b) an equivalent qualification as determined by the Board	
Set 2	(a) CPC30611 Certificate III in Painting and Decorating as described in the CPC08: Construction, Plumbing and Services Training Package published by Training.gov.au; or	(a) experience in carrying out painting work for periods totalling at least the equivalent of 4 years full-time covering a significant range of painting techniques; and
	(b) an equivalent qualification as determined by the Board	(b) experience in small business management and estimating and specification sufficient to gain knowledge and skills equivalent to those possessed by a person who has successfully

	Qualifications	Experience
		completed the units in those subjects provided as part of the qualification referred to in paragraph (a) of set 3
Set 3	(a) 52784WA Course in Painters Registration being an approved VET course as defined in the *Vocational Education and Training Act 1996* section 5(1); or (b) an equivalent qualification as determined by the Board	experience in carrying out painting work for periods totalling at least the equivalent of 5 years full-time covering a significant range of painting techniques
Set 4		experience in carrying out painting work — (a) covering a significant range of painting techniques for periods totalling at least the equivalent of 5 years full-time; and

	Qualifications	Experience
		(b) sufficient to gain knowledge and skills equivalent to those possessed by a person who has successfully completed a qualification referred to in set 3

[Regulation 52 inserted: Gazette 5 Jan 2018 p. 6-8.]

Division 5 — *Commerce Regulations Amendment (Building Services) Regulations 2023*

[Heading inserted: SL 2023/64 r. 14.]

53. Registration of building service contractors

(1) If a person applies for registration as a building service contractor in a class of building engineering contractor listed in regulation 6(2) before 1 July 2026, the registration fee for the person is reduced by 50%.

(2) If a person applies for registration as a building service contractor in a class of building engineering contractor listed in regulation 6(2) before 1 January 2027 and their application is not determined by the Board before 1 July 2027, the person is taken to be registered as a building service contractor in that class during the period beginning on 1 July 2027 and ending on the day on which —

(a) the person is registered; or

(b) if their application is refused — the person is notified of the refusal.

(3) An application is determined, for the purposes of subregulation (2), when the Board deals with the application by registering, or refusing to register, the applicant.

(4) While a person is taken to be registered in a class of building engineering contractor under subregulation (2), they are also taken to have a nominated supervisor for that class.

Note for this regulation:

Registration as a building service contractor in a class of building engineering contractor listed in regulation 6(2) before 1 July 2027 is in advance of building engineering work becoming, on 1 July 2027, a prescribed building service; see the *Commerce Regulations Amendment (Building Services) Regulations 2023* as amended by the *Commerce Regulations Amendment (Building Services) Regulations 2024* Part 4.

[Regulation 53 inserted: SL 2024/255 r. 9.]

54. Registration of building service practitioners

If a person applies for registration as a building service practitioner in a class of building engineering practitioner listed in regulation 6(1) before 1 July 2026, the registration fee for the person is reduced by 50%.

[Regulation 54 inserted: SL 2024/255 r. 9.]

Schedule 1 — Fees

[r. 9]

[Heading inserted: SL 2026/95 r. 12.]

Division 1 — General

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Service	Column 2 Fee ($)
1.	Issue of replacement registration certificate	30.00

[Division 1 inserted: SL 2026/95 r. 12.]

Division 2 — Builders

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Description of fee	Column 2 Fee ($)
1.	Application fee for registration (s. 13(3)(c)(i)) —	
	(a) as a building practitioner	290.00
	(b) as a building contractor (individual)	290.00
	(c) as a building contractor (partnership)	479.00
	(d) as a building contractor (company)	479.00
2.	Registration fee for 3 years registration (s. 13(3)(c)(ii)) —	

Item	Column 1 Description of fee		Column 2 Fee ($)
	(a)	as a building practitioner	843.00
	(b)	as a building contractor (individual)	564.00
	(c)	as a building contractor (partnership)	1 820.00
	(d)	as a building contractor (company)	3 880.00
3.	Late fee for application made after renewal period for renewal of registration specified in item 2 (s. 15(4))		65.00
4.	Fee for sitting an examination — metropolitan area		245.00
5.	Fee for marking an examination sat outside metropolitan area		74.00

[Division 2 inserted: SL 2026/95 r. 12.]

