



INFORMATION SHEET

Workplace Services

Current at: 14 July 2010
Reference: NSWCOD0579

Licensing Requirements for Residential Building Work

When do you require a contractor licence?

A contractor licence is required where you contract or advertise to do “residential building work” which is more than \$1,000. This includes GST.

If you perform “specialist work” of any value you are required to hold a contractor licence. Specialist work includes electrical work; plumbing, draining and gas fitting work; and air conditioning and refrigeration work (except plug-in appliances).

Where the contract price for the building materials exceeds \$1,000, you will also need a licence to supply kit homes, garages, carports and sheds.

You are not required to have a licence if you are contracting to do commercial work.

What is residential building work?

Residential building work has a broad meaning. If you carry out, supervise or coordinate work, such as repair work, renovations (including kitchen and bathroom upgrades), decoration and protective treatment, work involving cupboards and vanity units, paving and driveways, pergolas, carports, ponds and water features you are performing residential building work.

For more information on ‘residential building work’, please see our info sheet “When does the Home Building Act Apply?”

How do I apply for a licence?

To apply for a licence you will need to complete an application form and lodge it with Fair Trading. An application fee will be payable to Fair Trading at the time of lodgement and you will also be required to provide documentation supporting your application, such as:

- details of relevant qualifications – your trade certificate, or other proof that you have the technical qualifications needed for the type of work you want to do;
- referee statements;
- proof of identity for individual licence and certificate holders, including:
 - at least one document with your photo and date of birth
 - at least one document with your current address
 - one passport quality photo to be kept on file with Fair Trading;
- proof of home warranty insurance eligibility.

Special Requirements for Companies and Partnerships

All entities carrying out residential building work or specialist work need to have licences in their own name, no matter whether you are an individual, partnership or company. You cannot trade under a company or partnership name using your personal licence.

However there are special requirements for companies and partnerships. Not only must the company or partnership hold a licence, that company or partnership must nominate a qualified supervisor who holds a qualified supervisor certificate. Fair Trading may require you to nominate more than one Qualified Supervisor depending on the size of your company or partnership.

The Qualified Supervisor must be an employee of the licence holder or a member of the partnership or a director of a company holding the contractor licence.

What happens if I do work without a licence?

If you do residential building work or specialist building work without a licence you can be fined up to \$110,000. You must also ensure that you do not do work that is beyond the scope of your licence, e.g. you should not lay bricks if you only hold a licence to do wall and floor tiling.

For more information call your Workplace Advisor on 1300 650 620