

COMPANY REGISTRATION

HERE'S WHAT YOU NEED TO DO

SAVE AND COMPLETE THIS FORM ON YOUR COMPUTER. DO NOT HANDWRITE.

Checklist

Please tick once you have completed these sections of the Application Form:


- Part A:** What we need to know about the company
- Part B:** Categories/ Classes of building practitioner in which company seeks registration
- Part C:** What we need to know about the company directors
- Part D:** Probity and excluded persons declarations
- Part E:** Insurance
- Part F:** Application fee and payment method
- Part G:** Director signature

Note: The information provided in an application must be true and correct. It is an offence under s246 of the *Building Act 1993* to give false or misleading information in relation to an application for registration, and this offence carries a maximum penalty of 60 penalty units in the case of a natural person and 300 penalty units in the case of a body corporate. If you provide false or misleading information, we may refuse your application.

How to submit your application

Please fill out this Application Form electronically, then print and sign a hard copy along with a 'Director's Declaration Form' and 'National Police Check' for each Director.

Submit a hard copy of your application by mail:

 **Victorian Building Authority**
GPO Box 536
Melbourne VIC 3001

Or in person at the VBA:

 **Goods Shed North**
733 Bourke Street
Docklands VIC 3008

Use this application form to apply for registration as a body corporate under s170 of the *Building Act 1993*. Under s170D of the *Building Act 1993*, applicants for registration as a building practitioner must give the VBA notice of any material change, that occurs from when this application is made to when the VBA determines the application, within 14 days of becoming aware of this change. It is an offence to fail to do so, and the offence carries a maximum penalty of 300 penalty units.

Privacy – Collection Notice

HOW THE VBA USES AND DISCLOSES YOUR PERSONAL INFORMATION

The Victorian Building Authority (ABN 78 790 711 883) is a body corporate established under the *Building Act 1993* (Vic) (**VBA**). The VBA's contact information is as follows:

Address: Goods Shed North, 733 Bourke Street, Docklands Vic 3008.
Telephone: 1300 815 127

The VBA is committed to protecting the privacy of your personal information in accordance with the *Privacy and Data Protection Act 2014* and the VBA's Privacy and Privacy Statement as amended from time to time.

The personal information you provide to the VBA, including any images or photographs and any and all details provided in this Application Form, will be used by the VBA to process your application. If you do not provide all or any part of the information requested in this Application Form, the VBA may be unable to process and subsequently grant your application.

The VBA may also use such information for the following purposes:

- (a) Verify information provided in support of your application.
- (b) Research, planning, to meet the VBA's operational requirements, assessing the merit and impact of proposed regulatory reforms and to assist in the development and delivery of services by the VBA (whether to you personally or a member of the public).
- (c) Law enforcement by the VBA or other regulatory bodies, including prosecutions or disciplinary action against you if required.
- (d) The production and administration of building and plumbing practitioners' identification cards.
- (e) Maintaining disciplinary and licensing and registration registers for building and plumbing practitioners (published on the VBA's website).
- (f) To enable the VBA to meet its statutory obligations or functions.
- (g) Such other purposes as required by law or authorised under the privacy legislation.

The VBA may also share your personal information with third parties including, but not limited to, different business units within the VBA, the Building Appeals Board, Consumer Affairs Victoria, the Victorian Managed Insurance Authority, your insurer, other regulators (both in Victoria and interstate), your clients and the VBA's staff and/or service providers who need to know such information to perform services for the VBA.

The VBA will only disclose your personal information to a third party claiming to act on your behalf (for example, your solicitor or interpreter) with your prior written consent.

You can request access to the personal information which the VBA holds about you. If you become aware that personal information the VBA holds about you is not accurate, complete or up to date, you can ask the VBA to correct it.

The VBA's full Privacy Policy and Privacy Statement are available at www.vba.vic.gov.au/privacy. By submitting your application to the VBA, you are deemed to have acknowledged and consented to the VBA using and disclosing your personal information as set out in this Notice.

Part A

WHAT WE NEED TO KNOW ABOUT THE COMPANY

Company name

Company trading name

Australian Company Number (ACN)

Registered business address

Suburb

State or territory

Postcode

Postal address (if different from registered business address)

Suburb

State or territory

Postcode

Email

Contact Phone Number

CATEGORIES/CLASSES OF BUILDING PRACTITIONER IN WHICH COMPANY SEEKS REGISTRATION

Please select the categories and/or classes in which the company seeks registration. The company must have at least one director who is registered as a building practitioner in the category or class the company seeks registration in.

