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Northern Territory of Australia

Building Act

**Revocation of Determinations and
Determinations Relating to Building Practitioners**

I, Natasha Kate Fyles, Attorney-General and Minister for Justice:

- (a) under section 24G of the *Building Act* and with reference to section 43 of the *Interpretation Act*, revoke the determinations made by instrument the instrument entitled "Revocation of Determinations and Determinations Relating to Building Practitioners" dated 9 December 2016 and published in *Gazette* No. G51 on 21 December 2016; and
- (b) under section 24G(a) of the *Building Act*, determine that the qualifications and experience for registration as a building practitioner in a category of building practitioner are as specified in Schedule 1; and
- (c) under section 24G(c) of the *Building Act*, determine that the types of insurance policies, and amounts of insurance to be provided under the policies, that may be prescribed by regulation for section 24(3), 24B(3) or 24F(5) of the Act are as specified in Schedule 2.

Dated 22 December 2017

N. K. Fyles
Attorney-General and Minister for Justice

Schedule 1

Qualifications and experience for registration as building practitioner

1 Building contractor residential (restricted)

The qualifications and experience for registration in the category of building contractor residential (restricted) are:

- (a) one of the following:
- (i) successful completion of the following units for a Certificate IV in Building:

ABC001	Construction 1
ABC002	Construction 2
ABC005	Materials 1
ABC061	Builders Working Drawings 1
ABC064	Building Computer Applications
ABC069	Cost Control and Planning 1
ABC076	Building Quantities and Estimating 1
ABC077	Building Quantities and Estimating 2
ABC082	Building Site Supervision
ABC083	Building Site Surveying and Set Out 1
ABC086	Structures 1
ABC091	Business Management for Building 1A
ABC092	Business Management for Building 1B
ABC102	Residential Site Safety
ABC105	Timber Framing Code;

 - (ii) successful completion of the following units for a BCG40106 Certificate IV in Building and Construction (Building) – Low Rise and 3 elective units from the BCG03 General Construction Training Package:

BCGBC4001A	Apply building codes and standards to the construction process for low-rise building projects
BCGBC4002A	Manage occupational health and safety in the building and construction workplace
BCGBC4003A	Select and prepare a construction contract
BCGBC4004A	Identify and produce estimated costs for building and construction projects
BCGBC4005A	Produce labour and material schedules for ordering
BCGBC4006A	Select, procure and store construction materials for low-rise projects
BCGBC4007A	Plan building or construction work

- BCGBC4008A Conduct on-site supervision of the building and construction project
 - BCGBC4009A Apply legal requirements to building and construction projects
 - BCGBC4010A Apply structural principles to residential low rise constructions
 - BCGBC4011A Apply structural principles to commercial low rise constructions
 - BSBSBM406A Manage finances;
- (iii) successful completion of a course, or units of a course, that in the opinion of the Building Practitioners Board is at least equivalent to the satisfaction of the requirements in subparagraph (i) or (ii);
 - (iv) a statement of attainment of competency equivalent to the satisfaction of the requirements in subparagraph (i) or (ii) issued by a registered training organisation as defined in the *Training and Skills Development Act*; and
- (b) one of the following:
 - (i) at least 3 years practical experience in carrying out building work for which a building contractor residential (restricted) is a prescribed building contractor under regulation 41B(1) of the *Building Regulations*;
 - (ii) practical experience that, in the opinion of the Building Practitioners Board, is equivalent to the experience referred to in subparagraph (i); and
 - (c) one of the following:
 - (i) the applicant must provide at least 3 written references from building practitioners currently registered in the categories of builder contractor, building certifier and certifying engineer (structural) who can verify the individual's role, responsibilities and substantial personal involvement in prescribed building works listed in the application;
 - (ii) the applicant must demonstrate practical experience that, in the opinion of the Building Practitioners Board, is equivalent to the prescribed building works mentioned in paragraph (i).

2 Building contractor residential (unrestricted)

- (1) The qualifications and experience for registration in the category of building contractor residential (unrestricted) are :
 - (a) the qualifications specified in clause 1(a); and
 - (b) one of the following:
 - (i) at least 3 years practical experience in carrying out building work for which a building contractor residential (unrestricted) is a prescribed building contractor under regulation 41C(1) of the *Building Regulations*;
 - (ii) practical experience that, in the opinion of the Building Practitioners Board, is equivalent to the experience referred to in subparagraph (i).

- (2) However, if the applicant for registration in the category of building contractor residential (unrestricted) is currently registered as a building practitioner in the category of building contractor residential (restricted), the applicant has the qualifications and experience for registration if the applicant can satisfy the requirements of subclauses (3) to (5).
- (3) The applicant must demonstrate that, under the supervision of a registered building contractor residential (unrestricted), the applicant has had substantial personal involvement in, and responsibility for, the design and construction of at least one building:
 - (a) that involved carrying out relevant (unrestricted) building work; and
 - (b) for which an occupancy permit has been granted; and
 - (c) to the extent that it precludes 2 or more other people from being able to demonstrate that level of involvement and responsibility for the same building; and
 - (d) the applicant's level of involvement and responsibility must be confirmed in writing by the registered building contractor residential (unrestricted) who supervised the building work.
- (4) The applicant must:
 - (a) provide at least 3 written references from building practitioners currently registered in the categories of builder contractor, building certifier and certifying engineer (structural) who can verify the individual's role, responsibilities and personal involvement in prescribed building works listed in the application; or
 - (b) demonstrate practical experience that, in the opinion of the Building Practitioners Board, is equivalent to the prescribed building works mentioned in paragraph (i).
- (5) The applicant must demonstrate to the satisfaction of the Building Practitioners Board that the applicant has a comprehensive working knowledge and understanding of the regulatory and technical issues associated with the construction of buildings of more than 2 storeys, including the relevant requirements of the Building Code as defined in regulation 2(1) of the *Building Regulations* (the **Code**).