Division 3 — Building surveyors

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Description of fee	Column 2 Fee ($)
1.	Application fee for registration (s. 13(3)(c)(i)) —	

Item	Column 1 Description of fee	Column 2 Fee ($)
	(a) as a building surveying practitioner level 1 or level 2	153.00
	(b) as a building surveying practitioner technician	75.00
	(c) as a building surveying contractor level 1 or level 2 (individual)	101.00
	(d) as a building surveying contractor level 1 or level 2 (partnership)	97.00
	(e) as a building surveying contractor level 1 or level 2 (company)	101.00
2.	Registration fee for 3 years registration (s. 13(3)(c)(ii)) —	
	(a) as a building surveying practitioner level 1 or level 2	1 260.00
	(b) as a building surveying practitioner technician	660.00
	(c) as a building surveying contractor level 1 or level 2 (individual)	889.00
	(d) as a building surveying contractor level 1 or level 2 (partnership)	2 100.00

Item	Column 1 Description of fee	Column 2 Fee ($)
	(e) as a building surveying contractor level 1 or level 2 (company)	2 880.00
3.	Late fee for application made after renewal period for renewal of registration specified in item 2 (s. 15(4))	87.00

[Division 3 inserted: SL 2026/95 r. 12.]

Division 4 — Building engineers

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Description of fee	Column 2 Fee ($)
1.	Application fee for registration (s. 13(3)(c)(i)) —	
	(a) as a building engineering practitioner	153.00
	(b) as a building engineering contractor	101.00
2.	Registration fee for 3 years registration (s. 13(3)(c)(ii)) —	
	(a) as a building engineering practitioner	1 260.00
	(b) as a building engineering contractor (individual)	889.00

Item	Column 1 Description of fee		Column 2 Fee ($)
	(c)	as a building engineering contractor (partnership)	2 100.00
	(d)	as a building engineering contractor (company)	2 880.00
3.	Late fee for application made after renewal period for renewal of registration specified in item 2 (s. 15(4))		87.00

[Division 4 inserted: SL 2026/95 r. 12.]

Division 5 — Painters

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Description of fee		Column 2 Fee ($)
1.	Application fee for registration (s. 13(3)(c)(i)) —		
	(a)	as a painting practitioner	119.00
	(b)	as a painting contractor (individual)	79.00
	(c)	as a painting contractor (partnership)	191.00
	(d)	as a painting contractor (company)	191.00
2.	Registration fee for 3 years registration (s. 13(3)(c)(ii)) —		

Item	Column 1 Description of fee	Column 2 Fee ($)
	(a) as a painting practitioner	526.00
	(b) as a painting contractor (individual)	397.00
	(c) as a painting contractor (partnership)	627.00
	(d) as a painting contractor (company)	1 200.00
3.	Late fee for application made after renewal period for renewal of registration specified in item 2 (s. 15(4))	45.00

[Division 5 inserted: SL 2026/95 r. 12.]

Division 6 — Owner-builders

[Heading inserted: SL 2026/95 r. 12.]

Item	Column 1 Description of fee	Column 2 Fee ($)
1.	Application for owner-builder approval (s. 43(2)(b)(iii)) —	
	(a) for owner-builder work to detached house or Class 10 building	212.00
	(b) for owner-builder work to small commercial building	467.00

[Division 6 inserted: SL 2026/95 r. 12.]

Schedule 2 — Estimating the value of work

[r. 13(1), 28(1)]

1. Terms used

In this Schedule —

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

relevant components means —

(a) all goods (including manufactured goods forming part of the work); and

(b) labour; and

(c) services necessary; and

(d) fees payable; and

(e) overheads to be met; and

(f) profit margin.

2. Estimated value of work

For the purposes of estimating the value of work —

(a) where the work is to be carried out under a contract and the contract price includes value for at least each of the relevant components — the estimated value of the work is the contract price (including the GST); and

(b) where the work is to be carried out —

(i) other than under a contract; or

(ii) under a contract the contract price for which does not include value for each of the relevant components,

the estimated value of the work is the sum of the value (including the GST) of the relevant components.

Schedule 3 — Builder work: areas of State for purposes of definition

[r. 13(1)]

1. Term used: townsite

In this Schedule —

townsite means a townsite constituted under the *Land Administration Act 1997* section 26(2).

2. Areas of State

(1) The area described as the South West Division in the *Land Administration Act 1997* Schedule 1, other than the local government districts of Mukinbudin, Mt Marshall and Narembeen.

