



Western Australia

Builders' Registration Regulations

Reprinted as at 22 September 2000

Western Australia

Builders' Registration Regulations

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 22 September 2000

Builders' Registration Act 1939

Builders' Registration Regulations

1. Citation

These regulations may be cited as the *Builders' Registration Regulations*¹.

[Regulation 1 amended in Gazette 31 December 1987 p.4609.]

Registration of corporate body not exempt from registration

2. Registration of body corporate

- (1) Where any incorporated body or company is trading as a builder, and, not being exempted under the provisions of section 4(2)(iii) of the Act, is required under the provisions of the Act to be registered as a builder before trading or continuing to trade as a builder, such incorporated body or company, if desirous of being so registered shall, by writing under its common seal nominate some person (being a trustee, director, member, or officer of such incorporated body or company who, if seeking registration as a builder for himself under the said Act, would be eligible and qualified to be so registered) to represent such incorporated body or company for the purposes of the registration of the said body or company.
- (2) The person nominated by the incorporated body or company as aforesaid may, in accordance with these regulations, apply to be

registered as a builder for and on behalf of, and as the representative of the incorporated body or company by which he has been nominated, and, subject to being personally eligible and qualified for registration as a builder, such person may be registered as a builder accordingly.

- (3) When a person nominated as aforesaid has been registered as a builder for and on behalf of, and as the representative of the incorporated body or company by which he has been nominated and while he continues to be so registered the said incorporated body or company shall, for all the purposes of the Act and these regulations, be deemed to be registered as a builder; and also shall be in all respects responsible for and liable in respect of all the acts and omissions of the person nominated and registered as aforesaid, insofar as such acts and omissions are directly or indirectly related or incidental to the business and operations of the said incorporated body or company as a person trading as a builder.
- (4) When a person nominated as aforesaid has been registered as a builder for and on behalf of and as the representative of the incorporated body or company by which he has been nominated, he shall, whilst he continues to be so registered, be personally responsible for and liable in respect of all his acts and omissions, insofar as such acts and omissions are directly or indirectly related or incidental to the business and operations of the incorporated body or company by which he has been nominated as aforesaid, as a person trading as a builder, to the same extent and in the same manner as if such person were registered as a builder for his own personal benefit.
- (5) Any incorporated body or company, who has nominated a person to be registered as a builder for and on its behalf and as its representative as provided for in this regulation, may, at any time by notice in writing under its common seal, addressed to the Registrar of the Board, and served upon such Registrar, cancel its nomination of such person.

- (6) Upon receipt of notice of cancellation of the nomination of a person by an incorporated body or company as provided for in paragraph (5), the Registrar shall forthwith cancel the registration of the person named in such notice and there upon such person and the said incorporated body or company shall cease to be registered as a builder or as a person trading as a builder within the meaning of the Act and these regulations.
- (7) Nothing in this regulation shall be deemed or be construed to confer upon any person nominated by an incorporated body or company and registered as a builder for and on behalf of and as the representative of such incorporated body or company any personal right or authority to trade as a builder for himself and for his own personal benefit. Any such person, if desirous of trading as a builder personally and for his own benefit shall be liable, in accordance with the Act and these regulations, to apply for and obtain personally registration as a person trading as a builder.

[3. *Repealed in Gazette 29 August 1986 p.3205.*]

Meetings and business of the Board

4. Meetings of the Board

The Board shall hold meetings for the transaction of its business at such periods, on such days, and at such times, and places as the Board may from time to time by resolution determine.

Provided that a meeting of the Board shall be held at least once in every month.

[5. *Repealed in Gazette 29 August 1986 p.3205.*]

6. Adjournment

Any meeting of the Board may be adjourned from time to time and as often as the majority of the members present from time to time may determine.

Fees of Board members

[6A. *Repealed in Gazette 30 December 1983 p.5135.*]

The Register of Builders

7. Register of Builders

The Register of Builders, to be kept by the Board in accordance with the Act, shall be in the Form No. 1 in the First Appendix.

Registration

8. Application for registration

- (1) Any person, not being a member of a partnership, a company or any other body corporate, who desires to be registered as a builder under the Act shall make application to the Board in writing, signed by him, in the Form No. 2 in the First Appendix.
- (2) The application shall —
 - (a) contain all the particulars required therein;
 - (b) be accompanied by a financial statement —
 - (i) in the form of Form No. 9 in the First Appendix;
or
 - (ii) prepared and certified by an accountant who is —
 - (I) a member of the Australian Society of Accountants; or
 - (II) a member of the Institute of Chartered Accountants in Australia;
 - (c) be accompanied by a character reference in the form of Form No. 11 in the First Appendix; and
 - (d) be lodged with the Registrar.
- (3) Where the application for registration is grounded upon a certificate that the applicant has passed the prescribed

examination, such certificate shall, if so required by the Board, be produced with the application for registration.

