



Application for a Real Estate and Business Agent's licence and triennial certificate - Firm/Partnership

APPLICATION CHECKLIST

You must attach the following supporting documentation in order to complete the application. Incomplete applications will not be accepted and will be returned.	Attached?
Prescribed fee Please complete credit card details below or make a cheque payable to the Commissioner for Consumer Protection	
Australian police checks for each relevant person who does not currently hold a triennial certificate under the Act. Approved police check providers are listed at http://www.commerce.wa.gov.au/cp/policechecks	
Two references for each partner (or director of a corporate partner) who is not currently licensed under the Act (see Appendix 1 pro forma)	

Application Fee

The total fee payable includes a triennial certificate/licence fee, an application fee and a contribution to the fidelity guarantee fund. The current fees are available on our website at www.commerce.wa.gov.au/CP/licensingfees. Cheques should be made payable to the Commissioner for Consumer Protection. For payment by credit card, please complete the following:

CREDIT CARD PAYMENT DETAILS

Card Type Visa Mastercard (Only Visa and Mastercard accepted)

Card Number

Card Holder Please print

Expiry Date / *I authorise the Department to deduct the current prescribed fee**

Signature / Authorisation Date

*Fees are subject to change on 1 July of each year

OFFICE USE ONLY					
Total Fee	\$	Department Code	RA <input type="checkbox"/>	Chart Description	<input type="checkbox"/> Application Fee <input type="checkbox"/> FRE Agents Fidelity Contribution; and <input type="checkbox"/> New app – Real Estate Agent Body Corporate

General Information

In this form reference to “**the Act**” means the *Real Estate and Business Agents Act 1978* and “**the Commissioner**” means the Commissioner for Consumer Protection.

“**Relevant Persons**” means each person comprising the partnership and where a partner is a company, all directors and any other natural persons involved in the management or conduct of that company. This includes the person who is to be in *bona fide* control of the business. **Each relevant person** must be included when completing the form and **must sign at section 6**.

Please write in **BLOCK LETTERS** using pen. **Answer every question.** Tick where appropriate. **ALL information must be provided** to enable the application to be assessed.

This application **must** be accompanied by the prescribed fee (www.commerce.wa.gov.au/CP/licensingfees) and those additional items summarised in the checklist. Incomplete applications will not be accepted and will be returned. Original documents lodged with a complete application cannot be returned so copies of supporting documents will be accepted as long as they are signed as true copies by an authorised witness (www.commerce.wa.gov.au/CP/authorisedwitness). Applications cannot be lodged by email or facsimile. Do note only the fidelity fund fee is refundable if this application is withdrawn or not successful.

As part of the assessment of the application the Commissioner will obtain information about the company, its officeholders and the company’s intended trading name from the Australian Securities and Investments Commission. For information about how to register a company or business name visit www.asic.gov.au.

We use email for contact purposes and to provide information to industry members so it is important that you notify the Commissioner should your email contact details change.

1. Details of firm (applicant)

You must include details of all members of the firm (including any company partners) below. Please note that where there are up to three (3) partners, at least one of them must be a licensed real estate and business agent (“RA”). If the firm has four (4) or more partners, at least two (2) partners must be licensed as an RA.

Full legal name of Partner and RA number (if applicable)	Birth/ registration date	Email address
RA		
RA		
RA		

If there is insufficient space, please attach a page giving full details as above.

Business Name of Firm and ABN

Business Phone / Mobile:

Business Email:

Person who will be in bona fide control:

RA

2. Corporate members of firm

Please include in the space below details of all of the relevant persons of any company listed as a member of the firm.

Company Name and ACN	Full legal name of individual	Date of Birth	Email

If there is insufficient space, please attach a page giving full details as above.

3. Fitness and character of applicant and relevant persons

National Police Check: To enable the Commissioner to consider whether the partners and all directors (if a partner is a body corporate) and relevant persons are of good character and repute, and fit and proper persons to hold a licence, please attach to this application **an original document or duly certified original copy (signed by an authorised witness) of an Australian police check** for each partner and relevant person of the firm who is not the holder of a current triennial certificate under the Act. Certificates must be **no more than three months old** at the time they are lodged with the Department. Please note that *State Records Act 2000* requirements mean we cannot return the original document. However, a certified copy can be made available upon request.

Please see www.commerce.wa.gov.au/co/policechecks for a list of accepted Australian police check providers.

References: Each relevant person who does not hold a current triennial certificate under the Act must also provide two business references. The references must be in the pro forma (see Appendix 1).

Has/is the applicant or any relevant person of the applicant:	Yes or No
(a) been convicted, 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 any legal proceedings currently pending against you for an offence, including proceedings by way of appeal or review?	
(c) been the subject of any adverse finding by a Government Board, Tribunal or Agency, e.g. the Corruption and Crime Commission?	
(d) had any occupational licence or application refused, cancelled or suspended?	
(e) been disqualified from holding any occupational licence?	
(f) been subject to any disciplinary action by a licensing authority?	
(g) had any investigations or legal proceedings commenced against you or an associated entity, which may result in action being taken in relation to an occupational licence currently held?	
(h) in liquidation, under official management or an undischarged bankrupt?	
(i) having affairs administered under any bankruptcy laws?	
(j) 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.

