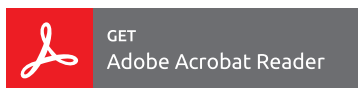




Application for a Real Estate Settlement Agents Licence and/or Business Settlement Agents Licence and Triennial Certificate (Individual)

USE ADOBE ACROBAT READER WITH THIS FORM



This form is designed to be used with the **FREE Adobe Acrobat Reader application**. [Click here to download Acrobat Reader](#).
Alternatively the form can be printed and completed by hand, scanned and submitted (with all attached documents).

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;
- ☐ your two business references have been completed using the pro forma available on the website, and are ready to attach;
- ☐ your Australian police check from an approved provider is ready to attach
- ☐ a copy of your Certificate of Insurance, if applicable, is ready to attach;
- ☐ evidence of your successful completion of a prescribed qualification is ready to attach; and
- ☐ payment of the prescribed fee is ready to be made.

Duration of licence

If granted, your Real Estate Settlement Agents and/or Business Settlement Agents Triennial Certificate will be issued for a period of up to three (3) years.

Application fee

A fee is payable at the time of lodging the application. Please refer to our website at

www.commerce.wa.gov.au/CP/licensingfees

for the current prescribed fee. The fee is non-refundable, exempt from the GST and subject to change without notice. Part payment cannot be accepted. Cheques should be made payable to the Commissioner for Consumer Protection.

If you are submitting this form online, you will be able to make payment using the Department's secure payment gateway.

If you are submitting this form by post and are making payment by credit card, you must also complete the Application Payment Form available at www.commerce.wa.gov.au/publications/licensing-application-payment-form and attach it to your application.

Lodgement options

You may lodge your completed application **ONLINE** or:

In person

Customer Service
Level 1, Mason Bird Building, 303 Sevenoaks Street
CANNINGTON
Hours: 8:30am to 4:30pm, Monday to Friday

By post

Licensing Services
Department of Mines, Industry Regulation and Safety
Locked Bag 100
EAST PERTH WA 6892

Enquiries

Licensing Advice Line: 1300 304 064
Overseas Callers: +61 8 6251 2931
General Enquiries: 1300 304 054
Email: cplicensing@dmirs.wa.gov.au
Web Site: www.commerce.wa.gov.au/CP/licences

Office use only

Total Fee (\$)	Department code	Chart description
	<input type="checkbox"/> SA	<input type="checkbox"/> FRE Agents Fidelity Contribution; and
	<input type="checkbox"/> SB	<input type="checkbox"/> New app – Settlement Agents Individual

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General information

In this form reference to **"the Act"** means the *Settlement Agents Act 1981* and **"the Commissioner"** means the Commissioner for Consumer Protection.

Licence category

Which settlement agent's licence(s) are you applying for?

☐ Real Estate Settlement Agent

☐ Business Settlement Agent

Details of applicant

Salutation: ☐ Mr ☐ Mrs ☐ Ms ☐ Other, please specify:

Family name: First name:

Other name(s): Date of birth:

Have you been known by any other names? ☐ Yes ☐ No

If you answered 'yes' above, attach a separate page with full details.

☐ Attached

Residential address

Note: A postal address is required for correspondence from the Department.

Street address:

Suburb: State: Postcode:

Postal address

Note: A postal address is required for correspondence from the Department.

☐ As above Street address or PO Box:

Suburb: State: Postcode:

Address for purpose of the Register:

Note: (Cannot be a PO Box) See section 37 of the *Settlement Agents Act 1981*

☐ As above Street address:

Suburb: State: Postcode:

Contact details

Phone (home): Phone (work): Phone (mobile):* Email:*

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.

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Business references

You must provide two business references using the pro forma titled "Settlement Agent Business Reference Template for Individuals" which is available on our website at: www.commerce.wa.gov.au/publications/settlement-agent-licenceapplication-forms.

Character and Fitness

You must provide an Australian police check in your 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 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.

Have/are you:

- | | | |
|---|------------------------------|-----------------------------|
| 1. been convicted, or found guilty of any offences, including convictions which resulted in a suspended sentence?
(Include all offences which went to Court, including traffic offences. Do not include spent convictions.) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. aware of any legal proceedings currently pending against you for an offence, including proceedings by way of appeal or review? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. been the subject of any adverse finding by a Government Board, Tribunal or Agency, e.g. the Corruption and Crime Commission? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. had any occupational licence or application refused, cancelled or suspended? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. been disqualified from holding any occupational licence? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. been subject to any disciplinary action by a licensing authority? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 7. 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? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 8. in liquidation, under official management or an undischarged bankrupt? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 9. having affairs administered under any bankruptcy laws? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 10. a director of a corporation, which has been subject to any form of insolvency administration? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

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Business details – please complete either A or B only

A) If you intend to operate as a sole trader, please complete the following:

Business name (if applicable):

NOTE: Every applicant who intends to carry on business under a business name must have that business name registered under the Business Names Registration Act 2011 with the Australian Securities and Investments Commission. For information about business names registration requirements visit www.asic.gov.au.

Principal place of business

Street address:

Suburb:

State:

Postcode:

Branch address (if applicable):

Note: See section 38 of the Settlement Agents Act 1981

Street address:

Suburb:

State:

Postcode:

Name of branch manager:

Triennial Certificate No of Branch Manager:

SA/SB

B) If you are seeking a licence for the purpose of operating in the settlement industry on behalf of a different entity/agency, what is the name of the entity/agency and please outline your role within that business. If you are not currently employed in the settlement industry please indicate this below.

Financial information

The Commissioner for Consumer Protection cannot grant a licence and 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, please provide your assets and liabilities below.

Confidential Statement of Assets and Liabilities

To assist in determining whether you have sufficient material and financial resources a credit history check will be obtained as part of the application process.

Assets	\$
Liabilities	\$
Net Worth	\$

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 business as an agent and to comply with the requirements of the Act?

☐ Yes ☐ No

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Fidelity and professional indemnity insurance

In accordance with section 35 of the Act, each triennial certificate holder that will be trading in their own right or acting as the person in *bona fide* control or branch manager of a licensed settlement agency, must at all times be insured and hold a current certificate of insurance under the Commissioner's Master Policy Agreement. For information about obtaining insurance under the Master Policy Agreement, email Marsh Insurance Brokers at kylie.zoghbi@marsh.com or delene.kemp@marsh.com.

If you intend to trade in your own right, you **must** provide a copy of your current Certificate of Insurance.

If you are acting as the person in *bona fide* control or branch manager of a licensed settlement agency, you **must** attach a copy of the current certificate of insurance for the trading entity. Ensure the certificate of insurance also includes your name as the "Insured", along with the name of the trading entity.

Qualification and experience (see regulation 6 of the Settlement Agents Regulations 1982)

Qualifications for a real estate settlement agents licence

- Australian Legal Practitioner within the meaning of that term in the *Legal Profession Uniform Law Application Act 2022*; or
- An Advanced Diploma of Conveyancing

Qualifications for a business settlement agents licence

- Australian Legal Practitioner within the meaning of that term in the *Legal Profession Uniform Law Application Act 2022*; or
- An Advanced Diploma of Conveyancing

Please provide your certificate of examination results and a copy of your qualification or a verification letter from the registered training organisation. In respect of a legal practitioner, a current practicing certificate must be provided.

Experience (Note: This requirement does not apply to legal practitioners.).

Under Schedule 1 of *Settlements Agents Act 1981* you are required to have **two (2) years continuous full-time experience** in arranging and effecting settlements of real estate and/or business transactions during the period immediately prior to the application.

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Below, please provide details of your practical experience in effecting settlements relevant to your application. This should include:

- ☐ the name of, length of time with and the position held with your current employer (list of duties undertaken);
 - ☐ confirmation of full-time or part-time employment (if part-time state days and hours of employment);
 - ☐ if employed in this position for less than two years, details of previous places of employment, positions held and an extensive list of the duties undertaken;
 - ☐ the number of settlements that you personally have undertaken during the last two years, the type of settlements effected (e.g.: house/land, business etc.) and the aspects of the settlements undertaken; and
 - ☐ if applicable, details about any workshops or courses that you have attended during the last twelve months, which directly relate to the settlement profession.
-

Applicant's relevant experience:

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Authorisation and Declaration

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 fitness and propriety to hold a licence, including but not limited to records relating to my criminal history or current/previous occupational licences or other relevant information.

I confirm I understand fully the duties and obligations imposed on myself 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.

Declaration

I (FULL NAME OF APPLICANT)

Signature:

Date: