

Licence renewal guide and checklist

This guide is structured as a 'checklist' that will help you collect the information you need to complete the application for the renewal of your licence. At the end of the guide there is a checklist that sets out all the documents and information you may need to attach to the renewal application.

This guide contains hyperlinks to information on the Labour Hire Licensing Authority (the Authority) website for your convenience, but if you are using a printed version of this guide, you can find all the information at: <https://labourhireauthority.vic.gov.au/>. External links are provided in full.

The *current* nominated officer is required to complete this renewal application. A nominated officer must be a natural person who is responsible for the day-to-day conducting of the business to which the licence relates and must not be an external accountant.

If you need to change the nominated officer or add any relevant persons, you must complete this prior to completing the renewal application in your LHLO portal.

An application to change the nominated officer can be made by emailing enquiries@labourhireauthority.vic.gov.au. Please allow sufficient time for the variation of the licence to occur.

WHEN DOES THE RENEWAL APPLICATION NEED TO BE LODGED BY?

Labour hire licences can be granted for up to 3 years. You will be eligible to commence the renewal application 6 months before the expiry of your licence.

Licensed providers will be sent a notification from us when they can commence the renewal application, including reminders leading up to the expiry of the licence.

You can renew your licence through your LHLO portal by pressing on the 'Renew' button. You must lodge your renewal application prior to the expiry date of your licence.

If you do not lodge and pay for your renewal application prior to the expiry of the licence, you will be required to start the process with a brand-new application for a licence.



Authorised and published by the Labour Hire Authority, Bendigo VIC 3550. For translating and interpreter assistance call 131 450 and choose your preferred language. If you are deaf, or have a hearing or speech impairment, you can contact us through the National Relay Service. Please visit www.relayservice.gov.au.

If your licence expires you must not provide labour hire services or you may face substantial penalties for providing labour hire services without a licence.

Offence to provide false and misleading information

Under section 87 of the Labour Hire Licensing Act 2018 it is an offence to give to the Authority information that is believed to be false or misleading in a material particular, or to produce a document that you know to be false or misleading (without indicating the respect in which it is false or misleading and if practicable providing the correct information).

Disclosing a prior incidence of non-compliance won't necessarily result in your renewal application being refused. However, if you knowingly provide false or misleading information you could receive a substantial fine and your renewal application for a licence could be refused, or a licence that is granted could be cancelled.

HOW TO COMPLETE THE APPLICATION

These are the steps to completing the renewal application process:

1. Before you commence information page
2. Eligibility to apply — answer these questions to see if you are eligible to apply to renew your licence
3. Business details — the form will populate the following based on your current licence details:
 - a. business name
 - b. registered office address
 - c. registered office phone number
 - d. business address
 - e. business address office phone number
 - f. business postal address.

Ensure these details are correct and amend if required.

4. Employment — provide information about the applicant's arrangements with workers
5. Your details – the form will populate the following based on the current licence details:
 - a. personal details
 - b. contact details
 - c. residential address
 - d. postal address.

You will be asked to provide your consent to disclosure to and by third parties (such as WorkSafe Victoria) at this stage.

6. Relevant persons – the form will populate the current details we hold about the relevant persons in our system. You will be able to remove any relevant persons who no longer meet the definition of a relevant person while completing the renewal application
7. Previous History and Fit and Proper Person- you will respond to these questions in relation to yourself, the applicant, and to other relevant persons. You should make all necessary and reasonable inquiries in order to be satisfied that the information you are providing is true and correct. All relevant persons have previously provided consent for the nominated officer to share this information

Under section 87 of the *Labour Hire Licensing Act 2018* it is an offence to give to the Authority information that is believed to be false or misleading in a material particular, or to produce a document that you know is false or misleading (without indicating the respect in which it is false or misleading and if practicable providing the correct information). Knowingly providing false or misleading information could result in you receiving a substantial fine.

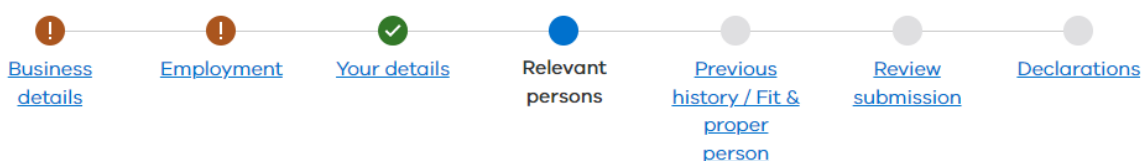
8. Review submission — review the information you have provided in the application form and ensure it is correct or go back and amend as required.

9. Declarations — read through and make declarations relevant to the application
10. Fee Summary – information about the fee that must be paid to lodge your renewal application.
11. Pay and submit — lodge the application and pay the application fee. Please note: the application is not lodged until the renewal application fee is paid.





Working through the renewal application form – helpful tips

At the top of each page, you'll see a progress bar. You can navigate through the form by clicking the relevant headings on the progress bar, or by selecting Next or Back at the bottom of the page. You can also save and close the renewal application at any stage, allowing you to resume the application later.

The progress bar is a helpful indication of how you are progressing and whether you have answered all the questions and provided all of the necessary information.



Key:

-  INCOMPLETE You have not provided all the information required on this page.
-  COMPLETED You have provided all the information required on this page.
-  CURRENT – you are currently on this page.
-  NOT STARTED – you have not commenced this page

AFTER SUBMITTING YOUR RENEWAL APPLICATION

Once your labour hire licence renewal application has been submitted, your licence will remain in force until a decision is made.

You may withdraw your renewal application by contacting the Authority at any stage before the licence renewal is granted. The paid renewal application fee will not be refunded.

Details of your renewal application such as applicant's name and contact details, nominated officer's name and contact details, business name and address, and ACN or ARBN, will be published by the Authority on its website in the Applications Received Register.

An interested person will have 14 days to lodge an objection to your renewal application. A decision on your renewal application will not be made during this 14-day objection period.

If your renewal application is successful, you will be notified in writing that the licence has been renewed. As a licence holder, you will be expected to be familiar with the conditions and obligations associated with the licence. For more information, view the Authority's website.

Your licence will be included in the [Authority's Register of Licensed Labour Hire Providers](#) which is published on the Authority's website. The Register records information about licence holders and the Authority's decisions to grant, refuse, vary, suspend, or cancel a licence, or impose licence conditions.

If your renewal application for a licence is refused, you will be notified in writing of the decision and reasons for the decision. You can apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision.

CHECKLIST

Item	Information required	Tick
1. Eligibility to apply		
Ineligible due to cancellation in the last two years	<p>This section will assist you in determining whether you are eligible to apply for a renewal of the licence.</p> <p>The applicant cannot make a valid application if, in the last two years, the applicant held a labour hire licence that was cancelled, unless</p> <ul style="list-style-type: none"> • the applicant requested the cancellation, or • the applicant is a corporation that has been genuinely sold since the cancellation occurred, and: <ul style="list-style-type: none"> ○ none of the previous shareholders involved in the corporation at the time of the cancellation are current shareholders, and ○ no person who had a beneficial interest in the corporation at the time of the cancellation currently has a beneficial interest in the corporation, and ○ no person who, at the time of the cancellation, was in a position to control or influence the affairs of the corporation is currently in such a position. 	<input type="checkbox"/>
Ineligible due to refusal in the last three months	<p>The applicant cannot make a valid application if, in the last three months, the applicant made an application for a labour hire licence that was:</p> <ul style="list-style-type: none"> • refused, or • if the application was refused, and the applicant appealed or sought review of the decision but the original decision to refuse was upheld, within three months of that decision <p>unless:</p> <ul style="list-style-type: none"> • the <u>applicant</u> is a corporation that has been genuinely sold since the refusal occurred, and: <ul style="list-style-type: none"> ○ none of the previous shareholders involved in the corporation at the time of the refusal are current shareholders, and ○ no person who had a beneficial interest in the corporation at the time of the refusal currently has a beneficial interest in the corporation, and 	<input type="checkbox"/>

