



Government of **Western Australia**  
Department of **Commerce**  
Consumer Protection

# Application for a Motor Vehicle Repair Business Licence Individual (Sole Trader)

Please note that all supporting documents required to be lodged with this application can be copies certified as true copies of the original. If original documents are lodged they will not be returned.

A list of occupations that are authorised to witness and certify documents can be found at [www.commerce.wa.gov.au/CP/authorisedwitness](http://www.commerce.wa.gov.au/CP/authorisedwitness).

Note: this application form expires on 30 June 2016.

**Department of Commerce  
Consumer Protection**  
Level 2, Gordon Stephenson House  
140 William Street  
PERTH WA 6000

**Licensing Advice Line**  
**Telephone:** 1300 30 40 64

Overseas callers: +61 (8) 6251 2931

**(8.30 – 5.00 Weekdays)**  
(Closed Public Holidays)

**Licensing Branch**  
Level 5, WestCentre  
1260 Hay Street  
WEST PERTH WA 6005

**Postal**  
Licensing Branch  
Consumer Protection  
Department of Commerce  
Locked Bag 14  
CLOISTERS SQUARE WA 6850

**Email**  
[cplicensing@commerce.wa.gov.au](mailto:cplicensing@commerce.wa.gov.au)

**LICENSING FEES APPLY**  
See page 7

**Website:**  
[www.commerce.wa.gov.au/CP/Licences](http://www.commerce.wa.gov.au/CP/Licences)

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## GENERAL INFORMATION

### **WHO NEEDS TO APPLY FOR A LICENCE**

Anyone who operates a business that includes repairing or servicing motor vehicles is required to hold a Motor Vehicle Repair Business licence. However, business owners must also hold an individual Repairer's Certificate issued by Consumer Protection in order to do repair work personally.

You are reminded that, as a sole trader, it is an offence under the *Motor Vehicle Repairers Act 2003* (the Act) for you to carry out work on motor vehicles unless you also hold a Repairer's Certificate.

A business must ensure that it engages at least one certified repairer for each class of repair work, at each of the premises that the business intends to operate.

**A licence cannot be granted to a Business Name and/or a Trust. Under the Act only a Sole Trader (Individual), Partnership (firm) or Company (body corporate) can be granted a licence.**

### **REGISTRATION OF BUSINESS NAME**

Any business name(s) that you intend to use when trading must be **registered**. Although you do not need to submit proof, the National Business Names Register will be checked to verify registration and ownership. A licence may not be issued until registration of a business name in the name of the applicant is confirmed.

You do not need to register a business name if you intend to trade under your first name and surname only.

To register a business name you should contact the:

Australian Securities and Investment Commission  
Level 3, 66 St Georges Terrace Perth. Telephone: 1300 300 630  
Website: [www.asic.gov.au](http://www.asic.gov.au)

### **DURATION OF LICENCE**

If the application is approved the licence will be issued for a period of three (3) years from the date it was granted.

### **FALSE OR MISLEADING INFORMATION**

It is important to note that all the information and documents lodged in support of the application must be accurate. Providing false or misleading information is an offence under the *Motor Vehicle Repairers Act 2003*. By signing the declaration on the application form you are confirming that you understand you can be found guilty of a criminal offence if any information is false or misleading in a material particular.

### **FITNESS TO HOLD A MOTOR VEHICLE REPAIR BUSINESS LICENCE**

The *Motor Vehicle Repairers Act 2003* requires that you are of 'good character and repute' and 'a fit and proper person' to hold a licence.

#### **National Police Certificate**

**All Australian citizens and permanent residents must submit an Australian police check.**

To assist the Commissioner in determining your fitness to hold a licence an original or certified copy of an Australian police check must be lodged in support of your application. The certificate must be no more than three (3) months old at the time of application.

Applications for a National Police Certificate can be made at participating Australia Post outlets in Western Australia on provision of identification and payment of a fee. Further information is available from the WA Police by visiting [www.police.wa.gov.au](http://www.police.wa.gov.au) or [www.commerce.wa.gov.au/CP/policechecks](http://www.commerce.wa.gov.au/CP/policechecks).

If you reside outside of Western Australia please contact your nearest local police station.

## **Applicants that are not Australian and living overseas**

An Australian police check is not required for a person that lives overseas and is not an Australian Citizen or Permanent Resident.

## **RELEVANT LEGISLATION**

In addition to the *Motor Vehicle Repairers Act 2003* and Regulations, the following legislation administered by Consumer Protection also applies to your business.

***Fair Trading Act 2010*** (Australian Consumer Law) includes

- General protections against deceptive and unconscionable conduct, false or misleading representations and unfair contract terms;
- Guarantees for consumers as to acceptable quality of supplied goods, repairs and spare parts, remedies if goods are not acceptable, and a guarantee of a reasonable time for supply;
- Laws setting out rights relating to unsolicited consumer agreements;
- Product safety mandatory standards.

***Retail Trading Hours Act 1987***

- applies to retail shops in Western Australia south of the 26th parallel.
- sets the maximum hours a retail store is authorised to carry on business.

### **Further information:**

For further information about general consumer protection legislation, please contact the Consumer Protection General Advice Line on 1300 30 40 54 or email [consumer@commerce.wa.gov.au](mailto:consumer@commerce.wa.gov.au).

The Small Business Development Corporation is also available to assist small businesses through its Specialist Advice Service on 131 249 or by visiting [www.smallbusiness.wa.gov.au](http://www.smallbusiness.wa.gov.au).

