Information required with any application for an exemption

For your reference, to enable me to determine whether I can be satisfied of the matters outlined in section 6A of the Code 2016, I require the following information from an applicant for an exemption:

1. details sufficient to establish that the entity is a provider of essential services building work, including details of current and future essential services building work undertaken by the Essential Services Provider (ESP);

2. the scope of the exemption being applied for, including:

    2.1. the period of time or project or projects to which the proposed exemption will apply

    2.2. details of the legal ESP entity or entities to be covered by the proposed exemption and

    2.3. an overview of the building industry participants to be covered by the proposed exemption; and

3. a submission on why the granting of an exemption would be appropriate having regard to Object 5(a) of the Code 2016, including:

    3.1. whether the ESP also undertakes non-essential services related building work to which the Code 2016 could apply and details of that work

    3.2. if the ESP does undertake non-essential services related building work, what proportion of work subject to the exemption being applied for is non-essential services building work, and why it is appropriate the exemption apply to this work

    3.3. whether, and if so, how, non-essential services building work undertaken by the ESP (to which the Code 2016 would apply) will meet the requirements of the Code 2016 and the matters listed in Object 5(a) and

    3.4. any other matter relevant to the appropriateness of granting an exemption by reference to Object 5(a).

Upon receipt of an application for an exemption and provision of the required information, I will endeavour to process the application as expeditiously as is possible.

Yours sincerely

Nigel Hadgkiss
Commissioner
Australian Building and Construction Commission

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