Item	Information required	Tick
	<ul style="list-style-type: none"> no person who, at the time of the refusal, was in a position to control or influence the affairs of the corporation, is currently in such a position. 	
Age	Please note: if you are under eighteen an ineligible message will appear. Please contact the Authority as you may still be able to make a renewal application if you can provide further information about the business' circumstances, and provide additional consent forms	<input type="checkbox"/>
<p>Tip: If, based on the answers you give to the above eligibility questions, you receive a message on screen that the organisation is unable to make a valid application for a renewal of a labour hire licence at this time, but you would like to discuss your circumstances, you can contact the Authority by phone on 1300 545 200 or via email enquiries@labourhireauthority.vic.gov.au.</p>		
2. Business Details		
Business name	<ul style="list-style-type: none"> This part of the renewal application will list all business names you have previously provided. You may remove a business name and/or add a business name. The business name will appear on the public register. Business names listed in this section must not be separate legal entities that would normally be required to hold a labour hire licence (check wording) 	<input type="checkbox"/>
Registered Office Address	<ul style="list-style-type: none"> This will show the registered office address that you have previously provided to the Authority. You will be required to provide the registered office phone number 	
Business Address	<ul style="list-style-type: none"> This will show the current business address through which you provide labour hire services in Victoria, that you have previously provided to the Authority. You will be required to provide the business address office phone number 	
Postal Address	<ul style="list-style-type: none"> The Authority will conduct most of its' correspondence with the nominated officer through the LHLO portal, however on occasion the Authority may require documents to be sent to you by post. 	
Taxation	<ul style="list-style-type: none"> Here you will need to state if the applicant is registered with the Australian Tax Office (ATO) for Goods and Services Tax (GST), Pay As You Go withholding tax (PAYG) and Fringe Benefits Tax (FBT). 	
Turnover	<ul style="list-style-type: none"> Here you will enter the turnover of the business for the last four quarters. Turnover is defined in clause 3 of the Labour Hire Licensing Regulations 2018 (Vic.). Turnover means the total ordinary income that is derived in the course of running a business. The turnover must be a whole number and rounded down to the nearest dollar. Do not include commas or spaces. For example, a turnover of \$4.35million should be entered as 	

Item	Information required	Tick
	<p>4350000. A turnover of \$782,123.33 should be entered as 782123.</p> <p>The turnover must include:</p> <ul style="list-style-type: none"> ○ all sections of the business and not just the labour hire section, ○ in all jurisdictions, that is, not just the Victorian component. <ul style="list-style-type: none"> • Turnover can be amended every twelve months when paying the annual licence fee. 	
Turnover Evidence	<ul style="list-style-type: none"> • You must upload copies of your lodged BAS for the previous four quarters. • For business that are exempt from lodging BAS, you must upload financial statements showing the income for the business for the last four quarters. 	
Other Labour Hire licences	<ul style="list-style-type: none"> • If the applicant holds a labour hire licence from another Australian jurisdiction, you must answer yes and select “add licence details” You will need to add licence details for each licence held and upload a copy of each licence. 	
Accommodation and Transport	<ul style="list-style-type: none"> • You will need to state whether any relevant person is currently, or is intending to, procure or provide accommodation or transport to workers in connection with the labour hire service. If you answer yes, you will need to state the address of any such accommodation. 	
<p>Reminder: A licence holder is obligated to notify the Authority of certain changes within 30 days of the change.</p> <p>Tip: Files that you upload must be smaller than 5MB and must be in one of the following formats: pdf, png, tif, tiff, jpeg, jpe, jpg, jfif, gif, bmp, csv.</p>		
<h3>3. Employment</h3>		
Workcover	<ul style="list-style-type: none"> • You will need to state whether the business is registered with WorkSafe Victoria for WorkCover, and if so, attach a copy of your Certificate of Currency. • A business may be registered with an equivalent scheme in another state or jurisdiction • If you are not registered with WorkSafe Victoria or for WorkCover or equivalent in another state or jurisdiction you will need to outline the reasons behind this. 	<input type="checkbox"/>
<p>Tip: Public Liability Insurance is not the same as registration with WorkSafe.</p>		
Group training, Apprentices, and trainees	<ul style="list-style-type: none"> • In this part of the application, you are asked whether the applicant is recognised as a Group Training Organisation (GTO) with the Victorian Registration and Qualifications Authority (VRQA), and whether you supply apprentices or trainees. 	<input type="checkbox"/>