- (4) The applicant, in addition to the particulars contained in his application, shall furnish to the Registrar such other information as may be required by the Board.

[(5) repealed]

- (6) Subject to subregulation (7) where an application for registration is granted, a certificate of registration shall be issued to the applicant in the Form No. 3 in the First Appendix, upon payment to the Registrar of the certificate fee prescribed in the Second Appendix.

- (7) The prescribed conditions for the purposes of section 10(3a) of the Act are conditions —

- (a) limiting the area to which the builder's registration applies;
- (b) specifying the type of building which the builder may undertake;
- (c) specifying the number of building projects which the builder may undertake at any one time;
- (d) requiring the builder to furnish returns as specified by the Board,

and where applicable the conditions shall be attached to the certificate of registration.

- (8) Any conditions referred to in subregulation (7) which are attached to a certificate of registration shall continue for a period of 3 years or such other period as the Board thinks fit from the day of registration.

[Regulation 8 amended in Gazette 9 March 1970 p.755; 30 November 1984 p.3989; 29 August 1986 p.3205; 7 July 1989 p.2112.]

r. 8A

8A. Application under section 4(1a)

An application in accordance with section 4(1a) of the Act shall be accompanied by the "Owner-builder application fee" prescribed in the Second Appendix.

[Regulation 8A inserted in Gazette 6 July 1984 p.2054.]

8B. Application for partnership to be registered

(1) Where an application is made for a partnership to be registered as a builder under the Act, the application shall be —

- (a) made to the Board in the form of Form No. 2A in the First Appendix; and
- (b) signed on behalf of the partnership.

(2) The application shall —

- (a) contain all the particulars required therein;
- (b) be lodged with the Registrar; and
- (c) be accompanied by the registration fee prescribed in the Second Appendix.

[Regulation 8B inserted in Gazette 30 November 1984 p.3989.]

8C. Application for body corporate to be registered

(1) Where an application is made for a body corporate to be registered as a builder under the Act the application shall be —

- (a) made to the Board in the form of Form No. 2B in the First Appendix; and
- (b) signed by a director, the secretary or the public officer of the body corporate.

(2) The application shall —

- (a) contain all the particulars required therein;
- (b) be lodged with the Registrar; and

- (c) be accompanied by the registration fee prescribed in the Second Appendix.

[Regulation 8C inserted in Gazette 30 November 1984 p.3989.]

8D. Statutory declaration to be completed

Where an application is made under regulation 8B or 8C the statutory declaration in the form of Form No. 10 shall be completed by every partner or director not applying for registration in his own name.

[Regulation 8D inserted in Gazette 30 November 1984 p.3989.]

Examinations

9. Examinations to be held annually

Subject as hereinafter provided, examinations for persons desirous of qualifying for registration as builders under the Act shall be held yearly in the month of November in each and every year provided that the Board may at any time hold any additional examination of any person or persons aforesaid, on a date to be fixed by the Board.

10. Course of training and study

The course of training and the course of study to be undertaken by persons desirous of submitting themselves for examination held by the Board shall be such as may from time to time be declared and published by the Board.

Applicants for examination

11. Application for examination

- (1) Any person who desires to sit for an examination held by the Board shall, at least 14 days before the date fixed for the commencement of such examination, make application to the Board for leave to sit for such examination.

- (2) The application shall be in writing, signed by the applicant, in the Form No. 4 in the First Appendix, and shall contain the particulars required therein.
- (3) The application shall be lodged with the Registrar and shall be accompanied by the examination fee prescribed in the Second Appendix.
- (4) When the application is granted, the Registrar shall issue to the applicant an examination card, which shall admit the applicant to the examination.

12. Certificate of examination

When an applicant for examination has passed the examination held by the Board he shall be entitled to receive from the Board, upon payment of the certificate fee prescribed in the Second Appendix, a certificate of examination in the Form No. 5 in the First Appendix.

Appeal to Magistrate

13. Appeal against decision of Board

- (1) Where any person desires to appeal to a Magistrate against a decision of the Board in withholding or refusing or cancelling or suspending the registration of such person as a builder, he shall, within one month after the receipt by him of the notice by the Board that his registration has been withheld or refused or cancelled or suspended, lodge with the Clerk of the Court in which the said Magistrate presides a notice of appeal in writing, signed by him, in the Form No. 6 in the First Appendix, and also serve a copy of such notice of appeal upon the Registrar.
- (2) Upon receipt of the notice of appeal, the said Clerk of Courts shall submit the same to the Magistrate for directions, and the Magistrate may give such directions as to the time and place for the hearing of the appeal as he shall think fit.

