



## Application for Renewal of a Real Estate/Business Settlement Agent Triennial Certificate - Firm / Partnership

### General Information

In this form reference to “**the Act**” means the *Settlement Agents Act 1981* 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 in *bona fide* control of the business. **Each relevant person** must be included when completing the form and **must sign at section 7**.

**Your application can not be assessed unless ALL sections are completed and ALL information is provided. It is essential that you DO NOT LEAVE ANY SECTION BLANK – Use ‘N/A’ or ‘Nil’ where appropriate.**

This application **must** also be accompanied by the prescribed fee (see [www.commerce.wa.gov.au/CP/licensingfees](http://www.commerce.wa.gov.au/CP/licensingfees)) and those additional items listed in the Application Checklist. Incomplete applications will not be accepted and will be returned. Do note only the fidelity fund fee is refundable if this application is withdrawn or not successful.

### 1. Licence Details

Licence Number: SA/SB

Name of firm:

ABN:

Name of person in *bona fide* control:

### 2. Business Details

Business/Trading Name:

Principal Place of Business:

Postal Address:   
 (If different from above)

Address for the purpose of the Register:   
 (section 37 of the *Settlement Agents Act*)

Email address:

Business telephone number:

Mobile:

Department of Mines, Industry Regulation and Safety  
 Licensing Services  
 Level 1, Mason Bird Building  
 303 Sevenoaks  
 CANNINGTON WA 6107

Locked Bag 14  
 Cloisters Square WA 6850

Licensing Advice Line  
 Tel: 1300 304 064

Overseas Callers  
 +61 8 6251 2931

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

Web Site  
[www.commerce.wa.gov.au/CP/licences](http://www.commerce.wa.gov.au/CP/licences)

### 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 or duly certified copy (signed by an authorised witness) of an Australian police check** for each partner and relevant person of the firm. 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/cp/policechecks](http://www.commerce.wa.gov.au/cp/policechecks) for a list of accepted Australian police check providers.

Since the grant of the licence or last renewal (whichever is later), has/is the <u>applicant</u> or any relevant person of the applicant:	Yes or No
(a) been convicted, or found guilty of <b>any</b> 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 currently pending against you for an offence, including proceedings by way of appeal or review?	
(c) been the subject of <b>any</b> adverse finding by a Government Board, Tribunal or Agency, e.g. the Corruption and Crime Commission?	
(d) had <b>any</b> occupational licence or application refused, cancelled or suspended?	
(e) been disqualified from holding <b>any</b> occupational licence?	
(f) been subject to <b>any</b> disciplinary action by a licensing authority?	
(g) had <b>any</b> 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 <b>any</b> bankruptcy laws?	
(j) a director of a corporation, which has been subject to <b>any</b> 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. Financial Information

The Commissioner cannot renew a 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:

<b>Confidential Statement of Assets and Liabilities</b>	<b>Assets</b>	\$
	<b>Liabilities</b>	\$
	<b>Net Worth</b>	\$

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
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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?

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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
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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?

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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
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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?

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## 5. Professional Indemnity Insurance (PII)

The Commissioner cannot renew a triennial certificate unless the applicant is insured in accordance with section 35 of the Act. Please attach a current copy of your Professional Indemnity and Fidelity Insurance Coverage from the Professional Indemnity and Fidelity Master Policy.

For information about obtaining insurance under the Master Policy Agreement, contact Jardine Lloyd Thompson on (08) 9426 0444 or visit [www.jlta.com.au](http://www.jlta.com.au).

**6. Late Renewal Applications** (this section is **mandatory** if you are lodging a late renewal application)

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If your renewal application is lodged after the expiry date of your triennial certificate, the following will occur:

Applications lodged within one month of the expiry date of your triennial certificate

- the renewal shall be deemed to take effect for the period of 3 years from the day next succeeding the day on which the triennial certificate expired.

Applications lodged more than one month but not more than 12 months after the expiry of your triennial certificate

- You are required to satisfy the Commissioner that there is reasonable cause for the lateness of the application in order for the renewal to be deemed to take effect for the period of 3 years from the day after the triennial certificate expired.

Applications lodged more than 12 months after the expiry of your triennial certificate

- If you would like your renewal to take effect within a month, please provide an explanation of the reasonable cause for the lateness of the application and the urgency of the renewal.

- Normally a renewal is granted from a date at least one month after the date on which the application is lodged.

Please provide details below.

<i>Attach additional details if required</i>

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

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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 me under the Act, Regulations, and associated Code of Conduct.

I understand that providing a false or misleading statement in an application is an offence under section 111A of the Act.

Name of Person	Signature	Date

**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.**

*Attach additional sheet if required*

## 8. Application Checklist

Prior to submitting the application, please complete this checklist, attaching the application form and supporting documentation in the order set out below. . Incomplete applications will not be accepted and will be returned.

Prescribed renewal fee (please complete the credit card details below or make cheque payable to the Commissioner for Consumer Protection)	
Current copy of your Professional Indemnity and Fidelity Insurance Coverage from the Professional Indemnity and Fidelity Master Policy	
Australian police check for each relevant person (not more than three months old) Approved police check providers are listed at <a href="http://www.commerce.wa.gov.au/cp/policechecks">http://www.commerce.wa.gov.au/cp/policechecks</a>	

**An incomplete or inaccurate application cannot be assessed. If you need help completing this form please contact the Licensing Advice Line on 1300 30 40 64.**

Your completed application may be lodged

**By post** addressed to:

Licensing Services  
Department of Mines, Industry  
Regulation and Safety  
Locked Bag 14  
CLOISTERS SQUARE WA 6850

**In person** at:

Licensing Services  
Level 1, Mason Bird Building  
303 Sevenoaks Street  
CANNINGTON

**In person (drop off only service)** at:

Department of Mines, Industry  
Regulation and Safety  
Level 2, Gordon Stephenson House  
140 William Street  
PERTH

## 9. Application Fee

The total fee payable includes a triennial certificate/licence fee and a contribution to the fidelity guarantee fund.

A list of current fees is available on our website at [www.commerce.wa.gov.au/CP/licensingfees](http://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 - Application for renewal of a settlement agents licence (firm)

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 for an application for renewal of a settlement agents licence for a firm.

Cardholder's signature            Date