

# Mutual Recognition

Mutual Recognition is a process whereby an individual who holds a licence in one state, territory or New Zealand is entitled to be licensed in another state, territory or New Zealand to perform the same work. Mutual Recognition does not apply to a company or partnership.

If you are applying for a licence in Queensland, under Mutual Recognition please be aware that special rules apply. The QBCC may only issue a licence that is equivalent to the licence you already hold.

If your interstate or New Zealand licence is subject to a condition or restriction, the QBCC must impose the same condition on your Queensland licence. Where there is no QBCC licence equivalent to your interstate or New Zealand licence, the QBCC will not be able to issue a licence to you.

## Who can apply?

Applicants from: Australian Capital Territory, New South Wales, Northern Territory, South Australia, Tasmania, Victoria, Western Australia and New Zealand can apply.

### **New South Wales applicants**

Licences issued by NSW Fair Trading only apply to “Domestic Building Construction Work”. There is no requirement for a contractor to hold a building licence in NSW if they are performing commercial work. As the NSW licence only applies to domestic work, QBCC must restrict your QLD licence to “Domestic Building Construction Work only”.

If you hold a contractor or qualified supervisor licence in NSW, the equivalent QLD licence would be either a restricted contractor licence or restricted nominee supervisor licence.

If you hold a supervisor licence in NSW, the equivalent QLD licence would be a restricted site supervisor licence. A site supervisor licence would entitle you to supervise domestic building construction work as an employee only.

If you wish to perform commercial work in QLD or if you hold a NSW supervisor licence, you need to consider your options. It may be more appropriate and easier to apply for the full licence class under Queensland requirements.

As an alternative, if you hold a contractor licence and you already hold the technical qualification required under the QLD licensing regime you can apply for an unrestricted licence enabling you to carry out both domestic and commercial building work.

As a NSW contractor, if your licence is not limited to any work other than its being restricted to “Domestic Building Construction Work” and you wish to apply for an unrestricted licence when you submit your Mutual Recognition application you must provide the following:

- Trade contractor licence - you are required to meet the minimum technical requirements for the QLD licence, or
- Builder licence - you are required to meet the minimum technical requirements for the licence and supply details of your experience in the commercial sector, with written references, for the full scope of work relevant to the licence class you are applying for.

### **SA Applicants**

Licences issued by Consumer and Business Services in SA could be a supervisor or contractor or both. If you hold a contractor and supervisor licence in SA, the equivalent QLD licence would be either a contractor licence or nominee supervisor licence.

In SA supervisors are not required to satisfy any managerial qualification requirements. Therefore, if you hold a supervisor licence in SA, the equivalent QLD licence would be a site supervisor, conditional contractor or nominee supervisor licence.

The QBCC must place a condition on your nominee supervisor or contractor licence, requiring you to complete an approved QLD managerial course within a specified timeframe.

If you only hold a contractor licence in SA you are not able to apply under Mutual Recognition as QLD does not have an equivalent licence.

## NZ Applicants

In NZ, licensees are not required to satisfy any managerial requirements. Therefore, the equivalent QLD licence would be a conditional contractor or nominee supervisor licence. The QBCC must place a condition on your QLD licence, requiring you to complete an approved QLD managerial course within a specified timeframe.

## Company licensing

If you intend trade through a company in QLD, the company must hold a licence in its own right. To obtain a QLD licence all companies must have a nominated person (the nominee supervisor) who holds the same licence class as the company.

If you intend to be the nominee supervisor for your company, you must submit a QLD company application at the same time you lodge your Mutual Recognition application. This will enable your company to be issued with the same licence held by you.

## Keep your interstate licence active

Your interstate licence must remain active. If your interstate licence is cancelled or suspended prior to approval of a QLD licence, you will not be entitled to a QLD licence based on Mutual Recognition.

If you have any questions regarding your Mutual Recognition application, please contact your local QBCC office or log onto [www.qbcc.qld.gov.au](http://www.qbcc.qld.gov.au)

**COMPLETING THIS FORM**

- Use BLACK pen only
- Print clearly in BLOCK LETTERS
- DO NOT use correction fluid — any amendments should be crossed out and initialled

**For individuals who hold a current licence in another Australian state, territory or New Zealand.**

**You are not able to apply for a licence if you are not a citizen, permanent resident or do not have a current Australian work visa.**

**1. PERSONAL DETAILS**

Surname																										
First names																										
Date of birth	D	D	–	M	M	–	Y	Y	ABN																	
Postal address																										
																					Postcode					
Business address: (This cannot be a PO Box)																										
																					Postcode					
Home address																										
																					Postcode					
Business ph											Home ph															
Mobile ph											Fax															
Email																										

**2. APPLICATION DETAILS**

**Provide a copy of all interstate licence/s you currently hold. Your interstate licence/s must remain current until your Queensland licence is approved.**

*Interstate licence details of your current interstate business licence.*

State/territory licence held:  Licence no:  Expiry date:

- Please tick  Contractor  
the grade of licence you are applying for  Nominee Supervisor  Site Supervisor

Contractors are able to contract for "building work" and must meet the Minimum Financial Requirements

Supervisors are only permitted to supervise "building work" and are not required to meet the Minimum Financial Requirements

Please list the class(es) of licence you are applying for (e.g. bricklaying, carpentry, painting etc):

**PRIVACY NOTICE:** The QBCC is collecting information on this form to determine whether you are entitled to a licence. This is authorised by the *Queensland Building and Construction Commission Act 1991*, as provided by the mutual recognition laws existing under the *Mutual Recognition (Queensland) Act 1992* or the *Trans-mutual Recognition Act 2003*. Some of this information collected will be included in the online register.

You may receive some related information from us for the purposes of marketing and communications. You will be able to opt-out/unsubscribe to receiving this information.

Please refer to our [Privacy Policy](#) for full use and disclosure details. All information held by the QBCC may be subject to application for access under the *Right to Information Act 2009* (RTI Act).

OFFICE ONLY	CRN:											Licence No:										
	Receipt Amount	\$											Receipt No:									

### 3. FINANCIAL INFORMATION

Do you have a Court or Tribunal Order or BCIPA adjudication decision requiring you to pay a debt which you have not yet paid in full?

NO  YES

If yes, provide copies of all relevant documentation.

a) If you are applying for Supervisor licence - do not complete this section

b) If you are applying for a:

- Builder – Project Management Services
- Building Design,
- Hydraulic Services Design or
- Site Classifier licence
- and you do not hold any other contractor licence requiring financial information, you have two options.

You must either:

- provide professional indemnity insurance and attach a completed \*Estimated Maximum Revenue Declaration form with your application - do not complete part c below, or
- if you do not hold professional indemnity insurance, attach a completed \*Declaration - Professional Indemnity Insurance form with your application AND complete part c below.
  - For Project Management Services, provide professional indemnity insurance and attach a completed \*Estimated Maximum Revenue Declaration form with your application - do not complete part c below, OR if you do not hold professional indemnity insurance, complete part c below.

\*Forms can be obtained by contacting the QBCC or by downloading from our website.

c) If you are applying for a contractor licence in any other licence class - complete this section.

#### Choose your financial category below

Tick one only

This option is not available to builders. My Revenue WILL NOT exceed \$200,000 for my next financial year. I have at least \$12,000 Net Tangible Assets. (Refer to Minimum Financial Requirements)

YES

Or

My Revenue WILL NOT exceed \$600,000 for my next financial year. I have at least \$36,000 Net Tangible Assets. (Refer to Minimum Financial Requirements)

YES

Or

My Revenue will exceed \$600,000 for my next financial year.

NOTE: A MFR Report and signed financial statements MUST be completed by your accountant and submitted with your application. (Refer to Minimum Financial Requirements)

YES

Some licence classes require Professional Indemnity Insurance (PI). Refer to the Minimum Financial Requirements or the application checklist for details.

### 4. PARTNERSHIP

Do you intend to carry out business under the licence in partnership with an unlicensed person?

NO  YES

If you ticked YES you must provide a copy of relevant documentation (refer to Checklist page 6).

## 5. ADDITIONAL REQUIREMENTS

Are you an Australian citizen, permanent resident, or do you have a current visa issued under the Migration Act 1958, entitling you to work in Australia?