Building Inspector

- Building Inspector (unlimited)
- Building Inspector (limited)

Building Surveyor

- Building Surveyor (unlimited)
- Building Surveyor (limited)

Commercial Builder

- Commercial Builder (unlimited)
- Commercial Builder (limited to the construction of low rise building work)
- Commercial Builder (limited to the construction of medium rise building work)
- Commercial Builder (limited to the construction of shade structures work)
- Commercial Builder (limited to the erection of signs work)
- Commercial Builder (limited to the installation of blinds and awnings)
- Commercial Builder (limited to non-structural fit-out work)
- Commercial Builder (limited to steel erection work)
- Commercial Builder (limited to structural fit-out work)
- Commercial Builder (limited to structural landscaping work)
- Commercial Builder (limited to waterproofing work)

Demolisher

- Demolisher (low rise)
- Demolisher (medium rise)
- Demolisher (unlimited)

Person Responsible for a Building Project

- Project Manager (domestic)

Domestic Builder

- Domestic Builder (unlimited)
- Domestic Builder (limited to the construction of non-habitable building structures)
- Domestic Builder (limited to the construction of gates and fences)
- Domestic Builder (limited to the construction of retaining walls)
- Domestic Builder (limited to the construction of swimming pools and spas)
- Domestic Builder (limited to the construction of private bushfire shelters)
- Domestic Builder (limited to the construction of shade structures)
- Domestic Builder (limited to the construction of structural landscaping)
- Domestic Builder (limited to bathroom, kitchen and laundry renovation)
- Domestic Builder (limited to earthworks and excavation work)
- Domestic Builder (limited to footings and slab work)
- Domestic Builder (limited to framing)
- Domestic Builder (limited to bricklaying and blocklaying)
- Domestic Builder (limited to external wall cladding)
- Domestic Builder (limited to roof tiling)
- Domestic Builder (limited to waterproofing)
- Domestic Builder (limited to door and window replacement and installation)
- Domestic Builder (limited to site works involved in relocating a dwelling)
- Domestic Builder (limited to re-stumping and re-blocking)
- Domestic Builder (limited to cabinet making, joinery and stair construction)
- Domestic Builder (limited to carpentry)
- Domestic Builder (limited to the erection of poles, masts and antennas)
- Domestic Builder (limited to sheet plastering)
- Domestic Builder (limited to solid plastering and rendering)
- Domestic Builder (limited to floor finishing and covering)
- Domestic Builder (limited to glazing)
- Domestic Builder (limited to insulation work)
- Domestic Builder (limited to painting and decorating)
- Domestic Builder (limited to floor and wall tiling work)
- Domestic Builder (limited to attaching external fixtures)
- Domestic Builder (Manager)

Draftsperson

- Draftsperson, Building Design (architectural)
- Draftsperson, Building Design (interior)
- Draftsperson, Building Design (services)

Person who Erects or Supervises the Erection of Prescribed Temporary Structures

- Temporary Structures (limited to scaffolding stages and towers)
- Temporary Structures (limited to tents and marquees)

Quantity Surveyor

- Quantity Surveyor

WHAT WE NEED TO KNOW ABOUT THE COMPANY DIRECTORS

Please provide the relevant details of **all** directors of the company.

i A company seeking registration as a building practitioner must have at least one director who is registered as a building practitioner (a 'Nominee Director'). The company will be registered in the same categories and classes of the Nominee Directors. The must impose the same conditions (if any) which are prescribed on the Nominee Director's registration. The company registration relating to this Nominee Director will incur the same conditions accordingly.

The VBA cannot register a company as a building practitioner unless it is satisfied that:

- each director (including Nominee Directors and non-Nominee Directors); and
- the company,

is a fit and proper person having regard to the personal and financial probity requirements and is not an 'excluded person' as set out in the *Building Act 1993*.

The company must answer the questions set out at Part D: Probity and Excluded Persons Declaration, of this form to demonstrate that it is a fit and proper person, and that it is not an 'excluded person'. A fully completed and signed **Director's Declaration Form** must be included **for all directors** of the company. If the form is not complete or included for all directors, the application process will be delayed.

To support your application, we require you to undertake a national police check. To apply, visit the [VBA police check portal](#) and follow the steps. Upon completion, fill out the declaration below.

I declare that I have completed an Australia Post police check, on date:

Please note: If you do not utilise the above link to complete your police check, you will be charged.

Director 1

Full name

Position held within the company

Registered as a building practitioner in Victoria?

Yes No

Is this Director to be a Nominee Director?

Yes No

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Director 2

Full name

Position held within the company

Registered as a building practitioner in Victoria?

Yes No

Is this Director to be a Nominee Director?

Yes No

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Director 3

Full name

Position held within the company

Registered as a building practitioner in Victoria?

Yes No

Is this Director to be a Nominee Director?

Yes No

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Director 4

Full name

Position held within the company

Registered as a building practitioner in Victoria?

Yes No

Is this Director to be a Nominee Director?

