

GUIDE FOR APPLICANTS

INDIVIDUAL CONTRACTOR, QUALIFIED SUPERVISOR OR TRADESPERSON CERTIFICATES



Fair
Trading

NSW FAIR TRADING - HOME BUILDING SERVICE

13 32 20 www.fairtrading.nsw.gov.au

1. Information Guide

This guide is to assist completion of an application under the *Home Building Act 1989* for the following authorities:

- Individual Contractor Licence
- Qualified Supervisor Certificate
- Tradesperson Certificate
- Variation to existing Licence/Certificate

2. When is a Contractor Licence Required?

A Contractor Licence is required to contract, subcontract and/or advertise to carry out:

- all residential building work where the current market value of labour and materials is more than \$5,000 (GST included);
- all electrical wiring work (including domestic, commercial or industrial);
- all plumbing, draining and gas fitting work (including domestic, commercial or industrial);
- all air conditioning and refrigeration work (except on a self-contained, single phase plug-in domestic system or an air conditioning system in a motor vehicle).

All contracts must be entered into in the name that appears on the "Contractor Licence". A contractor licence will be issued to an individual or partnership or company depending on the type of application lodged and manner in which a business is to be conducted.

3. Who Should Use This Form?

This guide is to assist Individual Applicants only. A current apprentice cannot be issued a Licence or Certificate. Applicants intending to contract as a partnership or a company should apply on the application form for a Contractor Licence for a Company/Partnership and complete the associated [checklist for Company/Partnership](#) applications. This includes husband and wife partnerships, other family partnerships, partnerships between individuals and/or companies.

4. What is a Qualified Supervisor?

A Qualified Supervisor Certificate is required to supervise residential building, building trade and specialist work contracted for by a holder of a Contractor Licence. A Qualified Supervisor Certificate holder may be the nominated supervisor for a company or partnership contractor licence. The nominated supervisor must be an employee of the licence holder or a member of the partnership or director of a company holding the Contractor Licence.

An individual Contractor Licence will be endorsed with the letter 'Q' instead of the holder being issued a separate Qualified Supervisor Certificate to recognise that they are a "qualified" person. This is called an Endorsed Contractor Licence.

5. What are the Responsibilities of a Qualified Supervisor Certificate or Endorsed Contractor Licence Holder?

- A holder of a Qualified Supervisor Certificate is responsible for all work carried out under their supervision and for ensuring work is done with due care and skill and complies with the relevant regulations, ordinances, codes etc. and that suitable materials are used.
- A Qualified Supervisor Certificate will not permit the holder to contract, subcontract or advertise to carry out work. In order to do so, a Contractor Licence must be held. However, a Certificate holder may perform work in connection with property they own or in which they reside.
- If you hold a Contractor Licence endorsed with 'Q', i.e. "Qualified Individual", you are not required to also hold a Qualified Supervisor Certificate for the same category of work that can carry about the above functions.

6. What is a Tradesperson Certificate?

A Tradesperson Certificate is only issued in the classes of plumbing, draining and gasfitting and allows a person to undertake work with minimum supervision. A provisional Tradesperson Certificate may be issued for Applicants through the Offshore Skills Assessment Program.

The holder of a Tradesperson Certificate cannot sign off on work and work must be signed off by the holder of an Endorsed Contractor Licence or a Qualified Supervisor Certificate.

7. Applicants who hold an Offshore Technical Skills Record (OTSR)

Applicants for specialist work authorities who have completed the Onshore or Offshore Skills Assessment for electrical, plumbing, gasfitting, airconditioning & refrigeration, can only receive a **provisional** Tradesperson Certificate working under supervision until they meet qualification and experience requirements.

Under the Program, the holder of a provisional tradesperson certificate must:

- work under the supervision of a current holder of the full licence or qualified supervisor's certificate for the same trade AND
- be enrolled and complete any approved training course to undertake gap training towards the full licence or certificate before the expiry of the provisional tradesperson certificate.

A provisional tradesperson certificate cannot be renewed.

For more information on the **Offshore Skilled Assessment Program (OSAP)** see the Fair Trading website:

http://www.fairtrading.nsw.gov.au/ftw/Tradespeople/Home_building_licensing/Applying_for_a_licence_or_certificate/Overseas_trained_applicants.page?

8. Licence Fees

For a list of current fees see the Fair Trading website: www.fairtrading.nsw.gov.au or Phone: 13 32 20

The application fee must accompany the application. Cheques are to be made payable to 'NSW Fair Trading'. Fees can also be paid by EFTPOS or credit card. This application is GST exempt (ABN 81 913 830 179)

9. Your Checklist for Making an Application

Completing your form

- Use **BLACK INK** and use **BLOCK LETTERS**.
- You **MUST** answer all questions.
- You **MUST** sign and date the form where requested.

Lodging your form

Proof of Identity is required for all new applications and applications to vary an existing individual licence. You **MUST** lodge your application form, all supporting documents and proof of identity material in person at a:

- Service NSW or Government Access Centre. For information on the location of your nearest Centre, please check our website www.fairtrading.nsw.gov.au or telephone 13 32 20.