Tick ONE only

I am a Citizen or Permanent Resident

YES

OR

I have a current visa (If you answer YES to this question, you MUST supply a copy of the visa and any relevant conditions that apply)

YES

NOTE: If you are not a Citizen, Permanent Resident or have a current work visa allowing you to work in Australia, you are not able to apply for a licence.

Tick YES or NO

Do you have a registered business or trading name? (e.g. John Smith trading as Smith Builders) if you answer yes, you must provide a copy of your Record of Registration from the Australian Securities and Investment Commission (ASIC).

NO  YES

## 6. FIT AND PROPER

You must answer ALL questions in the following section. The QBCC regularly cross-checks information provided herein with external agencies. This information is publicly available.

### Have you or any intended business partner:

(i) Ever become bankrupt or entered into a debt agreement under Part IX of the *Bankruptcy Act 1966*? NO  YES

(ii) Ever entered into a composition, deed of arrangement or deed of assignment under Part X of the *Bankruptcy Act 1966*? NO  YES

(iii) Been convicted of any criminal offence (excluding traffic offences) within the last ten years? NO  YES

(iv) Ever been convicted of an offence under the *Corporations Act 2001* (Commonwealth), section 596(b) or (c)? NO  YES

(v) Had a pending or current court proceeding of any criminal offences (excluding traffic offences) within the last ten years? NO  YES

(vi) Ever been disciplined by any tribunal, board, authority or commission in relation to building work? NO  YES

(vii) Ever had a pending or current disciplinary proceeding by any tribunal, board, authority or commission in relation to building work? NO  YES

Ever been a:

(viii) 

- director,
- secretary,
- shareholder or
- a person in a position to control or substantially influence a company's conduct or affairs,

 NO  YES

within 12 months of a company being placed in receivership, administration, official administration, under a deed of company arrangement, liquidation or wound up for the benefit of creditors?

If you have ticked YES to any of these questions, you must provide copies of all relevant documentation. (refer to the Checklist attachment for required documents.)

## 7. CHECKLIST

Before you sign the declaration, ensure you have provided all required information. The QBCC will ask for any missing or incomplete information and your application will take longer to process.

**Please note, original documents will not be returned.**

I have completed all questions on the application form.	YES <input type="checkbox"/>
I have provided a copy of my interstate licence/s (refer to section 2) (Your interstate licence/s MUST remain current.)	YES <input type="checkbox"/>
If you are applying for a licence in: <ul style="list-style-type: none"> <li>gas fitting or</li> <li>termite management - chemical.</li> </ul> I have provided a copy of my other relevant licences held in Queensland e.g. occupational licence. (An occupational or accreditation licence is required before your licence can be approved.)	YES <input type="checkbox"/>
I have provided copies of all relevant documents. (refer to section 3)	YES <input type="checkbox"/>
If you are applying for a contractor licence in one or more of the following licence classes: <ul style="list-style-type: none"> <li>Builder - Project Management Services (\$1 million PI)</li> <li>Building Design class (\$500,000 PI)</li> <li>Hydraulics Services Design (\$1 million PI) or</li> <li>Site classifier (\$1 million PI)</li> </ul> 2. you do not hold any other contractor licence classes, 3. you are eligible for the exemption of providing PI instead of financial information (refer MFR). I have provided my Estimated Maximum Revenue in Section 3 and have not provided financial information in section 3.	YES <input type="checkbox"/>
If I am a person working in Australia under a Visa, I have provided a copy of my current Visa and any relevant conditions that apply (refer to section 5).	YES <input type="checkbox"/>
If you answered YES to any of the question in section 6, I have enclosed copies of the following: <ul style="list-style-type: none"> <li>all reports to creditors issued by the trustee in bankruptcy, administrator, deed administrator, receiver or liquidator,</li> <li>confirmation of discharge from bankruptcy from the trustee in bankruptcy or a copy of an ITSA search showing the date of discharge from bankruptcy,</li> <li>debt agreement, composition, deed of arrangement or deed of assignment</li> <li>evidence from the trustee that the debt agreement, composition, deed of arrangement or deed of assignment has been fully complied with, released or carried out,</li> <li>minutes of conviction, court tribunal order and a National Police Certificate no older than 30 days.</li> <li>Australian Securities &amp; Investment Commission Order preventing an individual from managing a corporation</li> <li>any documentation relating to court proceedings that are still pending.</li> </ul>	YES <input type="checkbox"/>
If I have a registered business name (e.g. Smith Builders) I have provided a current business name extract from the Australian Securities and Investments Commission. (refer to section 5).	YES <input type="checkbox"/>
If I am an individual carrying out business under the licence in partnership with an unlicensed person (refer to section 4). I have provided a copy of the partnership agreement which states the names of all parties involved and conditions of the business partnership If required: I have provided details regarding the unlicensed partner.	YES <input type="checkbox"/>