- (3) When the Magistrate has given the directions aforesaid, the Clerk of the Court shall notify in writing the appellant and the Registrar thereof, and thereafter the appeal shall be heard and conducted in accordance with the said directions: Provided that the appellant and the Registrar shall be given at least 7 days' notice of the time and place fixed by the Magistrate for the hearing of the appeal.

Temporary licences to interstate builders

14. Board may grant temporary licences

- (1) The Board may grant to any person usually trading as a builder in any part of the Commonwealth of Australia beyond this State, who intends temporarily to trade as a builder in this State without being registered as a builder under the Act, a temporary licence to trade as a builder in this State without registration.
- (2) Temporary licences under this regulation shall be granted only to persons who are approved by the Board and who satisfy the Board that they are eligible to be registered as builders under the provisions of the Act.

15. Application for temporary licence

- (1) Any person desirous of obtaining a temporary licence under regulation 14 shall make application to the Board in writing, signed by him, in the Form No. 7 in the First Appendix.
- (2) Such application shall contain all the particulars required therein, shall be lodged with the Registrar and shall be accompanied by the relevant licence fee prescribed in the Second Appendix.
- (3) In addition to the particulars contained in the application the applicant shall furnish to the Registrar such further information as may be required by the Board.
- (4) When an application for a temporary licence under regulation 14 is refused by the Board, the temporary licence fee

which accompanied such application shall be refunded to the applicant.

- (5) When an application for a temporary licence under regulation 14 is granted, a temporary licence, in the Form No. 8 in the First Appendix, shall be issued to the applicant.

[Regulation 15 amended in Gazette 17 July 1998 p.3761.]

16. Temporary licence may contain conditions

- (1) Every temporary licence issued under regulation 15 may contain any conditions which the Board may think fit to impose, and shall have effect for the period mentioned in the licence and according to the tenor thereof.
- (2) A temporary licence aforesaid shall not in any circumstances whatever be capable of being transferred or assigned.

Local authorities to furnish Board with returns of building licences

16A. Local authority to furnish return

The clerk of a local authority shall, as soon as practicable after the last day of each month, furnish the Registrar with a return of the building licences issued by the local authority during that month, and the return shall set out with respect to each building licence included therein —

- (a) the date of issue of the building licence;
- (b) the name and address of the owner of the property to which the building licence relates;
- (c) the name and address and the registered number under the Act, of the contractor to whom the building licence was issued;
- (d) the situation of the property to which the building licence relates; and

- (e) the nature, floor area, type of roof covering and estimated cost of the proposed building to which the building licence relates.

[Regulation 16A inserted in Gazette 17 December 1968 pp.3871-2.]

Fees

17. Fees

The fees to be paid by persons under and in accordance with these regulations shall be the fees set forth respectively in the Second Appendix.

18. Threshold price for construction of building by unregistered person

- (1) For the purposes of sections 4(1)(A)(d)(i) and 4A(1)(a) of the Act, the total fee or charge payable in respect of the construction of a building is prescribed as \$12 000.
- (2) For the purposes of section 4(3)(i) of the Act, the aggregate moneys payable in respect of the performance of the contracts or engagements in respect of the construction of a building are prescribed as \$12 000.

[Regulation 18 inserted in Gazette 21 September 1990 pp.4897-8; amended in Gazette 17 July 1998 p.3761.]

First Appendix

First Appendix

Form No. 1

The *Builders' Registration Act 1939* and Regulations

REGISTER

(Regulation 7)

Folio.....

BUILDERS' REGISTRATION BOARD
OF W.A.

REGISTER OF BUILDERS.

No.	Name.	Address.	Date of Registration.	Minute Book Folio.	Qualification(s).	Remarks.

Form No. 2

Western Australia

The *Builders' Registration Act 1939* and Regulations

APPLICATION FOR REGISTRATION AS A BUILDER

(Regulation 8)

To the Builders' Registration Board of Western Australia, Perth,

1. I (a)of (b)in
the State of Western Australia (c)hereby apply
to be registered as a builder under the provisions of the *Builders' Registration
Act 1939*.