(2) The local government districts of Greater Geraldton, Chapman Valley and Northampton.

(3) The areas constituted by —

(a) the townsites of Kalgoorlie and Boulder, in the local government district of Kalgoorlie Boulder; and

(b) the townsites of Esperance, Salmon Gums, Grass Patch, Scaddan, Condingup, Coomalbidgup, Cascade and Gibson in the local government district of Esperance; and

(c) the townsites of Southern Cross, Marvel Loch, Moorine Rock, Bullfinch and Bodallin, in the local government district of Yilgarn; and

(d) the townsites of Coolgardie, Kambalda and Kambalda West, in the local government district of Coolgardie; and

(e) the townsite of Norseman, in the local government district of Dundas; and

(f) the townsite of Laverton, in the local government district of Laverton; and

(g) the townsite of Munglinup, in the local government district of Ravensthorpe; and

(h) the townsites of Tom Price, Paraburdoo and Onslow, in the local government district of Ashburton; and

(i) the townsites of Newman, Nullagine and Marble Bar, in the local government district of East Pilbara; and

(j) the townsite of Exmouth in the local government district of Exmouth; and

(k) the townsites of Port Hedland, South Hedland and Wedgefield in the local government district of Port Hedland; and

(l) the townsites of Karratha, Roebourne, Point Samson, Dampier and Wickham, in the local government district of Karratha; and

(m) the townsites of Carnarvon, Coral Bay and Mauds Landing in the local government district of Carnarvon; and

(n) the townsite of Halls Creek in the local government district of Halls Creek; and

(o) the townsite of Broome in the local government district of Broome; and

(p) the townsites of Derby, Fitzroy Crossing and Camballin in the local government district of Derby West Kimberley.

[Clause 2 amended: Gazette 21 Sep 2018 p. 3537.]

Schedule 4 — Painter work: areas of the State for purposes of definition

[r. 28]

1. Term used: townsite

In this Schedule —

townsite means a townsite constituted under the *Land Administration Act 1997* section 26(2).

2. Areas of State

(1) The area described as the South West Division in the *Land Administration Act 1997* Schedule 1, other than the local government districts of Mukinbudin, Mt Marshall and Narembeen.

(2) The areas constituted by —

(a) the townsites of Kalgoorlie and Boulder, in the local government district of Kalgoorlie Boulder; and

(b) the townsites of Esperance, Salmon Gums, Grass Patch, Scaddan, Condingup, Coomalbidgup, Cascade and Gibson in the local government district of Esperance; and

(c) the townsites of Southern Cross, Marvel Loch, Moorine Rock, Bullfinch and Bodallin, in the local government district of Yilgarn; and

(d) the townsites of Coolgardie, Kambalda and Kambalda West, in the local government district of Coolgardie; and

(e) the townsite of Norseman, in the local government district of Dundas; and

(f) the townsite of Laverton, in the local government district of Laverton; and

(g) the townsite of Munglinup, in the local government district of Ravensthorpe.

[Clause 2 amended: Gazette 21 Sep 2018 p. 3537.]

Schedule 5 — Prescribed offences and modified penalties

[r. 36A]

[Heading inserted: Gazette 26 Apr 2019 p. 1216.]

Division 1 — Preliminary

[Heading inserted: Gazette 26 Apr 2019 p. 1216.]

1. Terms used

In this Schedule —

building contractor has the meaning given in regulation 13;

building engineering contractor has the meaning given in regulation 28J;

building engineering practitioner has the meaning given in regulation 28J;

building surveying contractor has the meaning given in regulation 28A;

building surveying practitioner means —

(a) a building surveying practitioner level 1; or

(b) a building surveying practitioner level 2;

building surveying work has the meaning given in regulation 28A;

painting contractor has the meaning given in regulation 28.

[Division 1 inserted: Gazette 26 Apr 2019 p. 1216; amended: SL 2023/64 r. 16.]

Division 2 — Offences under the Act

[Heading inserted: Gazette 26 Apr 2019 p. 1217.]

