

# Recognised Engineering Body DECLARATION BY DIRECTORS/OFFICERS OF A RECOGNISED ENGINEERING BODY

*Design and Building Practitioners Act 2020*  
*Design and Building Practitioners Regulation 2021*

November 2022

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## Declaration

I/We hereby certify that the particulars specified in this declaration and all attachments are, to the best of my knowledge, true and correct in every detail. I/We accept that failure to supply information required on this declaration form may lead to a rejection of the application. I/We further acknowledge that I/We have read the Guideline. I/We undertake to fulfil all obligations under the *Design and Building Practitioners Act 2020* (Act) and the *Design and Building Practitioners Regulation 2021* (Regulation). I/We also acknowledge that disciplinary actions and/or penalties may apply for providing false and/or misleading information.

### Privacy Collection Notice

Please see the [Privacy Collection Notice](#) for more information.

The Department of Customer Service (the Department) on behalf of the Commissioner for Fair Trading (NSW Fair Trading) gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with *Privacy and Personal Information Protection Act 1998* (PPIP Act).

The personal information contained in the application is collected and held by NSW Fair Trading.

### Why we collect your personal information and how we use it

The personal information you provide in connection with this application for recognition of a professional engineering body will be collected by Fair Trading NSW for the following purposes:

1. Determining whether the professional engineering body meets the requirements of recognition as an engineering body with a professional engineer recognition or registration scheme under Part 5 Division 3 of the *Design and Building Practitioner Act 2020* (the Act) and Part 5 of the *Design and Building Practitioner Regulation 2021* (the Regulation).
2. Internal administrative purposes, including liaising with you in relation to the application.

The personal information captured in the application is provided voluntarily. However, the consequence of not providing your personal information is that the application may not be able to be determined.

### Personal information we collect

We may collect the following personal information:

- your full name (including any former names), position title, signature, contact details (address, email, phone number, mailing address and residential address), driver licence number, place and date of birth.
- proof of identity information, which may include your passport, driver licence, Medicare card details or other proof of identity.
- supporting documentation, including references as required by the Act and Regulation.
- additional personal information if it is required to satisfy the eligibility requirements for recognition.

### How we may disclose this information

The personal information provided in this application may be disclosed to the following individuals:

- The designated contact person for the scheme.
- Persons involved in the operation, governance, management, and day-to-day affairs of the recognition or registration scheme.
- Officer holders within the scheme.
- Nominated CPD auditors.
- Referees of directors or officers of scheme.

If required, we may also make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes.

Unless stated otherwise, we will not disclose your personal information to anybody unless you have given consent, or we are authorised or permitted to do so by law.

### Further information

Please see the Department’s Privacy Management Plan and the NSW Fair Trading Privacy Statement for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint. Alternatively, you can email us at [brdprivacy@customerservice.nsw.gov.au](mailto:brdprivacy@customerservice.nsw.gov.au).

Please view our [privacy collection notice](#) for more information about how the personal information you provide in this form will be handled.

Given name(s) <input type="text"/>	Family/Surname <input type="text"/>
Signature <input type="text"/>	Date <input type="text"/>
Given name(s) <input type="text"/>	Family/Surname <input type="text"/>
Signature <input type="text"/>	Date <input type="text"/>

### How to lodge this form

Email to: [dbpprofessionalbodyapplications@customerservice.nsw.gov.au](mailto:dbpprofessionalbodyapplications@customerservice.nsw.gov.au)

Documents supporting the application can be emailed if they are less than 5MB in total.

If your documents exceed 5MB, please submit via Kiteworks. You will need to setup an external client email account in [Kiteworks](#), using “create account” option, then email the large file attachments via [Kiteworks](#) only.

It may take up to 60 business days from the date of application for a decision to be made by the Secretary.

If you have any questions, contact NSW Fair Trading at: [dbpprofessionalbodyapplications@customerservice.nsw.gov.au](mailto:dbpprofessionalbodyapplications@customerservice.nsw.gov.au)

# 1. Corporation applicant details

Legal name of Applicant Organisation

ACN

ABN

Date of incorporation

(Attach a certified copy of the company's certificate of incorporation at Attachment "A")

Registered office address

Suburb

State

Postcode

Principle place of business

Suburb

State

Postcode

Telephone

Fax

Organisation's email address

Address of all other places where business is conducted

Suburb

State

Postcode

**Directors/officers details (1):**

Given names (in full)

Family/Surname

Former name(s) (including maiden name if applicable)

Position

Mobile number

Work email

Residential address

Suburb

State

Postcode

Date of birth

Place of birth

Driver licence number

**Directors/officers details (2):**

Given names (in full)

