

Division 1 – Conducting Business as a Sole Trader

Application for Licence Form 2018-2019



Type of Licence being applied for <i>(tick one only)</i>		
<input type="checkbox"/> Real Estate Agent	<input type="checkbox"/> Property Manager	<input type="checkbox"/> General Auctioneer
Applicant Details		
Surname:	Title:	
Given Name:	Other Name(s):	
Date of Birth:	Place of Birth:	
Have you been known by another name?	Name:	
Applicant's Personal Address and Contact Details (not PO Box)		
Address:		
Suburb:	State:	Postcode:
Telephone:	Mobile:	
Fax Number:		
Email:		
Details of Business		
Business Name <i>(if applicable)</i>		
ABN <i>(if applicable)</i>		
Details of authorised place of business		
Address:		
Suburb:	State:	Postcode:
Business phone:		
Business Fax:		
Contact Email:		
Postal Address:		
Professional Indemnity Insurance		
PI Insurance Provider:		
Policy Number:		
Policy Details:		

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Disclosures *(Please answer the following questions)*

- | | |
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| 1. Have you ever been convicted of, or found guilty of ANY offences anywhere?
<i>(excludes all traffic offences)</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Are you presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Have you ever been disqualified from holding a licence/registration by any occupational licensing Board, Agency, other Departments or authorities anywhere? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Have you had any occupational licence/registration or application refused, cancelled or suspended? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Are you undischarged bankrupt or made a composition or arrangement with creditors? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If the answer to any of the above items was "yes", full details must be provided on a separate attached sheet of paper.

Statutory Declaration under the *Oaths Act 2001* by the Applicant

I, _____ of:
(full name) *(address)*

Do solemnly and sincerely declare that:

- All statements and information contained in and with this application are true and correct to the best of my knowledge;
- I have read and understood the information contained in this application; and I further state that:
- I know that it is an offence to make a declaration that is false in any material particular;
- I authorise the Property Agents Board to make any enquiries and to receive and disclose any information relevant to this application;
- I acknowledge that specific information will be placed on a public register in accordance with the *Property Agents and Land Transactions Act 2016*;
- I confirm I understand the duties and obligations imposed on myself under the *Property Agents and Land Transactions Act 2016*, *Property Agents and Land Transaction Regulations 2017* and Code of Conduct.
- I accept that failure to supply information required on this application form may delay the processing of the application.

This declaration is made at: *(location)* on: *(date)*

Signature _____

Before me: *(Print name of witness)*

Witness' signature _____

Qualification of witness *(see over for list of authorised persons)*

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Application Notes

This application should be used by an individual to conduct business as a real estate agent, property manager or general auctioneer.

Documentation

Proof of qualification includes a statement of results and a copy of your certificate or verification letter from the registered training organisation.

Evidence

If you are required to provide evidence to support your application then a signed and dated statement outlining the relevant information should be provided.

For example,

- a detailed list of your real estate activities and transactions might demonstrate sufficient knowledge and experience.
- a current resume which details your prior employment history may satisfy an employment requirement.

Business Name

An applicant who intends to carry on business under a business name must have that business named registered under the *Business Names Registration Act 2011* with the Australian Securities and Investment Commission (ASIC). For information about business name registration requirements visit: www.asic.gov.au

National Police Record Check

The Property Agents Board must be satisfied that all applicants hold relevant qualifications and are a fit and proper person to hold a property agent licence.

In order to satisfy the fit and proper person test, the Board with reference to section 16 of the *Property Agents and Land Transactions Act 2016* has determined as follows:

For all **Tasmanian residents** seeking to apply that the Board will only accept National Police Record checks issued by Tasmania Police. Here is a link to the Tasmania Police website: [Tasmania](#)

For all **interstate applicants** who do not have a Tasmanian return address or are not currently residents in Tasmania, those applicants will need to apply to a person in their State or Territory who holds a similar position to the Tasmanian Commissioner of Police. Links below:

[Australian Capital Territory](#)

[Queensland](#)

[New South Wales](#)

[Northern Territory](#)

[South Australia](#)

[Victoria](#)

[Western Australia](#)

Please note that the National Police Check record that accompanies the application must be issued no earlier than 3 months from the date that the application is lodged with the Board.

In completing the relevant form for the National Police Record check, the purpose category for seeking the certificate is “general employment”.

Professional Indemnity Insurance

Section 131 of the Act provides that certain property agents are to have professional indemnity insurance. For current details of PI insurance requirements please refer to the Board’s website.

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Fees		
Assessment Fee		
A non-refundable assessment fee of \$143.80 is payable with the lodgement of this application.		
Licence fee		
A licence fee is payable with the lodgement of this application.		
A list of current fees is available on the Board website: www.propertyagentsboard.com.au		
The Board accepts payment by cheque, cash, EFT (<i>payment by Credit Card or EFTPOS is unavailable</i>)		
Lodgement options		
Post	e-mail	Fax
Property Agents Board Level 1, 15 Victoria Street Hobart Tas 7000	board@propertyagentsboard.com.au	03 6281 3477
Payment Details		
Bank Account	CBA	
	BSB	067 002
	Account No.	0011 0109
	Reference	Applicant's Name
Cheques	make payable to the Property Agents Board	
Checklist <i>(Prior to submitting this application, please ensure you have provided the following:)</i>		
Copy of Business Name Registration (ASIC) – <i>if applicable</i>		<input type="checkbox"/>
Copy of current photographic identification		<input type="checkbox"/>
Copy of Franchise agreement or letter granting franchise (<i>if applicable</i>)		<input type="checkbox"/>
Copy of PI Insurance Certificate of Currency		<input type="checkbox"/>
Current National Police Record Check		<input type="checkbox"/>
Details of Qualification		<input type="checkbox"/>
Details of Knowledge/Experience/Employment		<input type="checkbox"/>
Fees paid		<input type="checkbox"/>

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Section 25 Qualification for real estate agent licence

A person is qualified to be granted a real estate agent licence if –

(a) the person's name has been in Part 1 of the Register at any time during the 5-year period immediately preceding the licence application; or

(b) in the case of a natural person, the person –

(i) has the prescribed educational qualifications; **and**

(ii) has, during the 5-year period immediately preceding the licence application, been employed as a property manager or property representative for –

(A) a period of at least 2 years full-time employment; or

(B) periods of part-time employment that total 2 years.