Offence under the Act		Modified penalty
s. 4(1)	Using a title when not registered in a class of building service practitioner or building service contractor entitled to use that title	For a person who uses the title that a building practitioner, building surveying practitioner, building engineering practitioner, building contractor, building surveying contractor or building engineering contractor is entitled to use — $2 500 For a person who uses the title that a painting practitioner or painting contractor is entitled to use — $1 250
s. 5(1)	Falsely claiming to be registered in a class of building service practitioner	For a person who claims to be registered as a building practitioner, building engineering practitioner or building surveying practitioner — $2 500 For a person who claims to be registered as a painting practitioner — $1 250
s. 5(2)	Falsely claiming to be registered in a class of building service contractor	For a person who claims to be registered as a building contractor, building engineering contractor or building surveying contractor — $2 500 For a person who claims to be registered as a painting contractor — $1 250

Offence under the Act		Modified penalty
s. 6(1)	Falsely claiming an entitlement to carry out a prescribed building service	For a person who claims an entitlement to carry out builder work, building engineering work or building surveying work — $2 500 For a person who claims an entitlement to carry out painter work — $1 250
s. 7(1)	Carrying out, or undertaking to carry out, a prescribed building service when not registered	For a person who carries out, or undertakes to carry out, builder work, building engineering work or building surveying work — $2 500 For a person who carries out, or undertakes to carry out, painter work — $1 250
s. 7(5)	Subcontracting a prescribed building service to a person who is not entitled to carry out the building service	For a building contractor, building engineering contractor or building surveying contractor — $2 500 For a painting contractor — $1 250
s. 8	Failure to cause building service contractor's registration number to appear in an advertisement published by the contractor	$250

Offence under the Act		Modified penalty
s. 22(2)	Carrying out, or undertaking to carry out, relevant building service without nominated supervisor	For a building contractor, building engineering contractor or building surveying contractor — $2 500 For a painting contractor — $750
s. 22(3)	Failure to notify the Board of ceasing to have a nominated supervisor	For a building contractor, building engineering contractor or building surveying contractor — $500 For a painting contractor — $250
s. 25	Contravening a condition to which building service provider's registration is subject	$2 500
s. 32(1)	Failure to notify the Board of change of address	$250
s. 32A(2)	Failure to notify the Board of new director	$1 000
s. 33(1)	Failure to notify the Board of change in circumstances affecting eligibility to remain registered	$1 000
s. 34(1)	Failure to notify the Board of financial difficulty	$1 000
s. 34(3)	Failure to notify the Board of insolvency	$1 000

Offence under the Act		Modified penalty
s. 35(1)	Failure to notify the Board of being charged with a serious offence	$500
s. 35(2)	Failure to notify the Board of being convicted of a serious offence	$500
s. 35(3)	Failure to notify the Board of conviction of an offence against the Commonwealth or another jurisdiction	$500
s. 36(1)	Failure to notify the Board of disciplinary action	$500
s. 37(1)	Failure to return registration certificate	$500
s. 49	Contravening a condition that applies to an owner-builder approval	$2 500

[Division 2 inserted: Gazette 26 Apr 2019 p. 1217-19; amended: SL 2022/101 r. 6; SL 2023/64 r. 17.]

Division 3 — Offences under these regulations

[Heading inserted: Gazette 26 Apr 2019 p. 1219.]

Offence under these regulations		Modified penalty
r. 21	Failure to display sign — building contractor	$200
r. 27(2)	Failure to display sign — owner-builder	$200

Offence under these regulations		**Modified penalty**
r. 36	Failure to display sign — painting contractor	$100

[Division 3 inserted: Gazette 26 Apr 2019 p. 1219; amended: SL 2023/64 r. 18.]

Schedule 6 — Forms

[r. 36C]

[Heading inserted: Gazette 26 Apr 2019 p. 1219.]

Form 1 — Infringement notice

<table>
<tr><td colspan="2">Building Services (Registration) Act 2011
INFRINGEMENT NOTICE</td><td>Infringement notice no.</td></tr>
<tr><td rowspan="4">Alleged offender</td><td rowspan="2">Name</td><td></td></tr>
<tr><td></td></tr>
<tr><td rowspan="2">Address</td><td></td></tr>
<tr><td></td></tr>
<tr><td rowspan="8">Alleged offence</td><td>Date or period</td><td></td></tr>
<tr><td>Time</td><td></td></tr>
<tr><td>Place</td><td></td></tr>
<tr><td rowspan="2">Details of offence</td><td></td></tr>
<tr><td></td></tr>
<tr><td rowspan="2">Written law contravened</td><td></td></tr>
<tr><td></td></tr>
<tr><td>Date</td><td>Date of notice</td><td></td></tr>
<tr><td rowspan="3">Issuing officer</td><td>Name</td><td></td></tr>
<tr><td>Office</td><td></td></tr>
<tr><td>Signature</td><td></td></tr>
<tr><td>Modified penalty</td><td colspan="2">$</td></tr>
</table>

<table>
<tr><td>TAKE NOTICE</td><td colspan="2">It is alleged that you have committed the above offence.