Yes No

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

Category/Class of registration

Practitioner ID Number (if applicable)

PROBITY AND EXCLUDED PERSONS DECLARATIONS

! The VBA must be satisfied that the company is a fit and proper person to be registered as a building practitioner having regard to the personal and financial probity requirements set out in sections 171D and 171E of the *Building Act 1993*.

All of the following questions must be answered in relation to the company by ticking the appropriate box.

Personal Probity

- (a) Has the company, within the last 10 years, been convicted or found guilty (whether in Victoria or outside Victoria), of an offence under any law regulating building work or building practitioners? Yes No
- (b) Has the company, within the last 10 years, had any registration, licence, approval, certificate or other authorisation as a building practitioner suspended or cancelled (whether in Victoria or outside Victoria), for any reason other than a failure by the company to renew the registration, licence, approval, certificate or other authorisation? Yes No
- (c) Has the company, within the last 10 years, been convicted or found guilty of an offence (whether in Victoria or outside Victoria), against—
- (i) section 10, 11, 12, 17, 19 or 21 of the *Fair Trading Act 1999*? Yes No
- (ii) section 53, 55, 55A, 56, 58 or 60 of the *Trade Practices Act 1974* (Cth)? Yes No
- (iii) section 29, 33, 34, 35, 36, 50, 151, 157, 158 or 168 of the Australian Consumer Law (Victoria)? Yes No
- (iv) section 29, 33, 34, 35, 36, 50, 151, 157, 158 or 168 of Schedule 2 to the *Competition and Consumer Act 2010* (Cth)? Yes No
- (d) Has the company, within the last 10 years, been subject to an order of a court or the Victorian Civil and Administrative Tribunal (VCAT) under the following enactments that has not been complied with within the period required by the court or VCAT—
- (i) the *Building Act 1993* or regulations under that Act? Yes No
- (ii) the *Domestic Building Contracts Act 1995* or the regulations under that Act? Yes No

Financial Probity

- (a) Is the company an externally administered body corporate within the meaning of the *Corporations Act 2001*? Yes No
- (b) Has an insurer ever declined, cancelled, or imposed special conditions in relation to, the provision of professional indemnity insurance, public liability insurance or any other indemnity insurance in relation to the company in relation to work as a building practitioner in Victoria or in an equivalent occupation in the building and construction industry in another State or Territory? Yes No
- (c) Does the company have outstanding:
- (i) any judgment debt for an amount any judgment debt for an amount recoverable by an insurer under a policy of insurance for domestic building work referred to in section 137A or 137B of the *Building Act 1993* that has not been satisfied within the period required for satisfaction of that debt? Yes No
- (ii) any judgment debt for an amount owed to the VBA as a debt due under this Act that has not been satisfied within the period required for satisfaction of that debt? Yes No
- (iii) any judgment debt for an amount payable in relation to a domestic building dispute that has not been satisfied within the period required for satisfaction of that debt? Yes No
- (iv) any amount payable under any dispute resolution order (within the meaning of the *Domestic Building Contracts Act 1995*) or VCAT order requiring the payment of an amount in relation to a domestic building dispute that has not been paid within the period required for compliance with that order? Yes No
- (v) any unpaid adjudicated amount due to be paid under the *Building and Construction Industry Security of Payment Act 2002* if—
- (1) the period for making an adjudication review application under that Act in relation to that amount has expired; and
- (2) the practitioner has not made an adjudication review application in relation to that amount within that period? Yes No

D continued

- ✔ If you answered **YES** to any of the questions listed in Part D relating to personal probity or financial probity, please provide details here:

What were the offences or breaches?

When did the event occur?

In which State or Territory did the event occur?

What were the circumstances of the event?

What penalty did you receive?

What have you done to prevent the event from occurring again?

If you need more room, attach an additional page to this form.

Excluded Persons

i The VBA cannot grant an application for company registration if a director of the company, or the company, is an 'excluded person' as defined in s171F of the *Building Act 1993*.

To assist the VBA in assessing the application for company registration, answer all of the following questions with respect to the company.

If you do not answer all of the questions, this will delay the determination of the application.