3 Building certifier (residential)

The qualifications and experience for registration in the category of building certifier (residential) are:

- (a) a degree or other educational qualification required for accreditation as a building surveyor by the Australian Institute of Building Surveyors; and
- (b) at least 3 years practical experience in building surveying of buildings of Classes 1 and 10 as specified under the classification under Part A3.2 of the Code; and
- (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.

4 Building certifier (unrestricted)

The qualifications and experience for registration in the category of building certifier (unrestricted) are:

- (a) a degree or other educational qualification required for accreditation as a building surveyor by the Australian Institute of Building Surveyors; and
- (b) at least 4 years practical experience in building surveying of buildings of Classes 1 to 10 as specified under the classification under Part A3.2 of the Code; and
- (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.

5 Certifying architect

The qualifications and experience for registration in the category of certifying architect are:

- (a) registration as an architect under the *Architects Act*; and
- (b) at least 4 years practical experience in building surveying of buildings of Classes 1 to 10 as specified under the classification under Part A3.2 of the Code; and
- (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.

6 Certifying plumber and drainer

The qualification for registration in the category of certifying plumber and drainer is a licence as an advanced tradesman in the trades of plumbing and draining issued under the *Plumbers and Drainers Licensing Act*.

7 Certifying plumber and drainer (design)

The experience for registration in the category of certifying plumber and drainer (design) is:

- (a) at least 5 years practical experience in the design of plumbing and drainage systems and on-site sewage disposal systems; and
- (b) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.

8 Certifying engineer (structural)

(1) The qualifications and experience for registration in the category of certifying engineer (structural) are:

- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust"; and
- (b) at least 3 years practical experience in the design and supervision of the construction of structural engineering works for buildings, including:
 - (i) at least 12 months practical experience in the design of structural engineering works for buildings; and
 - (ii) at least 12 months practical experience in the supervision of the construction of structural engineering works for buildings; and

- (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.
- (2) Despite subclause (1), if the applicant for registration in the category of certifying engineer (structural) is currently registered as a structural engineer on the *National Engineering Register* (the **NER**), then the applicant is taken to have satisfied the requirements for registration as a certifying engineer (structural).

9 Certifying engineer (hydraulic)

- (1) The qualifications and experience for registration in the category of certifying engineer (hydraulic) are:
- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust"; and
 - (b) at least 3 years experience in the design and supervision of the construction of building hydraulic services, including:
 - (i) at least 12 months practical experience in the design of building hydraulic services; and
 - (ii) at least 12 months practical experience in the supervision of the construction of building hydraulic services; and
 - (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.
- (2) Despite subclause (1), if the applicant for registration in the category of certifying engineer (hydraulic) is currently registered as a building services engineer on the NER, then the applicant is taken to have satisfied the requirements for registration as a certifying engineer (hydraulic).

10 Certifying engineer (mechanical)

- (1) The qualifications and experience for registration in the category of certifying engineer (mechanical) are:
- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust"; and
 - (b) at least 3 years practical experience in the design and supervision of the construction of mechanical services in buildings, including:
 - (i) at least 12 months practical experience in the design of mechanical services in buildings; and
 - (ii) at least 12 months practical experience in the supervision of the construction of mechanical services in buildings; and
 - (c) the applicant must provide at least 3 written references from registered building practitioners who can verify the individual's experience specified in the project list in the application.
- (2) Despite subclause (1), if the applicant for registration in the category of certifying engineer (mechanical) is currently registered as a mechanical engineer on the NER, then the applicant is taken to have satisfied the requirements for registration as a certifying engineer (mechanical).

11 Registration on renewal

The qualifications and experience for a person's registration in a category of building practitioner on the renewal of that registration are the qualifications and experience required for registration in that category at the time the person was first registered in the category.

Schedule 2

Types and amounts of insurance that may be prescribed

- 1 For a building certifier (residential) – professional indemnity insurance for \$500 000.
- 2 For a building certifier (unrestricted) – professional indemnity insurance for \$1 000 000.
- 3 For a certifying architect – professional indemnity insurance for \$100 000.
- 4 For a certifying plumber and drainer (design) – professional indemnity insurance for \$1 000 000.
- 5 For a certifying engineer (structural) – professional indemnity insurance for \$1 000 000.
- 6 For a certifying engineer (hydraulic) – professional indemnity insurance for \$100 000.
- 7 For a certifying engineer (mechanical) – professional indemnity insurance for \$100 000.