

**MUTUAL RECOGNITION ACT 1992 AND
PROPERTY AGENTS AND LAND TRANSACTIONS ACT 2005**

**NOTICE TO THE PROPERTY AGENTS BOARD BY A
COMPANY
REGISTERED/LICENSED IN ANOTHER STATE OR TERRITORY, SEEKING
REGISTRATION IN TASMANIA TO CONDUCT A BUSINESS**

NAME OF APPLICANT COMPANY:

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TYPE OF REGISTRATION BEING APPLIED FOR:

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INSTRUCTIONS & GENERAL INFORMATION

1. To be eligible for Tasmanian registration under the principles of mutual recognition applicants must currently hold an equivalent licence/registration in another participating State or Territory. The licence/registration must be free of conditions or restrictions that resulted from disciplinary, criminal or civil action
2. Notify the Board in writing and provide information and documentation specified under Section 19 of the Mutual Recognition Act 1992 which is addressed on pages 3 & 4 of this form.
3. The original, or a certified complete and accurate copy, of each equivalent interstate licence/registration must be attached to this form.
4. If there is insufficient space on this form please attach a separate sheet of paper.
5. Applications must be accompanied by details of professional indemnity insurance.
6. A registration will not be issued until the application and registration fees are paid and any other requirements appropriate to the application have been complied with.
7. Please ensure that all questions are answered. If a question is not applicable mark "N/A" to indicate that the question has not been overlooked.
8. Applications will be delayed if the form is not properly completed, the correct fees are not tendered, or the required additional documents are not supplied.
9. A person, other than a qualified agent, cannot imply that he/she is a qualified agent by the inclusion of his/her name in the company or business name of a real estate agency business.

FEES

All fees inclusive of GST (1 July 2010 – 30 June 2011)

Application Fee	\$247.50
Registration Fees	
Real Estate Agent Part 1 Division 1	\$371.25
Plus for each property consultant or assistant property manager to be employed at date of registration	\$62.50
Property Manager Part 2 Division 1	\$310.05
Plus for each property consultant or assistant property manager to be employed at date of registration	\$62.50
General Auctioneer Part 3	\$371.25
Plus General Auctioneer who is an Director of the Company	\$123.75

Please return completed application, fees and required documents to:

**THE EXECUTIVE OFFICER
PROPERTY AGENTS BOARD
ROYAL ENGINEERS BUILDING
2 DAVEY STREET
HOBART TAS 7000**

**PH: (03) 6234 2700
FAX: (03) 6234 2216
board@propertyagentsboard.com.au
www.propertyagentsboard.com.au**

For Office Use Only

Date Received:
Date of Hearing:
Amount Received:\$
Receipt No. Issued:
Date Granted:
Registration No. Issued:

LISTED BELOW ARE THE DETAILS OF ALL LICENCES/REGISTRATIONS CURRENTLY HELD BY THE COMPANY EQUIVALENT TO A TASMANIAN REGISTRATION:

Registration Held	Year of Licence	State or Territory	Licence or Certificate No.

HAS ANY DISCIPLINARY ACTION BEEN TAKEN AGAINST THE COMPANY UNDER SIMILAR LEGISLATION IN ANOTHER STATE OR TERRITORY OF AUSTRALIA?

Yes No

IF "YES", PLEASE PROVIDE FULL DETAILS BELOW:

State or Territory	Nature of Disciplinary Action

ARE THERE ANY SPECIAL CONDITIONS THAT APPLY TO ANY OF THE REGISTRATIONS LISTED ABOVE, OTHER THAN AS THE RESULT OF CRIMINAL, CIVIL OR DISCIPLINARY PROCEEDINGS IN ANY STATE OR TERRITORY?