2. My qualifications for such registration are as follows: —

(a) I am over the age of 21 years, having been born at
(d)in the State ofon
the (e)

and

(b) I am permanently residing in Western Australia;

and

(c) I am a person of good character, as evidenced by the
2 testimonials annexed to this application;

and

*(d) I have completed the course of training and have passed the
examination prescribed by the Board;

or

(e) I had at the time of the passing of the said Act been trading as a
builder or supervisor of building for not less than 2 years, and I
am competent to carry out and supervise building work.

3. The prescribed application fee accompanies this application.

Dated the (f).....day of..... 20

(g)Applicant.

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Declaration

I, the abovenamed applicant, do solemnly and sincerely declare that the particulars contained in my above application are true and correct; And I make this declaration under the provisions of section 106 of the *Evidence Act 1906*.

Declared at Perth in
the State of Western
Australia this
.....day of
.....20.....

}

Applicant.

Before me

.....
J.P. or Commissioner for Declarations.

(a) Full name of applicant; (b) Address; (c) Occupation; (d) Place of birth;
(e) Date of birth; (f) Date of application; (g) Signature of applicant.

* Strike out paragraph which does not apply.

Form No. 2A
Western Australia
Builders' Registration Act 1939
**APPLICATION FOR REGISTRATION BY A PARTNERSHIP AS
BUILDER**
(Regulation 8B)

1. APPLICATION

Full names of all partners	Private addresses	Occupations
WE	of	
and	of	
and	of	
and	of	

Trading as
(Business names)

at
(Business address)

hereby make application for registration as a builder under the *Builders' Registration Act 1939*.

2. INFORMATION TO BE SUPPLIED BY APPLICANT

- 2.1 (a) Has the partnership previously applied for, or held a registration as a builder? (Yes/No). If yes, give details
-
-
- (b) Has the partnership applied for and been refused any other registration or licence required by law to carry on business or held any such registration or licence which has been cancelled or suspended at any time during the past 10 years? (Yes/No). If yes, give details
-
-

Builders' Registration Regulations

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- 2.2 (a) Date partnership commenced
- (b) Name of partner who will hold individual registration for the partnership under section 10(2)(b)(ii) and
- (c) Registration No.

NOTE — If individual registration complying with section 10(2)(b)(ii) is not held, an individual application for registration in the form of Form No. 2 should accompany this application.

\$

- 2.3 Financial standing: —
 - Total partnership assets
 - Total partnership liabilities
 - Net Worth \$.....
 - Contingent liabilities including court or arbitration proceedings pending give details —
.....
.....
.....
.....

-
- 2.4 Accompanying documents
 - (a) Financial statement in the form of Form No. 9 duly completed to support Item 2.3, applicants may enlarge the information in the accounts.
 - (b) Statutory declarations in the form of Form No. 10 by each partner (other than a partner applying for individual registration as a builder).
 - (c) Registration details from Business Names Office (in the form of a Computer Printout).
-

2.5. Address for service — The address to which notices or documents required or permitted to be served on the partnership under the Act may be sent

.....
NOTE — Any notice sent to or delivered to the partnership at this address is deemed to have been validly served on the partnership.

3. STATUTORY DECLARATION

Iof
Name Address

.....do solemnly and sincerely declare that
Occupation

I am authorised to make this declaration on behalf of.....

.....that the particulars
Partnership name

contained in this application and accompanying statements are true and correct, and I make this solemn declaration under section 106 of the *Evidence Act 1906*.

Declared atthis
day of20

.....
Signature of applicant.

Before me —

.....
Justice of the Peace or Commissioner for Declarations

Applications should be sent to —

The Registrar, Builders' Registration Board of Western Australia,
18 Harvest Terrace, WEST PERTH W.A. 6005.

First Appendix

Form No. 2B

Western Australia

Builders' Registration Act 1939

**APPLICATION FOR REGISTRATION AS A BUILDER BY A
BODY CORPORATE**

(Regulation 8C)

1. APPLICATION

.....Limited

(Name of Body Corporate)

trading as

(Business Name)

Address of registered office

Address of principal place of business in Western Australia

hereby makes application for registration as a builder under the *Builders' Registration Act 1939*.

2. INFORMATION TO BE SUPPLIED BY APPLICANT

2.1 (a) Has the body corporate previously applied for, or held a registration as a builder? (Yes/No). If yes, give details

(b) Has the body corporate applied for and been refused any other licence required by law to carry on business or held any such licence which has been cancelled or suspended at any time during the past 10 years? (Yes/No). If yes, give details

2.2 (a) Place of incorporation of the body corporate

(b) Date of incorporation (refer 2.5(c))

- 2.3 (a) What are the names, addresses and occupations of the directors, secretary and auditor of the body corporate?

