



NOTIFICATION OF COMMENCEMENT OF TRADING
 Real Estate and Business Agent Act (s.35) or Settlement Agent Act (s.36)

Please use a pen and write neatly using BLOCK LETTERS. Tick where appropriate

Licence number:

Legal name of licensee:

(e.g. ABC Pty Ltd / John Smith)

Principal Place of Business address:

Registered Office in Western Australia:*

(section 36 of the REBA Act or section 37 of the SA Act)

*The Registered Office address you nominate can, but does not have to, be the same as your principal place of business. It will be used as the address for service of any summons, notice, order or other document. There must be a person present to accept service. As such PO Boxes are not accepted. However, a registered office can include a lawyer or accountant's office.

Branch Office/s: If the licensee's business has any branch offices, the licensee must give the Commissioner written notice of the address of each branch office on or before commencing to carry on business at that branch office. For each office, a branch manager who is the holder of a current triennial certificate must also be nominated by the licensee.

Business Name (if applicable):

A licensee who intends to carry on business under a business name must have registered that business name with ASIC under the *Business Names Registration Act 2011*. For further information or to register a business name, visit www.asic.gov.au.

Phone:

Mobile:

Email address:

Trading commencement date:

1. Details of Trust Account/s

If you do not intend to receive or hold trust monies, you are not required to maintain a trust account.

However if you do intend to receive or hold trust monies, you must maintain a trust account with an authorised financial institution and, as soon as practicable, pay to the credit of that account or those accounts all moneys received on behalf of any other person.

If you maintain a trust account, you must appoint an auditor. Your auditor must be a registered company auditor under Part 9.2 of the *Corporations Act 2001*. The Commissioner for Consumer Protection (the Commissioner) generally does not approve the appointment of auditors who have any close relationships (de facto, blood or marriage) or any business dealings with the agent. Your auditor's appointment is continuous unless the Commissioner approves a subsequent change in the appointment.

If you have not already notified the Commissioner of the details of your trust account(s) and / or your nominated auditor, you must complete and submit a trust account opening notification form and the request for approval of auditor appointment (on the reverse side of that form. The form for both [Settlement Agents \(link to form\)](#) and [Real Estate and Business Agents \(link to form\)](#) can be downloaded from www.commerce.wa.gov.au/CP/auditors.

2. SETTLEMENT AGENTS ONLY: Details of Professional Indemnity Insurance (PII)

PII held in the name of (i.e. the Insured):

Name of Insurer providing the PII:

Expiry date of the PII:

Attach a copy of your PII certificate of insurance.

3. REAL ESTATE AGENTS ONLY – approval to operate under a Franchise agreement

In accordance with section 56(1) of the Act, a licensee is not permitted to carry on business under a franchising agreement unless approved to do so by the Commissioner. Approval may be subject to such conditions that the Commissioner sees fit to impose. If you intend to carry on business pursuant to a franchising agreement, please provide the following information:

Name of Franchisor:

Period of agreement:

A copy of the signed agreement is not required to be lodged with the Commissioner.

4. Declaration – to be signed by the person in *bona fide* control / licensee of the business

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

Signature:

Date:

The completed form and attachments can be emailed to cplicensing@dmirs.wa.gov.au; or:

Mailed to:

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

Delivered to:

Department of Mines, Industry
Regulation and Safety

Level 1, 303 Sevenoaks Street
CANNINGTON WA

Dropped off to:

Department of Mines, Industry
Regulation and Safety

Level 2, 140 William Street
PERTH WA