Yes No

IF "YES" PLEASE PROVIDE FULL DETAILS BELOW:

STATUTORY NOTIFICATION

I _____
(Property Agent/Director of the applicant company)

- (a) give notice to the Property Agents Board that in accordance with the principles of mutual recognition we are seeking to be registered for the purposes of the Property Agents and Land Transactions Act 2005. We acknowledge for the purpose of this notice that the word "registration" wherever used, includes the appropriate meaning of licensing, approval, admission, certification or any other form of registration of a person required under legislation for the carrying on of an occupation;
- (b) have specified all of the registration/s held by the company in the respective States and Territories which is/are equivalent to the Tasmanian registration;
- (c) state that the company:
 - (i) is seeking to be registered in accordance with the principles of mutual recognition;
 - (ii) is not the subject of disciplinary proceedings, including preliminary investigations or action that may lead to disciplinary proceedings other than that detailed above in relation to the occupation/s listed above, in any State or Territory;
 - (iii) has not had its registration/s cancelled for the occupation/s listed above, nor is it/are they currently suspended as a result of disciplinary action; and
 - (iv) is not otherwise prohibited from carrying on the occupation/s listed above in any State or Territory;
- (d) certify that the registration/s held by the company is/are not subject to any special conditions to carry on the occupation/s listed above in any State or Territory, as a result of legal or disciplinary proceedings and have specified any special conditions to which it is subject in carrying on the occupation/s listed in any State or Territory;

- (e) consent to the making of inquiries of and exchange of information with, the authorities of any State or Territory regarding the activities of the company in the occupation/s listed and otherwise regarding matters relevant to this notice; and
- (f) certify that-
 - (i) the documentation evidencing registration for each of the occupations listed is attached and is-
 - ** the original licence, certificate or registration.
 - ** a complete and accurate copy of the licence, certificate or registration
 - (**delete if not applicable);
 - (ii) the company is not in receivership or in liquidation;
 - (iii) the company has not been served a resolution for voluntary winding up (except for the purpose of reorganisation); and
 - (iv) the company has not had a winding up order made in respect of it by the Supreme Court.

STATUTORY DECLARATION

I _____ Property Agent/Director
 (Insert full name)

of _____
 (Insert name of applicant company)

do solemnly and sincerely declare that the details, statements and information in this notice and the attachments are complete and correct in every detail, to the best of my knowledge and belief. I make this solemn declaration by virtue of the Statutory Declarations Act 1959 (Commonwealth) and subject to the penalties provided by the Act for the making of false statements in declarations, conscientiously believing the statement contained in this declaration to be true in every particular.

Signature of person making declaration _____

Declared at _____
 (Insert place and State/Territory)

this _____ day of _____ 20 _____

Before me _____
 (Signature of Justice of the Peace/Commissioner for Declarations before whom the declaration is made)

NOMINATION OF REAL ESTATE AGENT/PROPERTY MANAGER/AUCTIONEER IN CHARGE

- Note: (i) The nomination must be completed by a director or the secretary of the applicant company, not being the person nominated hereunder.
- (ii) Please use BLOCK LETTERS.

STATEMENT

I confirm that _____ being
 an applicant for a agent's/property manager's/ general auctioneer's registration
 under the Property Agents and Land Transactions Act, will be the
 agent/ property manager/ auctioneer in charge of the office at _____

Date _____ Signature _____

STATEMENT BY NOMINATED AGENT/ PROPERTY MANAGER/AUCTIONEER IN CHARGE

I, _____ confirm that I
have accepted the position as agent/ property manager/auctioneer in charge with the above company.

Date _____ Signature _____

NAME OF PERSON AND CONTACT TELEPHONE NUMBER WITH REGARD TO THIS APPLICATION:

Name	Telephone Number ()
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THE FOLLOWING DOCUMENTATION MUST BE PROVIDED WITH THIS APPLICATION

- (a) Copy of Constitution.
- (b) Copy of Certificate of Registration of a Company.
- (c) Copy of form, lodged with the Australian Securities Commission, showing appointment of directors and secretaries.
- (d) Copy of business name registration certificate (if any)
- (e) A copy of the Professional Indemnity Insurance Certificate of Currency (minimum \$500,000 real estate agents/ property managers and \$250,000 general auctioneers)
- (f) If applicable, a letter advising the name and address of the person granting a franchise and the date on which the franchise was entered into, or is to be entered into.