If you do not want to be prosecuted in court for the offence, pay the modified penalty to the Approved Officer within 28 days after the date of this notice.

If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the Fines, Penalties and Infringement Notices Enforcement Act 1994. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.

If you need more time to pay the modified penalty, you should contact the Approved Officer at the address below.

Paying the modified penalty will not be regarded as an admission for the purposes of any civil or criminal court case.

If you want this matter to be dealt with by prosecution in court, sign and date here:

_____ / /20
and post this notice to the Approved Officer at the address below within 28 days after the date of this notice.</td></tr>
<tr><td>How to pay</td><td>By post</td><td>Tick the relevant box below and post this notice to:

Approved Officer — Building Services (Registration) Act 2011
[Address]

☐ I want to pay the modified penalty. A cheque or money order (payable to ‘Approved Officer’ — Building Services</td></tr>
</table>

Form 1

<table>
<tr><td rowspan="2"></td><td></td><td colspan="3">*(Registration) Act 2011*) for the modified penalty is enclosed.
☐ I want to pay the modified penalty by credit card. Please debit my credit card account.

Card type _____
Cardholder name _____
Card number
[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]
Expiry date of card _____/_____
Amount $_____
Signature _____
Complete all details</td></tr>
<tr><td>In person</td><td colspan="3">Pay the cashier at:
[Address]</td></tr>
<tr><td>Method of service</td><td colspan="2"></td><td>Date of service</td><td></td></tr>
</table>

[Form 1 inserted: Gazette 26 Apr 2019 p. 1219-21.]

Form 2 — Withdrawal of infringement notice

Building Services (Registration) Act 2011 **WITHDRAWAL OF INFRINGEMENT NOTICE**		Withdrawal no.
Alleged offender	Name	
	Address	
Details of infringement notice	Infringement notice no.	
	Date of issue	
Alleged offence	Date or period	
	Time	
	Place	
	Details of offence	
	Written law contravened	
Approved Officer withdrawing notice	Name	
	Office	
	Signature	
Date	Date of withdrawal	

Form 2

<table>
<tr><td>Withdrawal of infringement notice
[*Delete whichever is not applicable]</td><td colspan="3">The above infringement notice issued against you for the above alleged offence has been withdrawn.
If you have already paid the modified penalty for the alleged offence, you are entitled to a refund.
* Your refund is enclosed
or
* If you have paid the modified penalty but a refund is not enclosed, you may claim your refund by signing and dating this notice and posting it to:
Approved Officer — Building Services (Registration) Act 2011
[Address]</td></tr>
<tr><td>Your signature</td><td></td><td>Date</td><td></td></tr>
</table>

[Form 2 inserted: Gazette 26 Apr 2019 p. 1221-2 amended: SL 2020/163 r. 10.]

Notes

This is a compilation of the *Building Services (Registration) Regulations 2011* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Citation	Published	Commencement
Building Services (Registration) Regulations 2011	26 Aug 2011 p. 3411-52	r. 1 and 2: 26 Aug 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 29 Aug 2011 (see r. 2(b) and *Gazette* 26 Aug 2011 p. 3475-6)
Building Services (Registration) Amendment Regulations 2011	31 Jan 2012 p. 591-601	r. 1 and 2: 31 Jan 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Feb 2012 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2012	12 Mar 2012 p. 989-1011	r. 1 and 2: 12 Mar 2012 (see r. 2(a)); r. 3 and Pt. 2: 13 Mar 2012 (see r. 2(b)); Pt. 3: 2 Apr 2012 (see r. 2(c) and *Gazette* 13 Mar 2012 p. 1033)
Building Services (Registration) Amendment Regulations (No. 3) 2012	15 Jun 2012 p. 2617-20	r. 1 and 2: 15 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 4) 2012	6 Nov 2012 p. 5293-4	r. 1 and 2: 6 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Nov 2012 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 5) 2012	18 Dec 2012 p. 6585-9	r. 1 and 2: 18 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Dec 2012 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 6) 2012	22 Jan 2013 p. 211	r. 1 and 2: 22 Jan 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Jan 2013 (see r. 2(b))