DIRECTORS

Full name	Address
-----------	---------

SECRETARY (or Public Officer)

Full name	Address
-----------	---------

AUDITOR

Full name	Address
-----------	---------

- (b) Name of Director, Manager or Agent in Western Australia who will hold an individual registration as a builder, under section 10(2)(b)(ii) (See Note 1.)

.....
(Full name)

Registration No.

Occupation and office held in the body corporate

.....

Note 1 — If individual registration complying with section 10(2)(b)(ii) is not held, an application for a registration in the form of Form No. 2 should accompany this application.

- (c) Is the body corporate solvent?

.....

Is it in Liquidation, under official management or in receivership? If so, supply details on a separate sheet.

.....

First Appendix

2.4 Financial standing

- (a) Has there been any material change in the financial position of the body corporate since the preparation of the last official balance sheet? (Yes/No). If yes, give details.

.....
.....
.....

- (b) Paid up Capital of the body corporate

.....

2.5 Accompanying documents

- (a) A copy of the latest available financial statements in the form and content required under the *Companies (Western Australia) Code*, is annexed and marked "A", and is to be endorsed by the person before whom the declaration is made as follows —

This is the annexure marked "A" referred to in the
Statutory Declaration of
.....made
on the20.....
Before me —

(Justice of the Peace, or Commissioner
for Declarations)

- (b) Statutory declarations relating to personal particulars by each director in the form of Form No. 10 (other than the director applying for an individual licence) are attached.
- (c) Copy of the Certificate of Incorporation and list of shareholders are attached.

2.6 Address for service — The registered office of the body corporate to which notices of documents required or permitted to be served on the body corporate may be sent

.....
.....

NOTE — Any notice sent or delivered to the body corporate at this address is deemed to have been validly served on the body corporate.

3. STATUTORY DECLARATION

I
of

in the State of Western Australia do solemnly and sincerely declare —

(a) that I am a director
the secretary of
the public officer

..... Limited

(b) that subject to the *Builders' Registration Act 1939*, the above body corporate has the power, authority and capacity to carry out building work of any kind.

(c) that I am authorised by the Board of the above body corporate to make this declaration, and

(d) that, to the best of my knowledge, information and belief, the statements contained in this application and the annexures are true in substance and in fact.

AND I, do solemnly and sincerely declare that the particulars contained in this application and accompanying statements are true and correct, and I make this solemn declaration under section 106 of the *Evidence Act 1906*.

Declared atthisday
of 20

.....
Signature of applicant.

Before me —

.....
Justice of the Peace or Commissioner for Declarations

Applications should be sent to —
The Registrar, Builders' Registration Board of Western Australia,
18 Harvest Terrace, WEST PERTH W.A. 6005.

First Appendix

Form No. 3

Western Australia

The *Builders' Registration Act 1939* and Regulations

No.

Builders' Registration Board of Western Australia

CERTIFICATE OF REGISTRATION

(Regulation 8)

This is to certify that has this day
been registered as a builder under the provisions of the *Builders' Registration
Act 1939*.

..... Chairman.

..... Registrar.

Date

Form No. 4

Western Australia

The *Builders' Registration Act 1939* and Regulations

**APPLICATION FOR LEAVE TO SIT FOR EXAMINATION AS A
QUALIFICATION FOR REGISTRATION AS A BUILDER**

(Regulation 11)

To the Builders' Registration Board of Western Australia.

1. I, (a)of (b)
in the State of Western Australia (c)being desirous
of qualifying for registration as a builder under the *Builders' Registration
Act 1939*, hereby apply for leave to sit as a candidate at the next prescribed
examination to be held by the Board commencing on the (d)
day of 20

2. I am permanently residing in Western Australia and am (e)
years of age, having been born at (f)in the State
ofon the (g)
day of

3. I have undertaken the course of training prescribed by the Board at
(h)in the said State under the supervision or
instruction of (i)of (j) in
the State of Western Australia (k)between the
(l)day of 20
and theday of, 20

4. The prescribed examination fee accompanies this application.

Dated the day of 20.....
(m).....

Applicant.

(a) Full name of Applicant; (b) Address; (c) Occupation; (d) Date of
commencement of examination; (e) Age; (f) Place of birth; (g) Date of birth;
(h) Place where training undertaken; (i) Name of employer or instructor;
(j) Address; (k) Occupation; (l) Period during which training undertaken;
(m) Signature of applicant.

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Form No. 5

Western Australia

The *Builders' Registration Act 1939* and Regulations

CERTIFICATE OF EXAMINATION

(Regulation 12)

Builders' Registration Board of Western Australia.

