



Automatic Mutual Recognition (AMR)

(Part 3A of the *Mutual Recognition Act 1992* (Cth)¹)

Notice of Intent to Operate in Western Australia

Contact Details

* Family Name: _____ * Given Names: _____

* Date of Birth: _____ * Email: _____

* Mobile: _____ Phone (other): _____

* Principal Place of Residence: _____

* Principal Place of Work: _____

Employer/Business Name: _____

Employer Address (if relevant) _____

Business Premises in WA (if relevant): _____

*** Which State or Territory are you claiming as your home State for the purpose of AMR?**

(Your home State can be the State or Territory of your principal place of residence or your principal place of business. If these are different you may choose one or the other.)

Licence/Registration (occupation) Details

I am giving notice of my intent to undertake activities in Western Australia covered by the following occupation(s) in accordance with the automatic mutual recognition principle:

- | | |
|--|--|
| <input type="checkbox"/> Real Estate and Business Agent | <input type="checkbox"/> Motor Vehicle Dealer |
| <input type="checkbox"/> Real Estate and Business Sales Representative | <input type="checkbox"/> Motor Vehicle Yard Manager |
| <input type="checkbox"/> Real Estate Settlement Agent | <input type="checkbox"/> Motor Vehicle Salesperson |
| <input type="checkbox"/> Business Settlement Agent | <input type="checkbox"/> Motor Vehicle Repair Business |
| <input type="checkbox"/> Land Valuer | <input type="checkbox"/> Motor Vehicle Repairer |
| <input type="checkbox"/> Employment Agent | <input type="checkbox"/> Debt Collector |

* Selection of at least one checkbox is mandatory

¹ as adopted in Western Australia by the *Mutual Recognition (Western Australia) Act 2020*

*** I hold the following licence(s)/registration(s) allowing me to work in the occupation(s) selected above.**

| <i>Licence/registration Number</i> | <i>State</i> | <i>Issuing Agency</i> |
|------------------------------------|--------------|-----------------------|
| | | |
| | | |
| | | |
| | | |

The following conditions apply to the licences/registrations listed above. If all conditions on any licence/registration listed above are not disclosed, this Notice is **incomplete** and you **cannot** commence activities in Western Australia.

| <i>Licence/Registration Number</i> | <i>Condition</i> |
|------------------------------------|------------------|
| | |
| | |
| | |

Public Protection Requirements

(MANDATORY for listed licences/registrations)

You **cannot** commence activities in Western Australia, that are covered by a licence/registration listed below, until you have provided evidence of the public protection requirements associated with the selected occupation(s).

| | <i>Public Protection Requirements</i> | | | |
|---|---------------------------------------|------------------------------|-------------------------------|------------------|
| | <i>Sufficient Resources</i> | <i>Fidelity Fund payment</i> | <i>Bond or Bank Guarantee</i> | <i>Insurance</i> |
| Real Estate & Business Agent | Yes | \$150+ | | |
| Real Estate & Business Sales Representative | | \$45+ | | |
| Settlement Agent (conveyancer) | Yes | \$150+ | | Yes |
| Debt Collector | | | \$6,000 | |
| Motor Vehicle Dealer | Yes | | | |
| Motor Vehicle Repair Business | Yes | | | |

+ current at 1 July 2022

Sufficient Resources

(MANDATORY for Real Estate and Business Agents, Settlement Agents (conveyancers), Motor Vehicle Dealers, Motor Vehicle Repair Businesses)

You **cannot** commence activities in Western Australia unless you satisfy the WA local registration authority that you have sufficient material and financial resources to comply with the requirements of WA legislation.

By lodging this form you agree to the WA local registration authority **obtaining a credit history report on your behalf** to assist in determining whether you have sufficient resources.

You must also complete the following **Confidential Statement** of Assets and Liabilities:

| | |
|--------------------|----|
| <i>Assets</i> | \$ |
| <i>Liabilities</i> | \$ |
| <i>Net Worth</i> | \$ |

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

Do you believe that you have sufficient financial resources to enable you to carry on the activities associated with the selected occupation? Yes No

Fidelity Fund Payment

(MANDATORY for Real Estate Agent, Real Estate & Business Sales Representatives and Settlement Agents)

In accordance with WA legislation, if you will be carrying on the functions of a real estate and business agent, sales representative, or a settlement agent in Western Australia, you must pay a contribution to the Fidelity Guarantee Account. You will be contacted by phone to arrange this payment when the WA local registration authority receives your notice. **DO NOT provide payment card details by email.**

Further information is available at www.commerce.wa.gov.au/consumer-protection/fidelity-guarantee-account.

Fidelity and Professional Indemnity Insurance (PII)

(MANDATORY for Settlement Agents)

If you will be carrying on the functions of a settlement agent in Western Australia you must hold Fidelity and Professional Indemnity Insurance.

If you intend to operate in WA as a licensed director, person in bona fide control or employee of a settlement agency, the WA local registration authority may waive the requirement to hold separate insurance policies.

Do you intend to operate as a licensed director, person in bona fide control or as an employee of a settlement agency? Yes No

If no, a copy of the insurance policy issued by the approved provider must be lodged with this notice.

Further information is available at www.commerce.wa.gov.au/consumer-protection/insurance-settlement-agents.

Fidelity Bond or Bank Guarantee (MANDATORY for Debt Collector)

If you will be carrying on the functions of a debt collector in Western Australia you must lodge a fidelity bond in the prescribed form issued by an accepted provider, or a bank guarantee in the approved form. The bond or bank guarantee must be to the value of \$6,000.

The original bond or bank guarantee must be lodged with this notice.

Further information is available at www.commerce.wa.gov.au/consumer-protection/applying-debt-collectors-licence.

DECLARATION *

I understand that I can only undertake activities in Western Australia for which I am licensed under my nominated home State licence/registration.

I am not the subject of disciplinary proceedings in any State or Territory (including any preliminary investigations or action that might lead to disciplinary proceedings) in relation to the occupation(s) nominated above.

No licence/registration that I hold or have held to carry on the activity, or occupation that covers the activity, in any State or Territory has been cancelled or suspended as a result of disciplinary action.

I am not personally prohibited from carrying on the activity, or an occupation that covers the activity, and I am not subject to any conditions on carrying out the activity, as a result of criminal, civil or disciplinary proceedings.

By lodging this notice you:

- declare that the information and documents provided in and with the notice are true and correct, and that your licence/registration may be cancelled or suspended if you provide false or misleading information; and
- acknowledge that information relating to my licence/ registration may be disclosed by the local licence/registration authority in Western Australia and local licence/registration authorities in other States and Territories in accordance with the *Mutual Recognition Act 1992* (Cth) and the *Mutual Recognition (Western Australia) Act 2020*.

If you do not complete all mandatory sections relevant to the occupation you intend to undertake in Western Australia your notice is **incomplete** and you **cannot** commence activities in this State. Mandatory sections marked *.

You can lodge this notice, along with the required supporting documents, by:

- email to mutualrecognition@dmirs.wa.gov.au (not permitted for debt collectors); or
- post to **Locked Bag 100, East Perth WA 6892**