Reprint 1: The *Building Services (Registration) Regulations 2011* as at 5 Apr 2013 (includes amendments listed above)

Citation	Published	Commencement
Building Services (Registration) Amendment Regulations (No. 3) 2013	27 Jun 2013 p. 2665-9	r. 1 and 2: 27 Jun 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2013 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 2) 2013	14 Nov 2013 p. 5029	r. 1 and 2: 14 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Nov 2013 (see r. 2(b) and *Gazette* 14 Nov 2013 p. 5027)
Building Services (Registration) Amendment Regulations (No. 4) 2013	31 Dec 2013 p. 6535-9	r. 1 and 2: 31 Dec 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2014 (see. r. 2(b))
Building Services (Registration) Amendment Regulations 2014	17 Jun 2014 p. 1959-61	r. 1 and 2: 17 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 2) 2014	19 Dec 2014 p. 4841-2	r. 1 and 2: 19 Dec 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Dec 2014 (see r. 2(b))
Reprint 2: The *Building Services (Registration) Regulations 2011* as at 8 May 2015 (includes amendments listed above)		
Building Services (Registration) Amendment Regulations 2015	23 Jun 2015 p. 2165-7	r. 1 and 2: 23 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2016 Pt. 4	3 Jun 2016 p. 1745-73	1 Jul 2016 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2017	31 Mar 2017 p. 1941-2	r. 1 and 2: 31 Mar 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Apr 2017 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 6	23 Jun 2017 p. 3213-52	1 Jul 2017 (see r. 2(b))
Building Regulations Amendment Regulations 2017 Pt. 3	8 Aug 2017 p. 4343-5	9 Aug 2017 (see r. 2(b))

Citation	Published	Commencement
Building Services (Registration) Amendment Regulations (No. 2) 2017	5 Jan 2018 p. 4-8	r. 1 and 2: 5 Jan 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2018 (see r. 2(b))
Commerce and Industrial Relations Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 5	25 Jun 2018 p. 2325-53	1 Jul 2018 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2018	21 Sep 2018 p. 3534-7	r. 1 and 2: 21 Sep 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Sep 2018 (see r. 2(b))
Commerce Regulations Amendment (Infringement Notices) Regulations 2019 Pt. 4	26 Apr 2019 p. 1209-22	27 Apr 2019 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 6	18 Jun 2019 p. 2077-115	1 Jul 2019 (see r. 2(b))
Commerce Regulations Amendment (Infringement Notices) Regulations 2020 Pt. 5	SL 2020/163 25 Sep 2020	29 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(a))
Commerce Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020 Pt. 4	SL 2020/196 27 Oct 2020	28 Oct 2020 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2021 Pt. 6	SL 2021/86 21 Jun 2021	1 Jul 2021 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 2) 2021	SL 2021/170 8 Oct 2021	r. 1 and 2: 8 Oct 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Oct 2021 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 3) 2021	SL 2021/213 17 Dec 2021	r. 1 and 2: 17 Dec 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Dec 2021 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2022 Pt. 5	SL 2022/59 20 May 2022	1 Jul 2022 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2022	SL 2022/101 17 Jun 2022	r. 1 and 2: 17 Jun 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Feb 2023 (see r. 2(b))

