



Registration and Licensing for Painters in Victoria

The MPA will be your pathway to obtaining your licence.

The Master Painters Association of Victoria is your industry body seeking to support, advance and encourage commercial, residential and professional painting and decorating businesses and individuals. We will be guiding all of our members through the Registration and Licensing process and ensuring through information sessions and correspondence that all of our members have a smooth transition to attain their licence in 2023.

For painters need to upskill to meet the criteria of Licensing, we will be your pathway to meeting the competencies required. If you would like to take advantage of the support and guidance to Licensing, become an MPA Member today. Call us on 03 9813 5922 or email mail@mpav.com.au for further information.

Important Frequently Asked Questions!

- Q. Why is registration of subcontractors and licensing of building employees being considered now?
- A. The Government recently passed legislation to introduce a new registration and licensing scheme for trade subcontractors and employees. Registration or a licence will be required to perform building work prescribed in the building regulations.
- Q. What are the objectives of the new registration and licensing scheme?
- A. The objectives of the new registration and licensing scheme are:
- there is greater accountability for non-compliant work and there is confidence that people who carry out or perform restricted work have adequate qualifications, skills and experience
 - incentives for skills formation in the building industry are improved (including completion of apprenticeships)

- there is relative consistency between the approach taken to trade contractors and building trade employees so as not to create incentives for the replacement of employees by trade contractors, including the use of ‘sham’ contracting arrangements
- the incidence of non-compliant building work is reduced.

Q. When will the new scheme commence?

A. It is anticipated that the first regulations will be made by 1 September 2021 to coincide with the start of the relevant legislation. However, this date is subject to consultation with industry to ensure sufficient time is provided to plan and prepare for change.

Q. How will people currently working in the building industry be transitioned into the new scheme?

A. To avoid creating a skills shortage or making it worse, provisional registration will be available to trade contractors and provisional licences will be available to employees from the start of the scheme.

A provisional registration and licence will be a stepping stone to upskill to a full registration or licence.

Provisional registration and licensing requirements will be less onerous than those required for full registration and a full licence.

The details of requirements for registration and licensing will be prescribed following consultation and consideration in a Regulatory Impact Statement (RIS).

Q. What will happen after the new scheme is introduced?

A. A period of one year will be given after the start of the new scheme to apply for provisional registration or a provisional licence (‘the application period’). If a person applies during the application period they can continue working until their application is decided.

The offences inserted into the Building Act will not apply to them during this period.

If the applicant has the required qualifications, knowledge and/or experience they may also apply for a full registration or a full licence during the application period.

Q. What will happen after the application period?

A. After the application period expires, new entrants who want to perform prescribed building work (who haven’t applied for a registration or licence during the application period) will need to have full registration or a full employee licence.

A provisional registration or a provisional employee licence will not be available.

The offence provisions within the Building Act will begin.

Q. How long will provisional registration or a provisional licence last?

A. Provisional registration and provisional licences will last for five years. During this period ('the qualification period'), provisional registration holders will need to upgrade to a full registration and employees will need to upgrade from provisional to full employee licences.

Q. [How can I get registered or licensed?](#)

A. From the start of the new scheme, you will need to apply to the Victorian Building Authority to get registered or licensed. The process for applications for provisional registration and employee licenses has not yet been determined but is likely to be similar to current application processes for building practitioners. This includes allowing the Victorian Building Authority to request further information in relation to an application and allowing it to refuse the application if the information is not forthcoming in the time specified in the request.

Q. [What will be the criteria for provisional registration and a provisional licence?](#)

A. Applicants will be required to have the prescribed knowledge or experience to carry out prescribed building work. This detail has not yet been determined and is now being considered.

Q. [What will be the criteria for full registration and a full licence?](#)

A. Applicants will be required to have the prescribed qualifications, knowledge and/or experience to carry out prescribed building work. This detail has not yet been determined and is now being considered.

Q. [Will all trades need to be registered and licensed at once?](#)

A. No. Owing to the sheer number of unregulated trade subcontractors and employees potentially requiring registration or licensing, trades have been prioritised to deliver a staged transition to registration and licensing over a five-year period.

Q. [Which trade\(s\) will be considered first?](#)

A. Carpentry work will be considered first. DELWP engaged with industry stakeholders, practitioners and the Victorian Building Authority to identify criteria that helped prioritise the scopes of work being considered for registration and licensing, based on the need and feasibility of each to be regulated.

The Minister for Planning has determined that carpentry will be the first scope of work to be considered for regulation, based on this criteria and stakeholder feedback.

The remaining trades will be gradually considered over a five-year period in accordance with a staged implementation plan with painters due in 2023.

Q. [When will trades other than carpenters need to be registered or licensed?](#)

A. Other trades will be considered for inclusion in the new registration and licensing scheme in accordance with a staged implementation plan.

Q. [What is the difference between registration and an employee licence?](#)

A. Both registration and the employee occupational licence give the right to physically perform prescribed work. But registration may also give the right or duty to perform certain business functions – for example, to contract for building work. An employee occupational licence does not relate to performing business-related functions.

Q. [What about apprentices and trainees?](#)

A. There will be no offence if prescribed building work is performed by apprentices and trainees, provided the person is employed under a training contract to carry out the prescribed building work. The employer must be approved by the Victorian Registration and Qualifications Authority to employ that person under the training contract (as per section 5.5.7 of the Education and Training Reform Act 2006).