- (a) Is the company currently disqualified by an order of a disciplinary body (meaning the Building Practitioner Board, the Building Appeals Board, Victorian Civil and Administrative Tribunal (VCAT), or the VBA) from applying for registration? Yes No
- (b) Has the company previously held a building practitioner registration in Victoria that was cancelled by a disciplinary body, or has the company been disqualified from applying for a new registration, and the disqualification period has not ended? Yes No
- (c) Has the company previously held a similar registration¹ in another jurisdiction (for example a State or Territory) that was cancelled due to disciplinary action and either:
- (i) the disqualification period has not ended; or Yes No
- (ii) it is less than 2 years after the day the cancellation occurred if the company was not disqualified? Yes No
- (d) Has the company applied for a building practitioner registration in Victoria, or a similar registration¹ in another jurisdiction, within the last 2 years and the application was refused because the company provided false and misleading information? Yes No
- (e) Has an associate² held a building practitioner registration in Victoria that was cancelled by a disciplinary body, or have they or the company, been disqualified from applying for a new registration, and the period of disqualification has not ended? Yes No
- (f) Has a related body corporate to the company previously held a similar registration in another jurisdiction that was cancelled due to disciplinary action taken by a disciplinary body and either:
- (i) the disqualification period has not ended; or
- (ii) it is less than 2 years after the day the cancellation occurred if the related body corporate was not disqualified? Yes No

¹**Similar registration** means a registration, licence, approval, certificate or other form of authorisation under a corresponding Act that correspond to a relevant registration.

²**Associate** means someone who exercises significant influence over you or your business



INSURANCE

i The VBA cannot grant the application unless it is satisfied that the applicant is covered by the required insurance. The company must provide proof of insurance with the application.

Insurance must be in the name of the company seeking registration, and not in an individual building practitioner's name. If the company does not provide proof of the required insurance, there will be delays in the processing the application.

Insurance requirements differ depending on the category or class the company seeks to be registered in.

Do not send a quote, invoice or receipt as the VBA will not accept this as proof of insurance.

i Insurance Requirements

The insurance policy (or letter of eligibility to purchase domestic building insurance) must comply with the *Building Act 1993* and the relevant Ministerial Order. Copies of the Ministerial Orders can be located [here on the VBA website](#).

Policy details

Policy Number

Company that is insured

Insurance Provider

Commencement date of insurance

Expiry date of insurance

Proof of Insurance

For the classes of **Domestic Builder (Unlimited)**, **Domestic Builder (Manager)**, **Domestic Builder (Limited to a class of building work)**:

Attach written proof that your company is eligible to be covered by domestic building insurance in relation to managing, arranging or carrying out domestic building work with a value of more than \$16,000.

For the classes of **Commercial Builder (Limited)**, **Commercial Builder (Unlimited)** or **Project Manager (Domestic)**:

You are not required to provide proof of insurance.

For the classes of **Demolisher (Low Rise Buildings)**, **Demolisher (Medium Rise Buildings)**, **Demolisher (Unlimited)**, **Temporary Structures (limited to scaffolding stages and towers)**, **Temporary Structures (limited to tents and marquees)**:

Attach written proof that the company is covered by public liability insurance.

If you are applying for company registration **any other class of building practitioner**:

Attach written proof that the company is covered by the professional indemnity insurance.

Part F

APPLICATION FEE

There is a fee for every category/ class the company wishes to apply to be registered in. Please select the appropriate fee/s below. If your company is yet to be registered in any class, ensure you select the full fee. The discounted fee will be available to company's once they already hold registration in a class.

Applying to register as a **Domestic Builder (Unlimited)** – \$1,288.00*

Applying to register as a **Commercial Builder (Unlimited)** or **Domestic Builder (Limited)** – \$1,030.40*

Applying to register as a **Commercial Builder (Limited), Project Manager (Domestic), Building Surveyor, Demolisher, Building Inspector, Draftsperson, Erector or Supervisor (Temporary Structures) or Quantity Surveyor** – \$824.40*

*If you hold more than one current registration in the same category of building practitioner that you are seeking registration in, you may be eligible for a discount. The VBA will apply any relevant discounts at the time of processing your application fee.

The VBA cannot grant the application unless the correct fee is authorised. Please complete this section carefully to avoid any delays to your application process.

PAYMENT METHOD

Please select your payment method:

credit card cheque money order

Please make cheques and money orders payable to: **Victorian Building Authority**

Note:

▶ The VBA does not accept cash payments for application fees.

CREDIT CARD PAYMENT DETAILS

Card type:

Visa Mastercard

Amount:

(select relevant fee from page 12)

Card number:

Name of card holder:

Card expiry date:

/

Signature of card holder

Date of signature

/ /

DIRECTOR SIGNATURE

This section must be signed by any director of the company, who holds appropriate delegation or authorisation to make this application on behalf of the company.

- I am authorised to apply for registration on behalf of this company
- This application form indicates the name of every director of the company.
- I understand that the company must advise the VBA of any change in Directors after the application is lodged, within 14 days of the change, and it is an offence to fail to advise the VBA of this.
- I understand that the VBA may request more information from the company to help it decide whether to grant this application for company registration.
- I acknowledge that it is an offence to make any false or misleading statement or provide any false or misleading information to the Victorian Building Authority in relation to this application (s246 of the *Building Act 1993*)

Name of the director of the company

Date

D	D	/	M	M	/	Y	Y	Y	Y
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Signature of director

END OF APPLICATION FORM