Documents you will need to provide with your application

1. Proof of Identity (*originals only*)
2. Copy of applicable Applicant's checklist for [General Building Work](#), [Specialist Work](#) and [Other Building and Trade Work](#)
3. Where applicable, documents which meet qualifications requirements (originals only). In some instances a previously held licence or certificate may be acceptable in lieu of current qualifications requirements. Refer to the following: http://www.fairtrading.nsw.gov.au/ftw/Tradespeople/Home_building_licensing/Licence_classes_and_qualifications.page?
4. Where applicable, references on fully completed NSW Fair Trading referee statement forms. For the relevant experience requirements, refer to the following: http://www.fairtrading.nsw.gov.au/ftw/Tradespeople/Home_building_licensing/Licence_classes_and_qualifications.page?
5. Where applicable, fully completed Additional Details Forms. There are 5 Additional Details Forms to assist in you providing relevant supporting information in respect of your individual application form:
 - Additional Details Form 1 – *Change of name and use of other names or aliases*
 - Additional Details Form 2 – *Criminal record*
 - Additional Details Form 3 – *Compliance records in respect of residential building work*
 - Additional Details Form 4 – *Bankruptcy*
 - Additional Details Form 5 – *External Administration of a Company*For applicant's applying for the category of disconnection and reconnection of fixed electrical equipment, you must lodge a fully completed 'Additional Information Form for disconnection & reconnect of fixed electrical equipment'
6. For a Contractor Licence in any of the building work categories, if you are intending to do work in excess of \$20,000, you are required to provide evidence of status of insurance under the Home Building Compensation Fund.

10. Experience, Qualifications and References

It is essential for you to see the qualification requirements relevant to the licence category for which you are applying http://www.fairtrading.nsw.gov.au/ftw/Tradespeople/Home_building_licensing/Licence_classes_and_qualifications.page?

The qualifications and scope of work for each category are available at the Fair Trading website.

References:

It is also essential that you:

- Select the relevant **Referee's Statement Form** from the relevant Applicant's Checklist and forward it to your chosen referees for completion.
- Choose suitably licensed referees who can verify your on site experience and competence in the work category you have indicated in your application.
- Attach fully completed Referees' Statement Forms to your application form.
- It is recommended that you retain copies of any fully completed referee statement forms prior to lodging your application for your records

Note: Only references presented on a current Fair Trading Referee's Statement Form will be accepted.

10. Proof Of Identity

Proof of Identity Documents

Applicants MUST provide one (1) document from list 1 below and It MUST show the applicant's day, month and year of birth, a current photo and signature.

List 1

- A current Australian photo driver's licence or other such equivalent current photo card issued by a State or Territory Government agency
- A current Australian passport
- A current non-Australian passport

Applicants MUST provide two (2) documents from the below table, noting that: At least one (1) of the proof of identity documents must be from list 2 that evidences your current address

List 2

- A passbook or account statement from a bank, building society or credit union up to 1 year old
- A telephone, gas or electricity bill up to 1 year old
- A water rates, council rates or land valuation notice up to 1 year old
- A residential tenancy agreement up to 1 year old
- Current Insurance renewal for house, contents, vehicle, boat, up to 1 year old
- Taxation notice of assessment up to 1 year old
- An electoral enrolment card or the evidence of enrolment up to 1 year old

List 3

- Provided two or more documents from List 2 and therefore do not need to supply any document from List 3
- or**
- A current Medicare card
 - A current ATM, credit or debit card with your name and signature issued by a bank, building society credit union, or any other financial institution.
 - A current student identity card or a certificate or statement of enrolment up to 1 year old from an education institution
 - A current photo identification card issued for NSW regulatory purposes (includes NSW Firearm licence, NSW Security operator licence, NSW Commercial Agents and Private Inquiry Agents operator licence etc)

11. Insurance under the Home Building Compensation Fund (for the various "Building" work categories)

Contractor licence applicants for the various Building Work categories may provide evidence of a current certificate of eligibility to obtain Insurance under the Home Building Compensation Fund from an approved insurer, if they intend to contract over \$20,000. Certificates of eligibility must be given in the exact name(s) corresponding with that of the licence applicant(s).

Where an applicant for a contractor licence in the various Building Work categories does not provide evidence of holding current eligibility for insurance under the Home Building Compensation Fund, the licence will be endorsed with the condition 'ONLY FOR CONTRACTS NOT REQUIRING INSURANCE UNDER THE HOME BUILDING COMPENSATION FUND'.

This condition on the licence will remain on the public register until Fair Trading receives advice from the Home Building Compensation Fund or the licensee that the licence holder has eligibility for insurance, at which time the condition will be removed.

12. What will happen to your application, any other documents and Proof of Identity (POI) material you submit?

The Checking Officer will:

- Verify that your application has been completed correctly and supporting documents are included.
- Sign any copies they make of your qualifications and give any originals back to you. *(It is recommended that applicants retain copies for their own records)*
- Attach any original copies of referee statement forms to the application. *(It is recommended that applicants retain copies for their own records)*
- Write details on your application form of the POI documents you have submitted.
- Attach your photo to the application form, complete your name and sign their name next to it to verify its authenticity
- Give you a receipt for your application fee.

The Home Building Service will:

- Assess your application and supporting documentation. For fully complete applications, where all required information has been provided, the processing time is six weeks.
- If Fair Trading requires any further information following initial assessment, a notice may be served and this will extend the processing time of the application. Preferred contact is by email unless specified otherwise by the applicant on their application form.
- If the application is approved, your licence/certificate details will be displayed on the Fair Trading public register. It will take a further two to three weeks for your licence card to arrive in the mail to your nominated postal address. You may begin work as soon as your licence details have been displayed on the public register.
- If your application is refused, you will be notified. Where an application is refused or withdrawn, the processing fee component of the application fee will be retained and a partial refund will be sent to you. Where the application is for a variation of an existing licence the applicant only pays a non-refundable processing fee.