Western Australian Legislation is available from the [State Law Publisher](#).

Telephone: (08) 6552 6000

Website: [www.slp.wa.gov.au](http://www.slp.wa.gov.au).

# INFORMATION REQUIRED

## 1. APPLICANT

Full Legal Name .....	
Residential address .....	
.....	
Date of birth .....	Place of Birth .....
Contact number .....	Email .....
MV Repairer Certificate Number (if applicable) .....	

**Business Name/s under which you intend to trade** (if applicable)

.....

.....

(eg. Smith Smash Repairs)

## 2. CONTACT DETAILS FOR THE BUSINESS

**Address for the Service of Notices** (must be a street address)

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**Postal Address** (if different to above)

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**Email address for the business**

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**Telephone Number** ..... **Facsimile Number** .....

## 3. CREDIT HISTORY REPORT

Rather than requiring that you provide a credit history report with your application, Consumer Protection will obtain one on your behalf. The report assists in assessing whether you have sufficient resources (including material, human resources and financial resources) to enable you to meet your obligations under the Act. The report obtained will provide a 'snapshot' of your credit history and other relevant matters and is equivalent to the report that is available to credit providers. You will be given the opportunity to provide additional information should a negative report be obtained. The report will be held by the Department as a confidential document and will only be released to third parties as required under law.

## INFORMATION REQUIRED

### 4. BANKRUPTCY, RECEIVERSHIP, ADMINISTRATION, LIQUIDATION AND CHARACTER

**YOU MUST ATTACH AN ORIGINAL OR CERTIFIED COPY OF AN AUSTRALIAN POLICE CHECK THAT IS LESS THAN THREE MONTHS OLD.**

**Please answer either 'Yes' or 'No' to each of the following items:**

Have you or are you:	Yes or No
(a) ever been convicted of, or found guilty of, ANY offences including convictions which resulted in a suspended sentence? <i>(Include all offences which went to Court, including traffic offences. Do not include spent convictions.)</i>	
(b) aware of <b>any</b> legal proceedings pending against you for an offence, including proceedings by way of appeal or review?	
(c) ever been the subject of an adverse finding by a Government Board, Tribunal or Agency, e.g. the Corruption and Crime Commission?	
(d) had any application for an occupational licence refused, cancelled or suspended?	
(e) been disqualified from holding an occupational licence?	
(f) been subject to disciplinary action by a licensing authority?	
(g) had any investigations or legal proceedings commenced against you or an associated entity, which may/did result in action being taken in relation to an occupational licence currently held?	
(h) been known by any other name?	
(i) in liquidation, under official management or an undischarged bankrupt?	
(j) having affairs administered under bankruptcy laws?	
(k) a director of a corporation, which has been subject to any form of insolvency administration?	

If the answer to any of the above items was 'Yes', full details must be provided on a separate attached sheet of paper.

<b>Do you have sufficient resources to enable you to carry on the business to which this application relates?</b>	
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### 5. STAFFING

If you are the **owner** of a business that repairs motor vehicles, you **cannot** do repair work unless you hold a Motor Vehicle Repairer's Certificate.

The following information will be used for **calculating your licence fee**.

Please answer	Number
<b>How many staff are engaged in repair work (certified and uncertified) including the owner of the business, if that person does repair work?</b> <b><u>DO NOT COUNT</u></b> apprentices, trainees and administrative staff.	

A 'certified repairer' means a person who has been granted a Motor Vehicle Repairer's Certificate by the Commissioner for Consumer Protection. It does not mean someone who has a 'Trade Certificate' or other qualification relating to the repairing of motor vehicles.

The required supervision ratio of certified repairers to uncertified repairers is one as to three. Therefore you will need to employ at least one certified repairer (for each class of repair work) for every three uncertified repairers at each of the premises from which you operate, including mobile premises. (If you employ six uncertified repairers, you will require at least two certified repairers to supervise them).

## INFORMATION REQUIRED

### 6. PREMISES INFORMATION

If you intend to operate a mobile business only, go to Part B

#### A) Fixed Premises

Please submit the following information about each premise from which you intend to carry out repairs to motor vehicles:

<b>Principal place of business address:</b>		
Number and Street	Suburb	Postcode
<b>Each additional address at which the business operates:</b> (if you have more than 5 premises, please add a separate sheet of paper with the details of the additional premises)		
Number and Street	Suburb	Postcode
Number and Street	Suburb	Postcode
Number and Street	Suburb	Postcode
Number and Street	Suburb	Postcode

#### B) Mobile Premises (vehicles used for mobile repairs)

If you intend to trade using mobile premises, please provide the following information for each motor vehicle (including trailers, campervans or caravans) involved in the business of repairing vehicles.

Make of vehicle	Model of vehicle	Vehicle colour	Year of manufacture	Registration number

### 7. AUTHORISATION AND DECLARATION

In order to assist with the determination of this application, I authorise the Commissioner, or persons so directed, to obtain on my behalf any document, record, file or information that may be necessary and relevant to consider my fitness and propriety to hold a licence, including but not limited to records relating to my criminal history, current/previous occupational licences and other relevant information.

Further, I declare that the information and documents given with or in support of this application, whether or not provided at the time of or subsequent to lodgement, are true and correct. **I understand that providing a false or misleading statement in an application is an offence.**

Applicant's full name: .....

Signature of Applicant: ..... Date: .....