This is to certify that (a)of
(b)in the State of Western
Australia (c)has duly
undertaken the course of training prescribed by the Board for persons desirous
of being registered as builders under the *Builders' Registration Act 1939*, and
that the said (a)has successfully
passed the examination held by the Board on the
day of 20 as a qualification for such
registration.

Dated the day of 20
..... Chairman.
..... Registrar.

(a) Full name of candidate. (b) Address. (c) Occupation.

Form No. 6

Western Australia

The *Builders' Registration Act 1939* and Regulations

NOTICE OF APPEAL TO A MAGISTRATE

(Regulation 13)

To the Magistrate of theCourt, at.....
and to The Builders' Registration Board of Western Australia.

I, (a)of (b)
in the State of Western Australia (c)
acting pursuant to the provisions of section 13 of the *Builders' Registration Act 1939*, and being aggrieved by the decision of the Builders' Registration Board of Western Australia that —

* (a) I shall not be registered as a builder under the said Act;

or

* (b) That my registration as a builder under the said Act shall be cancelled;

or

* (c) That my registration as a builder under the said Act shall be suspended;

or

* (d) That the order of the said Board whereby my registration as a builder under the said Act shall be cancelled (or suspended) shall not be annulled,

hereby appeal to the said Magistrate of the saidCourt at
....., against the said decision of the said Board.

Dated the day of 20

.....

Appellant.

(a) Full name of appellant. (b) Address. (c) Occupation.

* Strike out the paragraphs which do not apply.

First Appendix

Form No. 7

Western Australia

The *Builders' Registration Act 1939* and Regulations

APPLICATION BY INTERSTATE BUILDER FOR A TEMPORARY LICENCE

(Regulation 15)

To The Builders' Registration Board of Western Australia.

1. I, (a), usually of (b) in the State of....., but at present temporarily residing at (c) in the State of Western Australia (d) being about to trade as a builder temporarily within the State of Western Australia, within the meaning of the *Builders' Registration Act 1939*, hereby apply for the grant and issue to me under the *Builders' Registration Regulations* of a temporary licence to trade as a builder within the said State of Western Australia without being registered as a builder under the said Act.

2. My qualifications for the grant and issue to me of the temporary licence applied for are as follows: —

- (a) I reside permanently at (b), in the ... State of, but am residing temporarily at (c) in this State;
and
- (b) I am over 21 years of age, having been born at (f) in the State of on the (g) day of
and
- (c) I am a person of good character;
and
- (d) I have for a period of not less than 2 years during the last past 5 years been trading as a builder or supervisor of building and am competent to carry out and supervise building work.

3. The prescribed temporary licence fee accompanies this application.

Dated the day of 20

.....
Applicant.

(a) Full name of applicant. (b) Permanent address outside the State. (c) Present temporary address within the State. (d) Occupation. (f) Place of birth. (g) Date of birth.

Declaration

I, the abovenamed applicant, do solemnly and sincerely declare that the particulars stated in the above application are true and correct.

And I make this declaration under and by virtue of section 106 of the *Evidence Act 1906*.

Declared at }
in the State of Western Australia this ... }
..... } Applicant.
day of 20 }
Before me:

.....
J.P. or Commissioner of Declarations.

First Appendix

Form No. 8

Western Australia

The *Builders' Registration Act 1939* and Regulations

**TEMPORARY LICENCE TO INTERSTATE BUILDER TO TRADE AS
A BUILDER WITHOUT REGISTRATION**

(Regulation 15)

This licence is issued under the regulations made under the *Builders' Registration Act 1939*, and authorises (a) usually of (b) in the State of....., but at present residing temporarily at (c) in the State of Western Australia, Builder, to carry on temporarily the trade of a builder within the State of Western Australia without being registered as a builder under the said Act for a period of (d) commencing on the (e)day of 20 , upon and subject to the following conditions, namely: —
(f)
.....
.....
.....

Dated the day of 20
..... Chairman.
..... Registrar.

- (a) Full name of builder. (b) Permanent address outside the State. (c) Temporary address within the State. (d) Period for which licence is granted.
(e) Commencing date of licence. (f) Insert conditions (if any) imposed by the Board.

Form No. 9

Western Australia

Builders' Registration Act 1939

FINANCIAL STATEMENT BY APPLICANT

(Regulation 8(2))

TO THE APPLICANT

The Board is charged with the responsibility under sections 9A(2) and 10(2a) of the Builders' Registration Act to satisfy itself that an applicant for registration has sufficient financial resources to meet his or its financial obligations when they become due.

The Applicant is required to complete this form OR provide a prepared balance sheet certified by his accountant.