The prescribed qualification is a Diploma of Property awarded by a registered training organisation within the meaning of the Vocational Education and Training Regulator Act 2011.

The Board has also determined the following units should be included in the qualification:

BSBMGT517	Manage operational plan
BSBMGT502	Manage people performance
BSBFIM501	Manage budgets and financial plans
BSBHRM402A	Select, recruit and induct staff
CPPDSM4005A	Establish and build client-agency relationships
CPPDSM4006A	Establish and Manage Agency Trust Accounts
CPPDSM5009A	Coordinate risk management system in the property industry
CPPDSM5012A	Develop a strategic business plan in the real estate industry
CPPDSM5018A	Ensure a safe workplace in the property industry
CPPDSM5020A	Manage and monitor effective client service in the real estate industry

Section 26 Qualification for property manager licence

A person is qualified to be granted a property manager licence if –

(a) the person's name has been in Part 2 of the Register at any time during the 5-year period immediately preceding the licence application; or

(b) in the case of a natural person, the person –

(i) has the prescribed educational qualifications; **and**

(ii) satisfies the Board, by examination or inquiry, that the person has sufficient knowledge and experience of property management business to be able to carry on that business.

The prescribed qualification is a Diploma of Property awarded by a registered training organisation within the meaning of the Vocational Education and Training Regulator Act 2011.

The Board has also determined the following units should be included in the qualification:

BSBMGT517	Manage operational plan
BSBMGT502	Manage people performance
BSBFIM501	Manage budgets and financial plans
BSBHRM402A	Select, recruit and induct staff
CPPDSM4002A	Apply knowledge of state or territory legislative framework to complete agency work
CPPDSM4005A	Establish and build client-agency relationships
CPPDSM4006A	Establish and Manage Agency Trust Accounts
CPPDSM5009A	Coordinate risk management system in the property industry
CPPDSM5012A	Develop a strategic business plan in the real estate industry
CPPDSM5018A	Ensure a safe workplace in the property industry
CPPDSM5020A	Manage and monitor effective client service in the real estate industry

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Section 27 Qualification for general auctioneer licence

A person is qualified to be granted a general auctioneer licence if –

(a) the person's name has been in Part 3 of the Register at any time during the 5-year period immediately preceding the licence application; or

(b) in the case of a natural person, the person –

(i) has the prescribed educational qualifications; or

(ii) satisfies the Board, by examination or inquiry, that the person has sufficient knowledge and experience of general auctioneering business to be able to carry on that business.

The prescribed qualification is the successful completion of the follow units of competency within a Certificate IV in Property Services (Real Estate) awarded by a registered training organisation within the meaning of the *Vocational Education and Training Regulator Act 2011*.

CPPDSM4002A	Apply knowledge of state or territory legislative framework to complete agency work; and
CPPDSM4004A	Conduct auction; and
CPPDSM4006A	Establish and Manage Agency Trust Accounts; and
CPPDSM4038A	Conduct goods, chattel, or equipment clearing sale or auction;
and successful completion of an examination for general auctioneers administered by the Board.	

Authorised persons – for the purposes of the applicant's declaration

People who are Commissioner for Declaration because of their profession

- | | | |
|---|--|---|
| <ul style="list-style-type: none"> • Chiropractor • Dentist • Legal Practitioner • Medical Practitioner | <ul style="list-style-type: none"> • Nurse • Optometrist • Pharmacist | <ul style="list-style-type: none"> • Physiotherapist • Psychologist • Veterinary Surgeon |
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Examples of people who are Commissioners for Declaration because of an appointment they hold

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| <ul style="list-style-type: none"> • Agent or permanent employee of the Australian Postal Corporation Bailiff • Bank, Building Society, Credit Union officer • Clerk of a court • Commissioner for affidavits/Commissioner for declarations • Fellow of the National Tax Accountant's Association • Finance company officer • Holder of a statutory office not specified elsewhere • Judge of a court, Justice of the peace, Magistrate, Master of a court • Marriage celebrant • Member of Governance Institute of Australia • Member of the Engineers Australia other than at the grade of student. | <ul style="list-style-type: none"> • Member of Association of Taxation and Management Accountants • Member of the Australasian Institute of Mining and Metallurgy • Member of the Australian Defence Force who is a) an officer; or b) a non-commissioned officer; or c) a warrant officer • Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants • Member of a) the Parliament of the Commonwealth; or b) the Parliament of a State; or c) a Territory legislature; or d) a local government authority of a State or Territory • Minister of Religion registered under Subdivision A of Division 1 of Part IV of the <i>Marriage Act 1961</i> | <ul style="list-style-type: none"> • Permanent employee of: a) the Commonwealth or Commonwealth authority; or b) a State or Territory or State or Territory Authority; or c) a local government authority with 5 or more years continuous service who is not specified elsewhere • Police officer • Registrar or Deputy Registrar of a court • RSPCA Inspector • Senior Executive Service Officer of a) the Commonwealth or Commonwealth authority; or b) a State or Territory or of State or Territory authority • Teacher employed on a full-time basis at a school or tertiary education institution. |
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