## 8. PROOF OF IDENTITY

Answer all questions in this section

i. I hold/held a QBCC licence and my licence number is/was:

YES

OR

I have provided a certified copy of photo identification (e.g. driver's licence or passport)

YES

ii. Place of birth (Town/City e.g. Brisbane, London)

iii. Country of birth (e.g Australia, England)

## 9. FEES

Please ensure the correct fee accompanies this application form - refer to attached fee schedule.

Do you require a licence certificate?

NO  YES

If a certificate is required, you will be required to pay the additional fee - refer to attached fee schedule.

I will be paying  by cheque  by credit card (QBCC cannot accept American Express or Diners Club)

Credit card number

Expiry date

 / 

VISA

Mastercard

Amount paid

\$  .

Cardholder's name

Cardholder's  
signature

## 10. STATUTORY DECLARATION

**WARNING: Incorrect or misleading information may lead to a review and possible cancellation of the licence, prosecution and up to two years imprisonment under the Queensland Building and Construction Commission Act 1991 and the imposition of a penalty under Section 193 of the Queensland Criminal Code.**

I declare:

- that the statements contained in this application are true and correct and I make this statement conscientiously by virtue of the provision of the *Oaths Act 1867*
- I give consent for the making of enquiries and the exchange of information about my interstate licence/s with other State authorities.
- I have read the Privacy Notice (page 3)

SIGNATURE OF APPLICANT:

Taken and declared before me at \_\_\_\_\_ this \_\_\_\_\_  
(name of town or city and suburb where affidavit signed) (date)

day of \_\_\_\_\_ 20 \_\_\_\_\_, before me.  
(month) (year)

Signature of authorised witness: \_\_\_\_\_

Name of authorised witness and  
qualifications (Justice of the Peace/  
Commissioner of Declarations)

\_\_\_\_\_

\* Please ensure the Declaration is not dated more than one (1) month prior to the date the application is submitted to QBCC.

**Send all mail to:** Queensland Building and Construction Commission, GPO Box 5099, Brisbane QLD 4001

# Individual application fees

from 1 July 2017 to 30 June 2018

Queensland Building and Construction Commission Act 1991

Nominee or Site Supervisor Grade		
Total Application Fee		\$404.00
Application Fee if you hold a current individual QBCC licence and are applying for another Licence Class		\$202.00
Builder or Trade Contractor Grade		
Total Application Fee Determined by the financial information supplied.	SC 1	\$623.40
	SC 2	\$741.65
	Category 1-2	\$950.70
	Category 3-7	\$1,366.75
Application Fee if you hold a current individual QBCC licence and are applying for another Licence Class. <i>NOTE: If you hold a current QBCC licence and you are applying for another licence class and you are increasing your Maximum Revenue, you will also be required to pay the difference in renewal fees. Contact the QBCC for details of the amount payable.</i>	SC 1	\$353.50
	SC 2	\$403.95
	Category 1-2	\$546.75
	Category 3-7	\$759.00
Certificate		\$28.35

## Financial Information

The applicable fee is determined by the financial information provided with your application. There are different types of financial information:

1. Supervisor - Financial information not required
2. SC1 - \$200,000 Declaration or Estimated Maximum Revenue declaration (Maximum Revenue of up to \$200,000)
3. SC2 - \$600,000 Declaration or Estimated Maximum Revenue declaration (Maximum Revenue of up to \$600,000)
4. Category 1-2 - MFR Report or Estimated Maximum Revenue declaration (Maximum Revenue of between \$600,001 and \$12M)
5. Category 3-7 - MFR Report or Estimated Maximum Revenue declaration (Maximum Revenue of more than \$12M)

## Renewals

Your renewal will be mailed to you approximately 30 days prior to your renewal due date (one year from the date your licence was originally issued). Your licence fee is determined by your Maximum Revenue as stated in the last financial information you provided to the Commission.