Please indicate if any or all of the items below are held in joint names or by a partnership.

NAMEDATE

If assets are owned by a partnership, show individual share, total partnership assets and total assets of all partners. (Separate forms should be submitted if insufficient space).

FIXED ASSETS

WORKING CAPITAL

Premises including —

Value of Materials
in stock \$.....

House/s

Name of owner/s

Cash Balances

.....

Cheque Account \$.....

Value \$.....

Savings Account \$.....

Mortgage \$.....

Building Societies \$.....

Balance \$.....

Cash in Hand \$.....

Other \$.....

(give details)

House contents

Trade Debtors

(incl. personal effects) \$.....

(Amounts owing to

applicant/exclude

bad debts) \$.....

Builders' Registration Regulations

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Vehicles		Work in progress	
Name of owner		Less progress	
.....		payments	\$.....
Value	\$.....	TOTAL A	\$.....
Amount owing	\$.....		
Balance	\$.....		
Plant and Equipment		Less Deductions	
Name of owner		Trade creditors	
.....		(Amounts owed by	
Value	\$.....	applicants)	\$.....
Amount owing	\$.....	Overdrawn Cheque	
Balance	\$.....	Account	\$.....
		Other liabilities	
		(give details)	\$.....
OTHER ASSETS		TOTAL B	\$.....
OF APPLICANT			
(GIVE DETAILS)			
	\$.....		
TOTAL FIXED		TOTAL WORKING	
ASSETS	\$.....	CAPITAL=A-B	\$.....

LIMIT OF OVERDRAFT \$.....
BANKBRANCH
DATED the day of 20

STATUTORY DECLARATION

Iof
Name Address
.....do solemnly and sincerely declare that the
Occupation

particulars contained in my application and accompanying statements are true and correct, and I make this solemn declaration under section 106 of the *Evidence Act 1906*.

Declared atthis day
of 20

.....
Signature of applicant.

Before me —

.....
Justice of the Peace or Commissioner for Declarations.

Applications should be sent to —

The Registrar, Builders' Registration Board of Western Australia,
18 Harvest Terrace, WEST PERTH W.A. 6005.

First Appendix

Form No. 10

Western Australia

Builders' Registration Act 1939

STATUTORY DECLARATION RELATING TO PERSONAL PARTICULARS TO BE COMPLETED BY A DIRECTOR OR PARTNER NOT APPLYING FOR REGISTRATION IN HIS OWN NAME

(Regulation 8D)

I
(Full name)

supply the following personal particulars to accompany the application made by

.....
(Body corporate or partnership name)

1.1 I am director of the body corporate/member of the partnership.
(delete whichever is inapplicable)

1.2 Date of birth
Answer questions 1.3 to 1.8 with "Yes" or "No" and where the answer is "Yes" give full particulars in the space provided in section 1.10.

1.3 Have you previously applied for or held Registration as a Builder? Yes/No

1.4 Have you applied for and been refused any other licence or registration required by law to carry on business or held any such licence which has been cancelled or suspended at any time during the past 10 years?

1.5 Are you an undischarged bankrupt?

1.6 Have you been a bankrupt at any time during the past 10 years?

1.7 Have you been convicted of any offence involving dishonesty, fraud or breaches of bankruptcy or company law at any time during the past 10 years?

1.8 Have you or any body corporate of which you were a director or manager or any partnership of which you were a member been involved in court proceedings concerning the quality of any building work carried out by you or the body corporate or partnership at any time during the past 10 years?

1.9 REFERENCES — Attach 2 character testimonials and give the following details of the persons who have supplied them —

(Form No. 11)

Name	Occupation	Address
------	------------	---------

NOTE: Persons giving the character testimonials should be persons of standing in the community and should have known the applicant for a period of not less than 3 years. The character testimonials should not be dated more than 6 months before the date of this application.

1.10 PARTICULARS — Give below full particulars of any of questions 1.3 to 1.8 which you have answered “Yes”.

Question number	Particulars
-----------------	-------------

(if the above space is insufficient attach additional sheets in the same form)

STATUTORY DECLARATION

Iof

Name Address

.....do solemnly and sincerely declare that

Occupation

Builders' Registration Regulations

First Appendix

the particulars contained in my application and accompanying statements are true and correct, and I make this solemn declaration under section 106 of the *Evidence Act 1906*.

Declared at this day
of 20

.....
Signature of applicant.

Before me —

.....
Justice of the Peace or Commissioner for Declarations.

Applications should be sent to —

The Registrar, Builders' Registration Board of Western Australia,
18 Harvest Terrace, WEST PERTH W.A. 6005.

