



OFFICE USE ONLY
Application No.

Professional Indemnity Insurance

For information about your obligation to be insured under a policy of professional indemnity insurance, go to www.fairtrading.nsw.gov.au

Property, Stock and Business Agents Act 2002
Application for a Licence - CORPORATION

LICENCE FEE: \$520.00 - applicable from 1 July 2017 to 30 June 2018
 (GST exempt, includes a non refundable processing component)

For payment options please refer to page 5.

Note: It is an offence for the applicant corporation to act as or carry on the business of an agent under the *Property, Stock & Business Agents Act 2002* while this application for a corporation licence is being processed and prior to it being granted.

How to lodge this document

Online
www.onegov.nsw.gov.au
 and receive a discount

Or

Service NSW Service Centre
 For the location of your nearest Service NSW Service Centre, go to www.service.nsw.gov.au or telephone 13 77 88.

Fair Trading will aim to make a decision on this application within 6 weeks after receiving all relevant information from the applicant and other agencies.

For any enquiries regarding this application contact Property Licensing:

Tel: (02) 9619 8799

TTY: (02) 9619 8673

1. APPLICANT DETAILS

Name of corporation: _____

Australian Company Number (A C N): _____

Email Address (to which correspondence to the corporation, including renewal applications, will be sent):

_____ @ _____

Postal Address – Correspondence to this corporation will be sent to this address if an email address is not provided:

_____ Postcode: _____

Telephone No: _____

2. PREVIOUS LICENCE PARTICULARS

Has the corporation held a licence under the *Property, Stock and Business Agents Act 1941* or under the *Property, Stock and Business Agents Act 2002*?

YES

NO

If YES, provide licence number: _____

3. DETAILS OF DIRECTOR(S) / SECRETARY

Provide the following particulars for each director and/or secretary of the applicant corporation.

If there is insufficient space, please provide the particulars of each additional director or secretary on a separate sheet of paper.

Any discrepancies between the directors / secretaries listed in this application and those recorded by the Australian Securities and Investments Commission for the applicant corporation will delay the processing of this application.

Director 1:

Surname: _____ Given Names: _____

Other names the director is, or has been known by (if any, including maiden name): _____

Date of Birth: _____ Place of Birth: _____

Licence No. held under the *Property, Stock & Business Agents Act 2002*: _____

Residential Address: _____

Postcode: _____

Director 2:

Surname: _____ Given Names: _____

Other names the director is, or has been known by (if any, including maiden name): _____

Date of Birth: _____ Place of Birth: _____

Licence No. held under the *Property, Stock & Business Agents Act 2002* (if applicable): _____

Residential Address: _____

Postcode: _____

Secretary (if applicable):

Surname: _____ Given Names: _____

Other names the secretary is, or has been known by (if any, including maiden name): _____

Date of Birth: _____ Place of Birth: _____

Licence No. held under the *Property, Stock & Business Agents Act 2002* (if applicable): _____

Residential Address: _____

Postcode: _____

Note: At least one director must be licensed under the *Property, Stock and Business Agents Act 2002*.

4. IDENTIFICATION REQUIREMENTS

All persons nominated in this application must attach clearly legible evidence of their identity such as a copy of your driver's licence, photo card, passport, birth certificate or change of name certificate.

5. BUSINESS ADDRESS

A licensee **MUST** have a registered office in New South Wales – the address specified below will be taken to be the registered office of the licensee. If however a licensee carries on the business of an agent pursuant to a licence or other authorisation under the laws of another State at an office that is within 50 kilometres of New South Wales, then the licensee may have their registered office at the interstate office (even though it is not in New South Wales).

If the applicant intends to carry on business at more than one place of business, the address nominated below will be taken to be the principal place of business and the registered office of the licensee for the purposes of the Act.

New South Wales street address at which the corporation proposes to carry on business:

Postcode: _____

Telephone Number: _____ Mobile Number: _____

Please provide details of any additional places of business on a separate page and submit with this application.

6. BUSINESS NAME

If the applicant corporation will be carrying on the business of an agent at the above-specified address under a business name, **you must attach to this application a copy of a document issued by the Australian Securities and Investments Commission that confirms the applicant corporation is the business name holder.**

A business name will only be added to the applicant corporation's licence record if this document has been provided.

7. Declaration by Licensee-in-Charge

Name of person to be licensee-in-charge at the above-specified place of business: _____

I declare that my licence number is _____ and I am: *(tick the applicable box)*

not the licensee-in-charge of my own place of business or any other place of business for the licensee named in Section 1 of this form or any other corporation or individual;

OR

presently the licensee-in-charge of a business owned by _____ at the following place of business located at:

Postcode: _____

and undertake to resign as licensee-in-charge of this place of business prior to the issue of the corporation licence for which this application is being made.

