

# Application to replace a Principal Certifier

(Note: previously the Principal Certifier (PC) was known as the Principal Certifying Authority)

To be used when agreement is NOT reached between the property owner, the current PC and proposed new PC.

## Before you start this form:

**If the owner, the current PC and proposed new PC agree** to the replacement, you do not need to complete this form.

Instead, complete a [Notice to appoint a replacement principal certifier \(PC\)](#) which you can download from the Fair Trading website and send copies to the council and the consent authority before you appoint the new PC.

## Have you tried to resolve the issue by talking with your current PC?

Your application may be refused unless you can show that you considered other options to resolve the issue. You are reminded that a PC is NOT responsible for supervising builders or tradespeople.

**The applicant of this form must be either** the owner (the person with the benefit of development consent), OR someone with that person's written authorisation to apply. All persons who own the property must sign the form or provide written authorisation.

**The builder cannot apply to replace the PC even with the owner's consent** unless the builder is an owner-builder.

You can't appoint a new PC unless:

- all parties agree, OR the Fair Trading gives approval in writing, AND
- the local council and consent authority are notified.

A certifier **must not** act as your PC if their registration is expired, suspended or cancelled or in the case of a private certifier where they are not covered by a current professional indemnity policy. Your PC must immediately advise you if this occurs.

<b>Checklist: Have you included?</b>	✓
Good reason to replace your PC (and supporting documents if required)	
<p>A copy of the Notice of Appointment for the current PC (if you do not have this, ask your council for a copy)</p> <p>OR</p> <p>If you are unable to provide a copy of the Notice of Appointment of the current PC a statutory declaration confirming the appointment of the current PC</p>	
Evidence of who owns the property (e.g. recent certificate of title, recent council rates notice or recent utilities bill)	
Written authorisation from the owner/s (all owners must sign the application form or provide their written authorisation to apply (if you are not the owner)	
A copy of the development consent or complying development consent	
Signatures of the applicant i.e. owner/s, the current PC and proposed new PC	

## Applicant details

**The applicant is** the owner (person with the benefit of development consent) **OR** someone with that person's written authorisation to apply (other than the builder). The signature of all persons who own the property must be provided to confirm their agreement.

**Owner's name & signature** OR Applicant with all owners written authorisation

Given name/s	
Surname	
Signature	
Date signed	

If you are applying on behalf of the owner/s you must provide a written statement from each owner that they agree with you making the application on the owner's behalf that is signed by the owner/s.

**Owner's name & signature** OR someone with that person's written authorisation

Given name/s	
Surname	
Signature	
Date signed	

## Business details

Business name						
Unit/street no.		Street				
Suburb			State		Postcode	

Postal address – leave blank if same as above

Unit/street no.		Street				
Suburb			State		Postcode	

## Contact details

Home ph.		Work ph.	
Mobile			
Email			

**Attach** evidence of who owns the property (e.g. recent certificate of title, recent council rates notice or recent utilities bill)

AND

If you are not the owner, written authorisation from the owner to apply.

## Details of the development

### Development address

Unit/street no.		Street				
Suburb			State		Postcode	

Council: \_\_\_\_\_

### Brief description of the development


### Development consent or complying development certificate

No. of the development consent or complying development certificate	
Date of issue	
Name of party who issued development consent or complying development certificate	

**Attach** a copy of the development consent or complying development consent.

Remember, a development consent can be issued by a council but not by a private certifier. However, either a council or a private certifier can issue a complying development certificate.

## Details of current Principal Certifier (PC)

If the current PC will not sign this form, you may still apply to replace your PC. You will need to explain why the PC does not agree to being replaced.

Council			
Signature of authorised council officer		Date signed	

OR

## Individual registered certifier

Given name/s			
Surname			
Registration no.			
Signature		Date signed	

OR

## Registered body corporate

Name of registered body corporate (i.e. company name)		Registration number of body corporate	
Name of registered certifier director			
Signature of registered certifier director		Date signed	

**Attach** a copy of the Notice of Appointment for the current PC (if you do not have this, ask your council for a copy. Note that the PC was previously known as the PCA)

OR

A statutory declaration confirming the appointment of the current PC.

## Details of proposed new Principal Certifier

Council			
Signature of authorised council officer		Date signed	

OR

## Individual registered certifier

Given name/s			
Surname			
Registration no.			
Signature		Date signed	

OR

## Registered body corporate

Name of registered body corporate (i.e. company name)		Registration number of body corporate	
Name of registered certifier director			
Signature of registered certifier director		Date signed	

**Note:** If you want to appoint your local council as the PC and the council does not agree, you will need to explain why on the following page. The council must accept the appointment if the Fair Trading approves the replacement.

## Reason/s to replace the Principal Certifier

List the reasons you wish to replace the current PC in the space below.

Reasons must refer to:

- any negligence, incompetence and/or breach by the current PC of the Code of Conduct for Certifiers; and
- relevant events, times, dates and locations.


Attach additional pages if necessary

**If the current PC does not agree to being replaced, why not?**


Attach additional pages if necessary

**If you want to appoint your local council as the PC and the council does not agree, why not?**

Why should the Fair Trading approve the appointment?


Attach additional pages if necessary



Optional: the following documents are attached to support my application:


## Submit your application

**Email:** [certifierregistration@customerservice.nsw.gov.au](mailto:certifierregistration@customerservice.nsw.gov.au)

## Collection notice

### Why we collect personal information

The Department of Customer Service collects your personal information from the Application to Replace a Principal Certifier (PC) Form (the Form) to enable the Department to process your application to replace a principal certifier in accordance with the *Environment Planning and Assessment Regulation 2000* (NSW).

### Type of information that is collected

In order to process your application form, the Department of Customer Service requires the following information from you:

- your name
- your signature
- your postal address
- your phone number – home, work and mobile
- your email address.

No other details are required.

### Secure storage of information

The Department of Customer Service will take reasonable security measures to protect your personal information from loss, unauthorised access, use, modification, disclosure, or other misuse.

The Department of Customer Service is committed to making sure your personal data is secure. Your personal information will be stored securely, not kept longer than necessary, and disposed of appropriately.

### Disclosure of information

The Department of Customer Service will not disclose your information outside of the Department of Customer Service unless you have authorised permission of your details to be shared.

No disclosure is made to any overseas entity.

### You can access and correct your personal information

You may ask for access to the personal information we hold about you at any time and request rectification, erasure, and restriction of your personal information.

## Contact

If you wish to access or correct your personal information collected in this form, or are concerned about an alleged breach of privacy law or any other regulation, please contact [certifierregistration@customerservice.nsw.gov.au](mailto:certifierregistration@customerservice.nsw.gov.au).

### **NSW Fair Trading**

#### **Better Regulation Division, Department of Customer Service**

Address: 4 Parramatta Square, 12 Darcy Street Parramatta NSW 2150

Phone: 13 77 88

Web: [www.customerservice.nsw.gov.au](http://www.customerservice.nsw.gov.au)