Family/Surname

Former name(s) (including maiden name if applicable)

Position

Mobile number

Work email

Residential address

Suburb

State

Postcode

Date of birth

Place of birth

Driver licence number

**Directors/officers details (3):**

Given names (in full)

Family/Surname

Former name(s) (including maiden name if applicable)

Position

Mobile number

Work email

Residential address

Suburb

State

Postcode

Date of birth

Place of birth

Driver licence number

**(if more than 3 directors/officers, attach additional pages showing subsequent directors/officers)**

## 2. Character and reputation of directors/officers

- (i) Each director or officer is to supply the names, addresses & telephone numbers of two referees, to whom reference may be made by Fair Trading regarding character and reputation. Details to be supplied in Attachment "B1" and Attachment "B2".
- (ii) Each director or officer is to complete the declaration at Attachment "C".
- (iii) Each director or officer is to complete the Statutory Declaration acknowledging that the information provided is true and correct in very detail to the best of their knowledge at page 2 of this Declaration.

# Attachment “A”

*(See Question 1)*

**Attach a copy of the company’s certificate of incorporation here**

# Attachment "B1"

(See Question 2)

## Details of referees in respect of each director or officer (Attach additional pages(s) if necessary)

### Director/officer 1

Given name(s)

Family/Surname

### Referee 1

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email

### Referee 2

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email

## Director/officer 2

Given name(s)

Family/Surname

### Referee 1

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email

### Referee 2

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email



### Director/officer 3

Given name(s)

Family/Surname

### Referee 1

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email

### Referee 2

Given name(s)

Family/Surname

Address

Suburb

State

Postcode

Telephone - work

Telephone - home

Mobile

Email

# Attachment “B2”

(See Question 2)

**To be completed by each director for each relevant referee**

## Declaration of authorisation

Before providing the information of any other person to NSW Fair Trading in connection with this application, you must ask for their permission to do so.

hereby declare that I have obtained consent from

and am authorised to provide their personal information to NSW Fair Trading in connection with this application for recognition as a professional engineering body.

I have read the below [privacy collection notice](#) and understand that NSW Fair Trading will handle my personal information in accordance with this notice.

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- Officer holders within the scheme.
- Nominated CPD auditors.
- Referees of directors or officers of scheme.

If required, we may also make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes.

Unless stated otherwise, we will not disclose your personal information to anybody unless you have given consent, or we are authorised or permitted to do so by law.

### Further information

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Given name(s)

Family/Surname

Signature

Date

# Attachment “C”

(See Question 2)

**Declaration by directors/officers as to character**  
(One declaration to be completed by each individual)  
(Photocopy page if necessary)

1. Have you been known by any other name?  Yes  No
2. Have you been declared bankrupt or assigned an estate for the benefit of creditors?  Yes  No
3. Have you been a trustee of a trust or a director or other officer of a company which has been placed under a receiver or official manager or has been wound up or entered into a compromise or scheme of arrangement with its creditors?  Yes  No
4. Have you been convicted of any offence or had any offence proved against you under any Act or Regulation (excluding minor traffic offenses)?  Yes  No
5. Have you served any part of a term of imprisonment for any offence?  Yes  No
6. Have you been disqualified or suspended from holding any occupational licence, permit or certificate, or had any application for any licence, certificate or permit refused?  Yes  No
7. Have you entered into a recognisance that is still in force in relation to any offence?  Yes  No
8. Have you been disqualified or suspended or refused permission from practising any profession, carrying on any business or trade or being employed in or engaged in a profession, trade, business, or industry?  Yes  No
9. Is there a charge pending for any offence?  Yes  No
10. Have you been disqualified, suspended, disbarred or prohibited from holding any public, civil, corporate or other office or been ordered to have their or its name removed from any roll or register?  Yes  No
11. Have you been dealt with by any board, committee, licensing authority, court or other tribunal in relation to or arising from their or its fitness to continue to conduct or to be engaged in or be employed in any profession, trade, business, or industry?  Yes  No
12. Have you had an application under the *Design and Building Practitioners Act 2020* refused or withdrawn?  Yes  No

If the answer to any of the above questions is YES, please give relevant details. If insufficient space, please attach a separate sheet. If bankruptcy, assignment of estate, receivership, liquidation etc, a letter from a solicitor or accountant should be forwarded, giving an explanation of the cause and stating whether there are any unpaid external creditors. If a discharged bankrupt, a copy of the discharge certificate should be forwarded.

Given name(s)

Family/Surname

Signature

Date