Form No. 11

Western Australia

Builders' Registration Act 1939 and Regulations

**CHARACTER TESTIMONIAL IN SUPPORT OF AN APPLICATION
FOR REGISTRATION**

This is to certify that I have known
(Applicant's Name)

of
(Applicant's address)

foryears
(minimum 3 years)

His association with me has been in a
.....
(personal, business or professional)

capacity.

I consider that he/she is a person of good character and repute and a fit and proper person to hold such a registration.

.....
.....
.....
.....
.....
.....
.....

Date Signature.....

The Character Testimonial should not be dated more than 6 months before the date of application. Address.....
.....
Occupation.....

NOTE — Persons giving testimonials must have known the applicant for at least 3 years and must be persons of standing in the community. They are at liberty to add any further information they wish.

*[First Appendix amended in Gazette 30 November 1984 pp.3989-96;
9 December 1997 p.7173.]*

Second Appendix

Second Appendix

Fees

Section/ Regulation	Description of circumstance	Fee \$
S. 4(1a) Reg. 8A	On an application, by unregistered person, for an authorisation to construct a specified building	210
S. 9(6)(a)	To obtain, from the registrar, a list of the names and addresses of all persons registered in the register	25
S. 9(6)(b)	To obtain, from the registrar, a certificate as to the registration or non-registration of a named person on a specific date or during a specific period For an individual —	15
S. 10(1)(a)	(a) (not a company or other body corporate), to be registered under the Act	200
S. 9A(1)(e)	(b) who is an architect, engineer, etc., with 5 years' experience to be registered under the Act	200
S. 10(2)(a) Reg. 8B(2)	For a partnership to be registered under the Act	150
S. 10(2)(a) Reg. 8C(2)	For a company or other body corporate to be registered under the Act	200
S. 22(1) Reg. 8(6)	For the issue of a [Form 3] certificate of registration	20
S. 22(1) Reg. 12	For the issue of a [Form 5] certificate of examination	20
S. 22(1) Reg. 11(3)	On an application to sit for an examination	20
S. 24(1)(i) Reg. 15(2)	On an application for a temporary licence — (a) for an individual (b) for a partnership (c) for a company or other body corporate	210 287 650

*[Second Appendix inserted in Gazette 9 December 1997 p.7173;
amended in Gazette 17 July 1998 p.3761.]*



Notes

¹ This reprint is a compilation as at 22 September 2000 of the *Builders' Registration Regulations* and includes the amendments referred to in the following Table.

Table of Regulations

Citation	Gazettal	Commencement	Miscellaneous
<i>Builders' Registration Act Regulations</i>	26 April 1940 pp.622-7	26 April 1940	Citation subsequently amended (see footnote to regulation 1)
	17 March 1966 p.732	17 March 1966	
	17 December 1968 pp.3871-2	17 December 1968	
	3 October 1969 p.3018	3 October 1969	
	23 October 1969 p.3278	23 October 1969	
	9 March 1970 p.755	9 March 1970	
<i>Builders' Registration Amendment Regulations 1983</i>	5 August 1983 p.2889	5 August 1983	
<i>Builders' Registration Amendment Regulations (No. 2) 1983</i>	30 December 1983 p.5135	30 December 1983	
<i>Builders' Registration Amendment Regulations 1984</i>	6 July 1984 p.2054	6 July 1984	
<i>Builders' Registration Amendment Regulations (No. 2) 1984</i>	30 November 1984 pp.3989-96	1 December 1984 (see regulation 2 and <i>Gazette</i> 30 November 1984 p.3945)	

Builders' Registration Regulations

Citation	Gazettal	Commencement	Miscellaneous
<i>Builders' Registration Amendment Regulations 1986</i>	29 August 1986 p.3205	1 September 1986 (see regulation 2 and <i>Gazette</i> 29 August 1986 p.3162)	
<i>Builders' Registration Amendment Regulations 1987</i>	31 December 1987 p.4609	31 December 1987	
<i>Builders' Registration Amendment Regulations 1988</i>	1 July 1988 p.2161	1 July 1988	
<i>Builders' Registration Amendment Regulations 1989</i>	7 July 1989 p.2112	7 July 1989	
<i>Builders' Registration Amendment Regulations 1990</i>	21 September 1990 pp.4897-8	21 October 1990 (see regulation 2)	
<i>Builders' Registration Amendment Regulations 1997</i>	9 December 1997 pp.7172-3	1 January 1998 (see regulation 2)	
<i>Builders' Registration Amendment Regulations 1998</i>	17 July 1998 p.3761	17 July 1998	