Citation	Published	Commencement
Commerce Regulations Amendment (Fees and Charges) Regulations 2023 Pt. 5	SL 2023/35 5 May 2023	1 Jul 2023 (see r. 2(b))
Commerce Regulations Amendment (Building Services) Regulations 2023 Pt. 2 (other than Div. 4)	SL 2023/64 2 Jun 2023(as amended by SL 2024/255 Pt. 4)	Div. 1 and 2: 1 Jul 2024 (see r. 2(b)); Div. 3: 1 Jul 2025 (see r. 2(c))
Building Services (Registration) Amendment Regulations 2023	SL 2023/76 16 Jun 2023	r. 1 and 2: 16 Jun 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Jun 2024 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 2) 2023	SL 2023/164 1 Nov 2023	r. 1 and 2: 1 Nov 2023 (see r. 2(a)); r. 3 and 5: 2 Nov 2023 (see r. 2(c)); r. 4: 1 Jul 2024 (see r. 2(b)(ii) and SL 2023/64 r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2024 Pt. 4	SL 2024/96 12 Jun 2024	1 Jul 2024 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2024	SL 2024/190 18 Sep 2024	r. 1 and 2: 18 Sep 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Nov 2024 (see r. 2(b))
Commerce Regulations Amendment (Building Services) Regulations 2024 Pt. 3	SL 2024/255 11 Dec 2024	12 Dec 2024 (see r. 2(b))
Commerce Regulations Amendment (Fees and Charges) Regulations 2025 Pt. 5	SL 2025/89 11 Jun 2025	1 Jul 2025 (see r. 2(b))
Building Regulations Amendment Regulations 2025 Pt. 2	SL 2025/144 6 Aug 2025	1 Sep 2025 (see r. 2(b))
Building Services (Registration) Amendment Regulations 2026	SL 2026/19 5 Mar 2026	r. 1 and 2: 5 Mar 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Mar 2026 (see r. 2(b))
Building Services (Registration) Amendment Regulations (No. 2) 2026	SL 2026/54 30 Apr 2026	r. 1 and 2: 30 Apr 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2026 (see r. 2(b))

Citation	Published	Commencement
Commerce Regulations Amendment (Fees and Charges) Regulations 2026 Pt. 5	SL 2026/95 10 Jun 2026	1 Jul 2026 (see r. 2(c))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA legislation website.

Citation	Published	Commencement
Commerce Regulations Amendment (Building Services) Regulations 2023 Pt. 2 Div. 4	SL 2023/64 2 Jun 2023 (as amended by SL 2024/255 Pt. 4)	1 Jul 2027 (see r. 2(d))

Other notes

[1] The *Builders' Registration Act 1939* was repealed by the *Building Services (Registration) Act 2011* s. 107 on 29 Aug 2011.

[2] The *Local Government (Qualifications of Municipal Officers) Regulations 1984* were repealed by the *Local Government (Building Surveyors) Regulations 2008*, which were repealed by the *Building Services (Registration) Act 2011* s. 112 on 2 Apr 2012.

[3] The *Local Government (Building Surveyors) Regulations 2008* were repealed by the *Building Services (Registration) Act 2011* s. 112 on 2 Apr 2012.

[4] The *Painters' Registration Act 1961* was repealed by the *Building Services (Registration) Act 2011* s. 108 on 29 Aug 2011.

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
2008 regulations	47
amending provisions	53(1)
approval number	27(1)
approved continuing professional development	28P(1)
builder work	3, 13(1)
Building Code	3
building contractor	13(1), Sch. 5 cl. 1
building engineering contractor	28J, Sch. 5 cl. 1
building engineering contractor (company)	28N(1)
building engineering contractor (individual)	28N(1)
building engineering contractor (partnership)	28N(1)
building engineering practitioner	28J, Sch. 5 cl. 1
building engineering practitioner - associate	28Q(1)
building engineering practitioner - professional	28Q(1)
building engineering practitioner - technologist	28Q(1)
building engineering work	3
building surveying contractor	28A, Sch. 5 cl. 1
building surveying practitioner	Sch. 5 cl. 1
building surveying work	28A, Sch. 5 cl. 1
building surveying work level 1	3, 28A
building surveying work level 2	3, 28A
building work	12
certificate of building compliance	3
certificate of construction compliance	3
certificate of design compliance	3
Class 10 building	22
commencement day	37, 43, 53(1)
compliance certificate	3
detached house	22
DIN	10A(1)
eligible person	16(4), 28D(2A) and (3A), 28M(1), 31(4)
exempt shed	13(1)
farm building	12
former board	37, 43
former registrar	37, 43
GST	Sch. 2 cl. 1
low-rise building	28L(1)
medium-rise building	28L(1)
National Construction Code	3

National Register 3
owner-builder 3
owner-builder authorisation 37
painter work ..... 3, 28(1)
painting contractor ..... 28(1), Sch. 5 cl. 1
painting work ..... 28(1)
prescribed fire system ..... 28M(1)
previously registered ..... 16(4), 28M(1)
principal builder 3
professional engineering work ..... 28L(1)
relevant ..... 28M(1) and (5)
relevant class ..... 53(2)
relevant components ..... Sch. 2 cl. 1
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section 3
small commercial building 22
storey 3
technical engineering work ..... 28L(1)
townsite ..... Sch. 3 cl. 1, Sch. 4 cl. 1

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