

## APPLICATION FOR LICENCE CONDUCTING BUSINESS - NOTES

### Who can use this form?

The licence application form is for either a company or an individual (sole trader) to apply for a real estate agent licence, a property manager licence or a general auctioneer licence under the *Property Agents and Land Transactions Act 2016*. If you require a licence where you are not conducting business, please use the Licence Application Form – Individual.

The application for licence conducting business notes do not form part of the application form.

If the applicant is an individual, then only the details for the individual need to be completed and returned.

If the applicant is a company, then only the details for the company need to be completed and returned.

### Applicant details

Individuals will need to provide proof of identification in your current name. This can be your driver's licence, passport, Australian certificate of citizenship or birth certificate/extract. Do not send originals. Only photocopies of original documents certified as being a true copy of the original document by the following people can be accepted: Justice of the Peace, Commissioner for Declarations, barrister/solicitor or Notary Public.

A company applicant is required to provide details of the company such as a copy of the Company Registration, details of the Company Directors and business name registrations.

### Lodgement

Please ensure the application is fully completed and you have attached proof of identification documents, training certificates, fees and attachments as required. If any details or fees are missing or incomplete, we will write to you which delays the processing of your application and the issue of your licence.

If no response is received from you within the advised timeframe, the application will be assessed on the information before the Board. If the licence is not granted, then a refund of fees paid less the application assessment fee will be refunded. You will then need to resubmit another application if you still require the licence.

Please lodge the completed application, supporting documentation and applicable fees to the Property Agents Board.

**By mail** Property Agents Board, Level 1, 15 Victoria Street, Hobart

**Email** [board@propertyagentsboard.com.au](mailto:board@propertyagentsboard.com.au)

### Licence approval

Normal processing time for new applications is 15 business days however this can be longer if we need to contact you for missing information or fees.

If the application is refused, we will send an information notice to you explaining why and setting out your rights and the process involved in appealing the decision.

**You are not able to conduct business until a licence has been issued.**

### Authorised Place of Business

The authorised place of business is the place shown in the Board's Register as the place where the business may be carried on.

### Franchise

If the entity is operating as a franchise, provide a copy of the franchise agreement or letter granting the franchise.

## Business Name

An applicant who intends to carry on business under a name other than the licenced name (a business name) must have that business name registered under the *Business Names Registration Act 2011* with the Australian Securities and Investment Commission (ASIC).

The owner of the business name must be in the name of the applicant. For information about business name registration requirements visit: [www.asic.gov.au](http://www.asic.gov.au)

## 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.

## Fees

A licence applicant is required to pay an application assessment fee and a licence fee. Listed below are the current fees for each licence type.

Real Estate Agent	\$600.60	(includes the non-refundable application assessment fee of \$150.15)
Property Manager	\$526.35	(includes the non-refundable application assessment fee of \$150.15)
General Auctioneer	\$600.60	(includes the non-refundable application assessment fee of \$150.15)

## Refunds

You can withdraw your application at any time prior to the licence being granted or refused. If the application is withdrawn by you or refused you will receive a refund of the fees paid, less the non-refundable application assessment fee.

## Previous licence

An applicant is eligible to obtain a licence if their name has been in the relevant part of the Register within a prescribed period.

Real Estate Agent	Person's name has been in Part 1 of the Register at any time during the 5 year-period immediately preceding the licence application
Property Manager	Person's name has been in Part 2 of the Register at any time during the 5 year-period immediately preceding the licence application
General Auctioneer	Person's name has been in Part 3 of the Register at any time during the 5 year-period immediately preceding the licence application

## Payment details

Payment is accepted by EFT, BPAY, cheque or money order. A cheque or money order (made payable to Property Agents Board) can be posted together with the application form.

EFT payments can be made into

<b>Bank Account</b>	CBA
<b>BSB</b>	067 002
<b>Account No.</b>	0011 0109
<b>Your Reference</b>	Your Name

Payments can be made using **BPAY** through your bank or financial institution using the reference details that will be provided to you once the application has been received.



## Change of details

If at any time your licence details or suitability requirements change, you must notify the Board within 14 days.

## Privacy details

The Property Agents Board collects information, including personal information, on this form as required by the *Property Agents and Land Transactions Act 2016* (the Act) to process your application. In accordance with the Act, some personal information is included in the Board's Register which is published on the Board's website and is available for inspection by the public. Additionally, information on this form can be disclosed without your consent where authorised or required by law and may also be shared on a confidential basis with other Australian property industry regulators.

## Suitability

The Board must not grant an application for a licence unless it is satisfied that the applicant has the relevant qualifications to be licensed and is a fit and proper person to hold a property agent licence.

An applicant is not a suitable person to hold a licence if the individual is an undischarged bankrupt or if the person has made a composition or arrangement with creditors and the debts have not been paid in full or the terms have not been fulfilled or if the Board otherwise determines that the person is not a fit and proper person.

In considering whether a person is fit and proper the Board takes into consideration the applicant's criminal history. If there is a criminal history the Board will assess the number, frequency and timing of convictions and the nature and seriousness of any offence. The Board has developed a Fit and Proper Person Assessment policy which can be viewed on its website [here](#).

## Commissioners for Declaration

Examples of people who are Commissioners for Declaration because of their profession or an appointment they hold:

- Agent or permanent employee of the Australia Post;
- Bailiff;
- Bank, Building Society, Credit Union officer;
- Chiropractor
- Clerk of a court;
- Commissioner for affidavits;
- Commissioner for declarations;
- Dentist
- 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;
- Legal Practitioner
- Magistrate;
- Master of a court;
- Marriage celebrant;
- Medical Practitioner
- Member of Governance Institute of Australia;
- Member of the Engineers Australia other than at the grade of student;
- 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;
- Member of the Australian Society of Certified Practising Accountants;
- Member of 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 Marriage Act 1961;
- Nurse
- Optometrist
- 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;
- Pharmacist;
- Physiotherapist;
- Police officer;
- Psychologist
- 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.
- Veterinary Surgeon

## Individual Applicants Information

### Criminal History check

All Individual applicants must provide a National Police Record Check with the application. In completing the relevant form for the National Police Record Check, the purpose category for seeking the certificate is “general employment”.

For **Tasmanian residents** only a National Police Record check issued by Tasmania Police will be accepted. Here is a link to the Tasmania Police website: [Tasmania](#)

For **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. Here is a link to that jurisdiction:

[Australian Capital Territory](#)  
[Queensland](#)  
[New South Wales](#)

[Northern Territory](#)  
[South Australia](#)  
[Victoria](#)

[Western Australia](#)

Please note that the National Police Check that accompanies the application must be issued not more than three (3) months before the date of lodging the application for licence. The Property Agents Board must be satisfied that an applicant holds relevant qualifications and is a fit and proper person to hold a property agent licence.

### Insolvency Check

An Individual applicant must provide evidence of being a fit and proper person in relation to their solvency. The applicant is to provide an extract or a result report from the National Personal Insolvency Index (NPII) maintained by the Australian Government’s Australian Financial Security Authority. The extract or result report from the NPII is to be issued not more than seven (7) days before the date of lodging the application for licence. A link to the relevant website is [here](#)

### Educational qualifications and experience

An Individual applicant is eligible to obtain a licence if they have completed the educational qualifications as required for that licence type.

<b>Licence type</b>	<b>Educational qualification</b>	<b>Experience</b>
Real Estate Agent	Diploma of Property (Agency Management) CPP51119 <b>and</b>	<i>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.</i>
Property Manager	Diploma of Property (Agency Management) CPP51119 <b>and</b>	<i>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.</i>
General Auctioneer	CPPREP4505 - Value Goods, chattels, plant and equipment CPPREP4509 - Auction goods, chattels or equipment CPPREP5001 - Manage compliance in the property industry CPPREP5002 - Establish and monitor property industry trust account management practices CPPREP5003 - Manage ethical practice in the property industry <b>or</b>	<i>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.</i>

Please provide with your application a certificate of completion, statement of attainment or official transcript of the relevant course/training package listing the units/ modules successfully completed.

Some licences have an employment, experience or knowledge element. If you are required to provide evidence to support your application, then a signed and dated statement outlining the relevant information should be provided. **It will not be enough to rely upon having held a licence for a period of time.**

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.

# INDIVIDUAL CONDUCTING BUSINESS - APPLICATION FOR LICENCE

## Licence details

Real Estate Agent  Property Manager  General Auctioneer

## Applicant details

Title: Mr  Mrs  Ms  Miss  Other (specify) \_\_\_\_\_

Surname: \_\_\_\_\_

Given names: \_\_\_\_\_

Have you been known by another name? Yes  No

Previous name: \_\_\_\_\_

Reason for change: \_\_\_\_\_

## Date and place of birth

Date of birth: \_\_\_\_\_

Place of birth: Town \_\_\_\_\_ State \_\_\_\_\_ Country \_\_\_\_\_

Driver licence number: \_\_\_\_\_ Place of issue: \_\_\_\_\_

Passport number: \_\_\_\_\_ Passport country: \_\_\_\_\_

Other identification (specify) \_\_\_\_\_

Are you an Australian citizen? Yes  No

## Applicant Contact details

Residential address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Postal address: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Mobile personal: \_\_\_\_\_ Mobile work: \_\_\_\_\_

Email personal: \_\_\_\_\_

Email work: \_\_\_\_\_

## Business details

ABN: \_\_\_\_\_

Business Name (if applicable) \_\_\_\_\_

Authorised place of business: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Postal address: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

## Professional Indemnity Insurance

PI Insurance Provider: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Details: \_\_\_\_\_

## Qualifications and previous licences

Have you completed the relevant educational qualification or previously held the licence in Tasmania?

yes, completed educational qualification  Attach copy of evidence of relevant educational qualification

yes, previously held licence in Tasmania Licence number (if known) \_\_\_\_\_ period from: / / to: / /

**Disclosure** (if you answer yes to any of these questions, you will need to provide full details in writing)

1. Have you ever been convicted of, or found guilty of ANY offences anywhere? (excludes all traffic offences)  Yes  No
2. Are you presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention or community service order?  Yes  No
3. Have you ever been disqualified from holding a licence/registration by any occupational licensing Board, Agency, other Department or authority anywhere?  Yes  No
4. Have you had any occupational licence/registration or application refused, cancelled or suspended?  Yes  No
5. Are you an undischarged bankrupt or have you made a composition or arrangement with creditors that is still in force?  Yes  No

**Declaration**

I, \_\_\_\_\_ of:  
(full name) (address)

Do solemnly and sincerely declare that:

1. All statements and information contained in and with this application are true and correct to the best of my knowledge;
2. I have read and understood the information contained in this application; and

I further state that:

3. I know that it is an offence to make a declaration that is false in any material particular;
4. I authorise the Property Agents Board to make any enquiries and to receive and disclose any information relevant to this application;
5. I acknowledge that specific information will be placed on a public register in accordance with the *Property Agents and Land Transactions Act 2016*;
6. I confirm I understand the duties and obligations imposed on me under the *Property Agents and Land Transactions Act 2016*, *Property Agents and Land Transaction Regulations 2017* and Code of Conduct.
7. 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)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Before me:

Witness' Name

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness' qualification  
ie profession/appointment

**Individual Applicants documentation required**

All applications for **individuals** must include:

- National Police Record Check – issued not more than three (3) months before the date of lodging the application for licence
- Insolvency Check – this is to be issued not more than seven (7) days before the date of lodging the application for licence
- Proof of Identification – certified as being a true copy of the original document by a Justice of the Peace, Commissioner for Declarations, Barrister/Solicitor or Notary Public (eg Driver's Licence, Passport, Australian Certificate of Citizenship)
- Details of Educational qualifications and experience as necessary
- Copy of Business Name Registration (ASIC) – *if applicable*
- Copy of Franchise agreement or letter granting franchise - *if applicable*
- Copy of PI Insurance Certificate of Currency

## Company Applicants Information

## Completing Company application

This application should be used for a company to conduct business as a real estate agent, property manager or general auctioneer. It should be completed and signed by the property agent in effective and nominated control.

## Company Directors

Section 30(2) for real estate agents, Section 31(2) for property managers and Section 32(2) for general auctioneers provide that the name and address of each of the directors is to be named in the Register. Provide a current copy of the ASIC form showing the Company Directors.

## Company Registration

A body corporate (Company) may apply for licence. Provide a copy of the ASIC form that shows the Company Registration.



# COMPANY CONDUCTING BUSINESS - APPLICATION FOR LICENCE

## Licence details

Real Estate Agent

Property Manager

General Auctioneer

## Applicant details

Company Name:

ACN:

Business Name:

## Authorised place of business

Address:

Suburb:

State:

Postcode:

Postal address:

State:

Postcode:

Business phone:

Fax number:

Contact email:

## Company Directors

The name and address of each director must be included with this application. At least one of the Company Directors must hold a licence (see application notes for further information)

Surname:

Given Name(s)

Surname:

Given Name(s)

Surname:

Given Name(s)

## Property Agent in effective and nominated control

Surname:

Given Names(s)

Address:

Suburb:

State:

Postcode:

Telephone:

mobile:

Email:

I acknowledge that I am the licensed property agent who is in effective and nominated control of this entity:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Disclosure - answer the following questions about the Entity and the Company Directors

1. Have any of the directors ever been convicted of, or found guilty of ANY offences anywhere? *(excludes traffic offences)*  Yes  No
2. Are any of the directors presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention?  Yes  No
3. Have any of the directors ever been disqualified from holding a licence/registration by any occupational licensing Board, Agency, other Departments or authorities anywhere?  Yes  No
4. Have any of the directors had any occupational licence/registration or application refused, cancelled or suspended?  Yes  No
5. Has the entity or any director ever been known by any other name?  Yes  No
6. Are any of the directors an undischarged bankrupt or have made a composition or arrangement with creditors that is currently in force?  Yes  No

If the answer to any of the above items was "yes", full details must be provided with the application.

## Declaration

I, \_\_\_\_\_ of:  
*(full name)* *(address)*

Do solemnly and sincerely declare that:

1. All statements and information contained in and with this application are true and correct to the best of my knowledge;
2. I have read and understood the information contained in this application; and

I further state that:

3. I know that it is an offence to make a declaration that is false in any material particular;
4. I authorise the Property Agents Board to make any enquiries and to receive and disclose any information relevant to this application;
5. I acknowledge that specific information will be placed on a public register in accordance with the *Property Agents and Land Transactions Act 2016*;
6. I confirm I understand the duties and obligations imposed on me under the *Property Agents and Land Transactions Act 2016*, *Property Agents and Land Transaction Regulations 2017* and Code of Conduct.
7. 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)*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Before me:

Witness' Name

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness' qualification  
ie profession/appointment

## Company Applicant documentation required

All applications for a **company** must include:

- Copy of Business Name Registration (ASIC) – *if applicable*
- Copy of Company Directors (ASIC)
- Copy of Company Registration (ASIC)
- Copy of Franchise agreement or letter granting franchise *(if applicable)*
- Copy of PI Insurance Certificate of Currency