

Ref: FTMIN14/315

Statement of Regulatory Intent – *Home Building Act 1989*

This is a Statement of Regulatory Intent regarding the training requirements for owner-builder permit applicants under the *Home Building Act 1989* (the Act) and Home Building Regulation 2014 (the Regulation).

Section 31(2)(d) of the Act includes a requirement that an application for an owner-builder permit must be refused if the applicant does not have certain education, training or qualifications. Clause 17(1) of the Regulation prescribes that an applicant for an owner-builder permit must hold a current general construction Induction training card (within the meaning of the Work Health and Safety Regulation 2011) before a permit may be issued.

This Statement of Regulatory Intent acknowledges that the issuing of general construction induction cards may take up to 60 days following completion of the relevant training. It also seeks to align the recognition of general construction induction training certification for the purposes of owner-builder permits with recognition that applies under the Work Health and Safety Regulation 2011.

On that basis, NSW Fair Trading will accept a WorkCover Statement of Training, issued within the preceding 60 days, as satisfying the general construction induction card training requirements for the purposes of an application for an owner builder permit. NSW Fair Trading will also accept interstate general construction induction training cards (these must be recognised in the issuing jurisdiction and have not been cancelled, suspended or expired) or cards issued in NSW under previous arrangements that are recognised under the Work Health and Safety Regulation 2011. Both NSW and interstate cards will be treated as void if the holder has not carried out construction work for the last two consecutive years or more.

The Regulation has not altered the existing entry requirements for a person to enrol in the Course in Owner-builder Compliance (91509NSW). The Regulation does not impose new obligations on Registered Training Organisations for processing enrolments in that course.



Rod Stowe
Commissioner

4/3/15