



Application for Renewal of a Triennial Certificate – Real Estate/Business Settlement Agent (Firm / Partnership)

APPLICATION CHECKLIST

Your application can only be processed if ALL of the relevant information and supporting documentation is provided. Use this checklist to ensure that you complete all parts of your application and have all necessary supporting documents ready to attach. Please check that:

- all sections of this form are complete;
- the Australian police check/s for each relevant person from an approved provider is/are ready to attach;
- a current copy of your Professional Indemnity and Fidelity Insurance Coverage from the Professional Indemnity and Fidelity Master Policy is ready to attach; and
- payment of the prescribed application fee is ready to be made.

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. 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

Licence No:		Department Code	SA <input type="checkbox"/>	Chart Description	<input type="checkbox"/> Application Fee <input type="checkbox"/> FRE Agents Fidelity Contribution; and
Total Fee	\$		SB <input type="checkbox"/>	Chart Key	<input checked="" type="checkbox"/> P

GENERAL INFORMATION

In this form reference to “**the Act**” means the *Settlement Agents Act 1981* and its subsidiary legislation 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 control of that company. This includes the person in *bona fide* control of the business.

NOTE: only the fidelity fund fee is refundable if this application is withdrawn or not successful.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:

We use email and SMS for contact purposes and to send courtesy renewal reminders, so it is important that you notify the Commissioner should your electronic contact details change.

3. Fitness and character of applicant and relevant persons

Each relevant person must provide an Australian police check in their full legal name that is less than three (3) months old. Further information about accepted police checks is available on our website: www.commerce.wa.gov.au/CP/policechecks.

Please answer either 'Yes' or 'No' to each of the following questions. If the answer to any of the questions is 'Yes', you may be contacted to provide additional information as part of the application process.

Since the grant of the licence or last renewal (whichever is later), 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?	

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:

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?

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?

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 Marsh Advantage Insurance on (08) 9426 0451 or visit www.marsh.com.

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

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

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 false or misleading information to the Commissioner or Chief Executive Officer is an offence under section 111A of the Act.

Name of Person	Signature	Date

Attach additional sheet if required

LODGEMENT OPTIONS

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

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

In person at:

Customer Service

Level 1, Mason Bird Building, 303 Sevenoaks Street
CANNINGTON

Hours: 8:30am to 4:30pm, Monday to Friday

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