I understand that the place of business specified in section 4 of this form will be updated on my individual licence record as my business address when this corporation licence is granted.

Signature of nominated licensee-in-charge: _____ **Date:** _____

NOTE:

A licensed corporation must employ an individual who holds a current licence to be the licensee-in-charge at each place of business at which the corporation carries on business under the Act subject to the requirements of section 31 of the Act. Each place of business must have a different licensee-in-charge.

If the applicant corporation intends to carry on business at more than one place, it must complete a *Licensee-in-Charge Details* form to advise Fair Trading of the details of each licensee-in-charge at each place of business.

8. PARTNERSHIP DETAILS

If the applicant corporation intends to carry on business in a partnership under the *Property, Stock and Business Agents Act 2002*, a *Notification of Partnership Particulars* form must be completed and attached to this application.

To download the form visit the Fair Trading website - www.fairtrading.nsw.gov.au - select *Forms* in the *Quick Links* box on the home page and follow the prompts or call 13 32 20.

9. DISCLOSURE QUESTIONS

If you answer Yes to any of the following questions, please provide full details on a separate sheet.

1. Has any director or person concerned with the management of the applicant corporation:
 - a) been convicted in NSW or elsewhere of ANY offence that was recorded in the last 10 years? Yes No
 - b) been convicted in the last 5 years of an offence of licence or certificate lending under this Act? Yes No
 - c) in the preceding 3 years, been an undischarged bankrupt or applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with his/her creditors or made an assignment of his/her remuneration for their benefit? Yes No
 - d) in the preceding 3 years been a director or person concerned in the management of ANY externally-administered body corporate (within the meaning of the Corporations Act 2001)? Yes No
If Yes, provide relevant company names and Australian Company Numbers (ACN).
 - e) in the preceding 3 years ceased to be a director or person concerned in the management of ANY corporation that became an externally-administered body corporate within 12 months of the date they ceased? Yes No
If Yes, provide relevant company names and Australian Company Numbers (ACN).
2. Is any director or person concerned with the management of the applicant corporation currently:
 - a) an undischarged bankrupt? Yes No
 - b) a director or person concerned in the management of ANY externally-administered body corporate (within the meaning of the Corporations Act 2001)? Yes No
If Yes, provide relevant company names and Australian Company Numbers (ACN).
3. Is the applicant corporation or any director or person concerned with the management of the applicant corporation:
 - a) disqualified from holding a licence, certificate of registration, permit or other authority under legislation administered by the Minister responsible for Fair Trading or under a corresponding law? Yes No
 - b) the holder of a licence, certificate of registration, permit or other authority that is suspended under legislation administered by the Minister responsible for Fair Trading or under a corresponding law? Yes No
 - c) owe a monetary penalty payable in relation to disciplinary proceedings or failed to comply with a direction given by the Commissioner under the Act? Yes No
4. Does the applicant corporation or any director or person concerned with the management of the applicant corporation:
 - a) owe an amount to the Crown for the recovery of payments from the Compensation Fund? Yes No
5. Is the applicant corporation the subject of a winding up order or the appointment of a controller or administrator? Yes No

Complete DECLARATION BY APPLICANT on the next page.

10. DECLARATION BY APPLICANT

I, on behalf of the applicant corporation, apply for the grant of a licence under the *Property, Stock and Business Agents Act 2002* and certify that the particulars specified in this application and all attachments are, to the best of my knowledge, true and correct in every detail.

Statement under the Privacy and Personal Information Protection Act 1998.

The applicant for this licence:

1. authorises NSW Fair Trading to make any inquiries and to receive and disclose any information which is relevant to the applicant's initial and ongoing eligibility to hold this licence;
2. acknowledges that information will be placed on a register open to the public in accordance with the *Property, Stock and Business Agents Act 2002*;
3. accepts that failure to supply information required on this application form may delay the processing of the application; and
4. has a right to seek access to and correction of information supplied.

Note: It is an offence under the Crimes Act 1900 to make a false or misleading statement in this document. The maximum penalty is imprisonment for two years or a fine of up to \$22,000 or both.

Signature of Director: _____ Date: _____

Full Name: _____

Professional Indemnity Insurance

For information about your obligation to be insured under a policy of professional indemnity insurance, go to www.fairtrading.nsw.gov.au.

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