4. Business Address Details

Principal Place of Business:

Postal Address:

(If different from above)

Prior to commencing to carry on business as an agent you will need to complete the Notification of Commencement of Trading form, which can be downloaded by heading to “Publications – real estate” at www.commerce.wa.gov.au/CP/realestate.

5. Financial Information

The Commissioner cannot grant a licence and triennial certificate unless satisfied that the applicant has sufficient material and financial resources available to comply with the requirements of the Act. To facilitate this, credit history checks will be obtained as part of the application process. Each partner must also provide their/its assets and liabilities of below.

Name of Partner:

Confidential Statement of Assets and Liabilities

Assets	\$
Liabilities	\$
Net Worth	\$

In addition to completing the above, please answer the following question:

Yes

No

Do you believe that you have sufficient financial resources to enable you to carry on the business as an agent and to comply with the requirements of the Act?

Name of Partner:

Confidential Statement of Assets and Liabilities

Assets	\$
Liabilities	\$
Net Worth	\$

In addition to completing the above, please answer the following question:

Yes

No

Do you believe that you have sufficient financial resources to enable you to carry on the business as an agent and to comply with the requirements of the Act?

Name of Partner:

Confidential Statement of Assets and Liabilities

Assets	\$
Liabilities	\$
Net Worth	\$

In addition to completing the above, please answer the following question

Yes

No

Do you believe that you have sufficient financial resources to enable you to carry on the business as an agent and to comply with the requirements of the Act?

6. Authorisation and Declaration - this section must be completed by ALL relevant persons

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 character and repute, and my fitness to be concerned as a director of, or in the management and control of, an agent's business. This includes but is not limited to records relating to my criminal history or current/previous occupational licences or other relevant information.

I confirm that I understand fully the duties and obligations imposed on the firm under the Act, Regulations, and associated Code of Conduct.

I understand that providing false or misleading information to the Commissioner or Chief Executive Officer is an offence under section 134A of the Act.

Name of Person	Signature	Date

Attach additional sheet if required

You may lodge your completed application:

By post addressed to:

Licensing Services

Department of Mines, Industry
Regulation and Safety
Locked Bag 100,
EAST PERTH WA 6892

In person at:

Customer Service

Level 1, Mason Bird Building
303 Sevenoaks Street
CANNINGTON
Hours: 8:30am to 4:30pm
Monday to Friday

In person (drop off only) at:

Department of Mines, Industry
Regulation and Safety
Level 2, Gordon Stephenson House
140 William Street, PERTH
Hours: 8:30am to 4:30pm
Monday to Friday

Licensing Advice Line 1300 304 064
Overseas Callers +61 8 6251 2931
General enquiries: 1300 304 054

Email enquiries: cplicensing@dmirs.wa.gov.au
Web Site www.commerce.wa.gov.au/CP/licences

As of January 2019 the Department will send courtesy reminders to renew licences via SMS and email only. Please ensure your contact details are kept up to date or you may not receive renewal reminders.



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**
Consumer Protection

REAL ESTATE AND BUSINESS AGENT BUSINESS REFERENCE TEMPLATE

- References from relatives (domestic partners), subordinates, business partners or co-directors will not generally be accepted. At least one reference must be from a person external to the individual's current place of employment.
- **References should be as detailed as possible but include only information that is relevant to the individual's suitability to be a partner, or a person concerned in the management or conduct, in a real estate and business agent's business. Any additional relevant information should be attached.**
- Where Consumer Protection is unable to determine the individual's suitability to be concerned with the management or conduct of a real estate and business agent's licence due to insufficient information, the reference will not be accepted.

The information provided will assist the Commissioner in determining whether an individual is of good character and repute, and a fit and proper person to be concerned in the management or control of a real estate agent's business, pursuant to section 28 of the *Real Estate and Business Agents Act 1978* ("the Act"). Please keep your answers relevant to these matters in a professional context.

Individual for whom reference provided: _____

Relevant Partnership (applicant) _____

If the individual is a Director of a corporate partner:

Name of company _____

1. How long have you known the individual?
2. Are you related to the individual in any way?
3. What is the capacity and extent of your business relationship (and social relationship, if any) with the individual?
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4. To the best of your knowledge, what experience does the individual bring to make them a suitable person to be a partner, or a person involved with the management or conduct of a real estate agency's business?
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- I consider the individual to be a person of good character and repute and persons fit to be concerned as a partner of, or with the management or control of, a real estate agent's business.
- I believe that the individual reasonably understands the duties and obligations imposed on them by the Act.
- I am not aware of any reason why the individual would not be eligible to be, or should not be concerned as a partner of, or involved with the management or control of, a real estate agent's business.
- I am not aware of any reason why the applicant may not have sufficient material and financial resources available to comply with the requirements of the Act.

I declare that the particulars and answers given in respect of this reference in support of this application are, to the best of my knowledge and belief, true and correct and the attachments hereto are what they purport to be.

Further, I understand that providing false or misleading information to the Commissioner or Chief Executive Officer is an offence under section 134A of the Act.

Referee's full name:

Referee's job title and place of employment:

Referee's contact number:

Signature of referee:

Date: