

## Immediate suspension of registration

### What is immediate suspension?

The Victorian Building Authority (VBA) has the power to immediately suspend a registered building practitioner (practitioner) if it has a reasonable belief that a prescribed ground for immediate suspension exists under section 180 of the *Building Act 1993* (the Act).

A practitioner's registration can be suspended either wholly or partially.

The term 'reasonable belief' is not defined in the Act, but requires a decision maker to believe, at the time of making a decision to, for example, take action against a person, that the basis for doing so is reasonable and is not based on a mere belief or assertion. It will involve the decision maker objectively taking into account all known considerations.

### Why have I received an immediate suspension notice?

The VBA must, by written notice given to the practitioner, immediately suspend the registration of the practitioner if it forms a reasonable belief that the practitioner has ceased to be covered by the required insurance.

The VBA may, by written notice given to the practitioner, immediately suspend the registration of the practitioner if there is a reasonable belief that a ground for immediate suspension exists.

### Is immediate suspension a criminal matter?

Immediate suspension is not a criminal matter, but a practitioner may be immediately suspended for being convicted of an indictable offence involving fraud, dishonesty, drug trafficking or violence.

### Can I challenge immediate suspension?

Yes. A practitioner may apply for a review of a decision to immediately suspend their registration through the VBA internal review process or by the Victorian Civil Administrative Tribunal (VCAT).

See the [Internal Review Process Practitioner Guide](#) and [Frequently Asked Questions](#) for further information.

### Why is suspension immediate?

The prescribed grounds for immediate suspension relate to matters that pose a serious risk to the safety of individuals, the public or property, and therefore suspension must be immediate.

An immediate suspension takes effect when the notice of decision is given to a practitioner.

### Is immediate suspension related to the show cause process?

A decision to immediately suspend a practitioner is part of a show cause process. The VBA will provide the practitioner with a show cause notice setting out the basis and reasons for the immediate suspension without delay after the suspension notice is given to the practitioner.

The show cause process that will be followed in relation to the immediate suspension decision will be similar to the process followed in relation to the taking of disciplinary action.

See the [Show Cause Process Practitioner Guide](#) and [Frequently Asked Questions](#) for further information.

## How long can I be suspended for?

An immediate suspension continues for the period specified in the suspension notice unless it is revoked by the VBA, or is set aside on review by following internal review or review by the VCAT.

### Key points to remember

- The VBA can suspend a practitioner based on evidence from an investigation into the conduct of the practitioner.
- Immediate suspension of a practitioner is part of the show cause process.

### Want to know more?

Please [submit an enquiry](#) or call us on 1300 815 127.

Victorian Building Authority  
733 Bourke Street Docklands VIC 3008

[www.vba.vic.gov.au](http://www.vba.vic.gov.au)