



SET 2 — ARCHITECTS, ENGINEERS AND MINING AND METALLURGY PATHWAY EXPLANATORY NOTES

LEGISLATIVE REQUIREMENTS

Section 17 of the Building Services (Registration) Act 2011 (the Act) provides that the Building Services Board (the Board) must register an applicant as a building services practitioner if the Board is satisfied that the applicant –

- (1) (a) *has complied with sections 13 and 14 (i.e. to make application in the prescribed manner with payment of the application and registration fee) ; and*
- (b) *has the qualifications and experience prescribed by the regulations for that class of building service practitioner; and*
- (c) *is a fit and proper person to be registered; and*
- (d) *has complied with any other requirements prescribed by the regulations for registration as a building service practitioner in that class.*
- (2) (b) *Notwithstanding subsection (1), the Board must not register an applicant who is an ineligible person under Section 60 of the Act.*

Section 16 of the Building Services (Registration) Regulations 2011 has prescribed the qualifications and experience for building practitioners under this pathway:-

Applicants must have experience in supervising building work for periods totalling at least 5 years including experience in supervising all aspects of the construction of a building, as well as membership with one of the following institutes:-

- Architect – Registered Architect or Membership with RAIA must be Level 1 or RAIA Level 2. RAIA Affiliate Level 1, Affiliate Level 2, student, graduate or academic membership is not acceptable.
- Engineer – Professional Engineer, Member, MIEAust and above. Student or Graduate membership, for example, is not acceptable. The general area of practice required for an Engineer must be in the areas of structural or civil engineering.
- Mining & Metallurgy – Membership with AusIMM must be the grade of Fellow or member. Student, graduate or associate membership is not acceptable.

The membership must be current at the time the application is made and proof of membership specifying the grade of membership must be provided. A certified copy of the original is sufficient.

The Board may conduct examinations for the purpose of assessing a person's knowledge and skills in relation to building work, building construction, building quantities and estimating and financial, contractual and legislative matters.

PAYMENT OF THE PRESCRIBED APPLICATION & REGISTRATION FEE

An application and registration fee must be paid when you lodge your application. The application fee is non-refundable. Should your application be unsuccessful, the registration fee will be refunded to you.



FIVE YEARS' EXPERIENCE IN SUPERVISING BUILDING WORK INCLUDING EXPERIENCE IN SUPERVISING ALL ASPECTS OF THE CONSTRUCTION OF A BUILDING

It is the applicant's responsibility to demonstrate to the Board that they meet the criteria for registration. Failure to demonstrate that you meet the criteria will result in your application being refused. It is not up to the Board to investigate or make enquiries to establish an applicant's experience. Accordingly, it is important that the information you provide is relevant and accurate.

Documenting your experience

All experience that you want the Board to consider in support of your application should be contained in Form C1.2a & C1.2b and supported by independent verification.

- Where there is an extended period of employment with a particular employer you may provide a list of the projects and explain your role and responsibilities collectively.
- Jurisdictions outside Western Australia may have different or lower standards of building. Where the applicant relies on experience gained outside Western Australia the applicant must identify how the region in which the experience was gained is comparable to the standards of building in Western Australia.

How do I know what experience and information to include?

While applicants may give a general overview of their experience in the building industry as a whole, the experience sought to be relied upon must be directly relevant to this category of registration, that is:

- The experience must be in 'building construction'. Building construction is the entire process of the construction of a building, from start to finish, as against the performance of an individual trade or supervision of a single component of the work (eg. supervision of footings).
- Experience in the ordinary functions and responsibilities of an architect or engineer are not necessarily experience in supervising building construction. For example, while an engineer's time on site supervising the construction of building will be relevant, the professional advice and assistance with drawings and specifications during the planning phases is not.
- Experience in civil works in the nature of roads, viaducts, mechanical engineering, dams, pipelines, mining plant and refinery plant are not relevant experience (see a decision of the State Administrative Tribunal in *Lam v The Builders' Registration Board of Western Australia* [2006] WASAT 227 available from www.sat.justice.wa.gov.au). If a project involves both civil and building work, applicants should apportion the time spent supervising the building component of the works.

Supervision

An applicant's experience does not necessarily need to be in the direct employ of a builder (i.e. an applicant can be acting for the builder's client or be a subcontractor to the builder).

It may however be a difficult task for the applicant to prove that the applicant supervised building construction, in those circumstances. An applicant needs to show that he/she had the ability and was in a position to direct and control the works being undertaken by the builder, without the need to revert to influence from a third party (eg. the client). See *Lam v The Builders' Registration Board of Western Australia* [2006] WASAT 227 available from www.sat.justice.wa.gov.au.



Details of time to be credited

The time credited to an applicant must involve consideration of the time spent 'supervising' building construction. This may but will not always be the time that the project took. With respect to the experience claimed, an applicant should include:

- the period of the project (eg. January 2006 to August 2006 – 8 Months);
- the period of time (in terms of weeks/months) that the applicant was actually involved in supervision building construction (ie. excluding contractual negotiations and planning approvals);
- the role of the applicant in each project, including a description of the day to day functions and how the applicant exercised direction and control over the works;
- the time attributed to that project by the applicant (particularly where the applicant is responsible for multiple projects); and
- the percentage of time spent on site by the applicant (eg. 2 hours per day, 3 days per week). These periods must be verified by the employer.

For example, in a single month, if an engineer was responsible for 10 sites (5 being with respect to civil works and 5 being for building work as defined) and the engineer spent equal time on each site, a maximum of half of that time could be claimed.

CONDUCT OF EXAMINATION

An applicant must satisfy the Board that he/she has the necessary knowledge and skills to carry out building work.

To assist the Board in satisfying this criteria, the Board invites applicants to sit a set of assessments. The assessments are based on and encompass specific areas of the prescribed course, which applicants under Set 1 are required to complete. Failure to achieve a mark of at least 60% in each of the three assessments gives the Board no confidence that the applicant has the necessary knowledge and skills required by the Act.

Applicants should be aware that passing the assessments is only the first step in demonstrating skills to the Board. The Board will rely primarily on the length and nature of your experience.

Assessments are held at Central Institute of Technology, Leederville Campus and selected regional locations and a sitting fee applies. Prior to lodging your application, please refer to the important information contained in the Board's Assessment Guidelines available from www.buildingcommission.wa.gov.au or by calling (08) 9476 1200. The Board will provide applicants with the dates available to sit assessments upon receipt of their application.