Item	Information required	Tick
Industry	<ul style="list-style-type: none"> Under Industry, you will need to specify the industries into which the applicant is, or will be, supplying workers. In particular, the Authority asks if the applicant supplies workers into the contract cleaning industry, horticultural industry, or meat and/or poultry processing industry. You will be given a drop-down menu with a list of industries to choose from. You should choose the industry classifications that best fit your circumstances. The industry will be displayed on the public register if the licence is granted 	<input type="checkbox"/>
Workers	<ul style="list-style-type: none"> You will need to provide the total number of labour hire workers supplied in the last 12 months, and of those, how many were: <ul style="list-style-type: none"> employees independent contractors, or have worked as both. <p>Further information is available at provision-of-information-under-s19.pdf (labourhireauthority.vic.gov.au)</p>	
Temporary Visas	<ul style="list-style-type: none"> List the visa types held by the workers supplied by the applicant in the previous 12 months. 	
Industrial Instruments, National Employment Standards, Modern Awards	<ul style="list-style-type: none"> Review the National Employment Standards by clicking on the link in the form Provide information about the awards, enterprise agreements, independent contractor arrangements and piecework agreements that apply to the workers that have been supplied in the previous 12 months. 	
<p>Tip: Visit https://www.fwc.gov.au/ and https://www.fairwork.gov.au/ for information relating to National Employment Standards, awards, agreements, piecework arrangements and independent contractors.</p> <p>Visit https://www.worksafe.vic.gov.au/do-i-need-register-workcover-insurance to find out if you need to register for WorkCover insurance.</p>		
4. Your Details		
Personal Details	<ul style="list-style-type: none"> The form will pre-populate your details, as nominated officer. If changes need to be made, please update through the LHLA account detail area in the LHLO portal. NOTE – you cannot change the Nominated Officer in the portal. Contact details of the nominated officer will be published on the register if the licence is renewed 	<input type="checkbox"/>
Consents	<ul style="list-style-type: none"> You will be required to provide your acknowledgment and consents to lodge the application. 	

Item	Information required	Tick
5. Relevant persons		
Relevant persons	<ul style="list-style-type: none"> The form will list all relevant persons as previously provided in relation to the licence. You can remove any person who no longer meet the definition of a relevant person. You are unable to add relevant persons at this point. You must log out of the renewal application and add relevant persons in the LHLO portal. 	<input type="checkbox"/>
<p>Tip: You, as nominated officer, are a relevant person. Any question that relates to a relevant person also relates to you.</p>		
6. Previous History and Fit and Proper Person		
Previous History	<ul style="list-style-type: none"> These questions relate to you, to the relevant persons, and to the applicant. Your response must also consider any other businesses that you or a relevant person is an officer of. 	<input type="checkbox"/>
Fit and proper person requirements	<ul style="list-style-type: none"> These questions relate to you, the relevant persons, and the applicant. Your response must also consider any other businesses that you or a relevant person is an officer of or has been an officer of. If you answer “yes” you will be prompted to add details. The Authority will review this information and may ask further questions of you or a relevant person. 	<input type="checkbox"/>
7. Review Submission		
	<ul style="list-style-type: none"> You can review the information you have provided, to ensure it is accurate and complete. You will be prompted to complete any missing information before you lodge the renewal application 	<input type="checkbox"/>
<p>Tip: A pop up will show what information is still to be provided. Click on the hyperlink to go back to the relevant section/s</p>		
8. Declarations		
Declarations	<ul style="list-style-type: none"> You must carefully read through the declarations and understand what they mean before making the declarations. This includes declarations that to your knowledge, each relevant person in relation to the application is fit and proper, and that the applicant complies with its legal obligations set out in section 23 of the <i>Labour Hire Licensing Act 2018</i> If you have answered “Yes” to any question in relation to Fit and Proper persons, you must declare “No” to the declaration of each relevant person being a fit and proper person 	<input type="checkbox"/>

Item	Information required	Tick
	<ul style="list-style-type: none"> Here you can review the information you have provided in the application to ensure it is accurate and complete. 	
9. Fee Summary		
Renewal Application fee	<ul style="list-style-type: none"> A renewal application fee is payable at the time your renewal application is submitted. The LHLA Renewal Application Fee charged is dependent on the business's turnover in the previous financial year for existing labour hire businesses Payment can be made by Visa or Mastercard. The amounts set out in the fees link below are correct as of 20 July 2021 but are subject to change in future financial years. Click "Pay and Lodge" to be redirected to a secure payment gateway 	<input type="checkbox"/>
<p>Tip: The LHLA Renewal Application Fee charged is dependent on the business's turnover in the previous four quarters</p> <p>https://labourhireauthority.vic.gov.au/provider/fees</p>		