

ADVERTISING & SITE SIGNAGE REQUIREMENTS

In WA, signage is required by law on all sites under construction, and advertising material by certain providers in the construction industry must contain specific details. The purpose of this information sheet is to set summarise those requirements.

What are the legal requirements in relation to signage on construction sites?

The signage requirements are similar across the construction industry, however members should be aware of minor variations which depend on whether the party is a builder, owner-builder or painter.

The requirements are as follows:

| SIGNAGE REQUIREMENTS ATTACHED TO SITE WHERE WORK IS BEING CARRIED OUT | Registered Building Service Contractor | Registered Painting Contractor | Owner Builder |
|--|--|--|---|
| Sign must be located on a prominent position on the site and able to be read by members of the public from outside the site | ✓ | ✓ | ✓ |
| Sign must be of reasonable dimensions and written in clearly legible letters and numerals | ✓ | ✓ | ✓ |
| Sign must contain additional detail specific to provider | <ul style="list-style-type: none"> ✓ Name and registration number of building contractor ✓ Contact telephone number of building contractor ✓ Name and registration number of the nominated supervisor for the building contractor | <ul style="list-style-type: none"> ✓ Name and registration number of painting contractor ✓ Contact telephone number of painting contractor ✓ Name and registration number of the nominated supervisor for the painting contractor | <ul style="list-style-type: none"> ✓ Name and registration number of owner-builder ✓ contact telephone number of owner-builder ✓ Approval number for the owner-builder approval granted for the work |

NOTE: This document and the information contained within it does not constitute legal or other professional advice. All readers should seek advice specific to their individual business circumstances.

What are the legal requirements in relation to advertising?

When providers of certain building services such as builders, painters and building surveyors advertise their business or services, it is compulsory for the relevant building registration number to be included.

An advertisement can take various forms such as online, in a newspaper, magazine, on television, on a poster, billboard, radio or even promoted on vehicles. Whenever a provider promotes their business, services or availability to provide a prescribed building service (in any way) they must ensure that their registration number is included. Failure to do this may result in prosecution and penalties being imposed.

What are the signage requirements for building surveyors?

A building surveyor contractor carries out building surveying work as the person issuing a compliance certificate.

Building surveyors are distinct from building service contractors and painting contractors in that they are required to display not only signage where they principally conduct their business but also to display their certificate of registration.

Building surveyors are therefore required to display the following in the premises where the contractor principally carries on business:

- The contractor's certificate of registration together with the certificate of registration as a practitioner of a nominated representative – this must be displayed in a prominent location; and
- Signage in a prominent position and that can be read by a person entering the premises with the following details:
 - The registered name of the contractor
 - The trading name of the contractor if the trading name is different to the registered name
 - The class of registration of the contractor
 - The contractor's registration number
 - The name and registration number of at least one nominated supervisor for the contractor.

Where a building surveyor contractor carries on a business at a private residence, there is no requirement to display signage or their certificate of registration if no part of the residence is used for the purpose of meeting with clients or prospective clients. Where the residence is however used to meet with clients or prospective clients, the above signage requirements apply as they would to any other premises used for carrying on business.

Is it sufficient for site signage to include a trading name and logo?

No. It is not sufficient for site signage to provide only a trading name and logo. If the trading name and logo are provided in addition to the other signage requirements set out above, then this is likely to meet the requirements.

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What can happen if signage is not displayed on a construction site?

Failure to comply with the signage requirements may result in prosecution and penalties being imposed. The power to impose an infringement or fine rests with the Building Commissioner who may in turn appoint other persons or classes of persons as authorised or approved officers such as local permit authorities with the power to issue fines and infringements to ensure compliance.

Is it possible to advertise my building and construction business after submitting an application for builder contractor registration and while it is being assessed for that business?

No. A person must not advertise, or otherwise hold out or imply, that the person is entitled, either alone or with others, to carry out a prescribed building service for other persons unless the person is a building service contractor.

Advertising your business ahead of actually receiving your builder contractor registration may result in prosecution and penalties of up to \$25,000.

Can I include the Master Builders logo on my signage to indicate that I am a member of Master Builders?

Yes. Members are entitled to use the member version of the Master Builders logo on their documents and signage. The logo must be used in accordance with our Member Logo usage Guidelines, available on the Master Builders website.

Should you require a copy of the Member Logo for your signage, please contact our Marketing team and we would be pleased to assist.

For further assistance, please contact Master Builders Western Australia on 9476 9800 or mba@mbawa.com.

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