Licence Fees	One year	Three years
Supervisor	\$202.00	\$515.00
SC1	\$269.90	\$688.35
SC2	\$337.70	\$861.15
Category 1-2	\$403.95	\$1030.10
Category 3-7	\$607.75	\$1549.75

## Applications

Your initial application fee covers one or more licence classes and grades and includes the first year licence fee. The fee is the highest applicable. If your application is unsuccessful you will be refunded the licence fee portion.

## GST Requirements

Please be advised the Commission's licence and application fees are exempt from GST in accordance with Division 81 of the new tax legislation and therefore GST is not applicable to these fees.



# Privacy Policy

The Queensland Building and Construction Commission manages personal information in line with the *Information Privacy Act 2009*.

This Privacy Policy describes the personal information that may be collected and used by the QBCC. We collect and manage your personal information from you when you:

- complete and submit a form electronically or by mail
- you deal with us over the telephone or counter
- you register for My QBCC
- email us
- provide us with feedback

ask us to contact you, and you consent to us collecting, storing, using, maintaining and disclosing your personal information.

## Information we may request

We may ask you to provide personal information if you submit feedback to QBCC or lodge a form, electronically or otherwise.

We will only do this:

- to meet your needs (e.g. answer a question)
- to meet our needs (e.g. demographic analysis, updating our records)
- if required by law.

'Personal information' includes your name, address, phone number, email address, age, gender, your employer.

## Use of personal information

Depending upon the type of enquiry, application or form you have submitted. If you're a QBCC licensee, your personal details may be used to send you important updates regarding new legislation or amendments, changes to policies and other such information related or connected to your licence.

## Marketing

We will also send (whether by phone, email, SMS, post or facsimile), updates to keep you abreast of industry news, opportunities to submit surveys or feedback on discussion papers, educational information and professional development opportunities including seminars and events. We may also send you information on behalf of Queensland Government departments including Department of Housing and Public Works.

You may opt out at any time if you no longer wish to receive specific types, or all, marketing information. You can make this request by emailing [digitalsupport@qbcc.qld.gov.au](mailto:digitalsupport@qbcc.qld.gov.au), or by "unsubscribe" from the email or other marketing messages you no longer wish to receive.

## Disclosure of personal information

If you have submitted an application or complaint, we may

provide all or some of this information (if applicable) to you:

- contractor/client
- members of our panel of technical consultants (includes licensed contractors, registered engineers, and industry specialists)
- rectifying builders
- external legal consultants
- external financial consultants
- reinsurers/actuaries.

We may also disclose your personal information to third parties, including advisors and consultants and with third party service providers we use in connection with conducting our business and always subject to confidentiality provisions we deem appropriate.

Some of the third parties to whom we disclose your personal information may be located outside Australia. For example, we may disclose your personal information to external facilities in the course of data processing services from third parties.

The countries in which these third parties are located will depend on the circumstances. However, in the course of our ordinary business operations we commonly disclose personal information to third parties located in the United States of America.

We will not give your personal information to third parties without your consent, unless as set out above or required by law.

## Access to personal information

If you would like to access any of your personal information that is held by QBCC you can make an Information Privacy application.

## Amending your personal information

You may apply to amend documents containing your personal information held by QBCC, where you believe relevant information is inaccurate, misleading, out of date or incomplete.

## Making a privacy complaint

If you believe there has been a breach of your personal information involving QBCC you may lodge a privacy complaint.

## Right to information

All information held by the QBCC may be subject to application for access under the *Right to Information Act 2009* (RTI Act).

## More information

Email us if you would like to know more about information privacy or visit the guidelines for community members on the website of the Office of the Information Commissioner Queensland.