



# Application to **change** Partners or Directors

***Motor Vehicle Repairers Act 2003***  
***Motor Vehicle Dealers Act 1973***

- **Motor Vehicle Repair Business Licence**
- **Motor Vehicle Dealers Licence**
- **Car Market Operators Registration**
- **Exemption issued under *the Motor Vehicle Dealers Act 1973***

Your application can be processed only if all the relevant information and supporting documentation is provided. At the time of lodging the application it must be complete, signed and witnessed.

Please note that all supporting documents required to be lodged with this application can be copies certified as true copies of the original. If original documents are lodged they will not be returned.

A list of occupations that are authorised to witness and certify documents can be found at [www.commerce.wa.gov.au/CP/authorisedwitness](http://www.commerce.wa.gov.au/CP/authorisedwitness).

**Department of Mines, Industry  
Regulation and Safety**  
**Consumer Protection Licensing**  
Level 1, Mason Bird Building  
303 Sevenoaks Street  
CANNINGTON WA 6107

**Licensing Advice Line**  
**Telephone:** 1300 304 064

Overseas callers: +61 (8) 6251 2931

**Email**  
cplicensing@dmirs.wa.gov.au

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**NO FEE APPLIES**  
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**Website:**  
[www.commerce.wa.gov.au/CP/licences](http://www.commerce.wa.gov.au/CP/licences)

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## GENERAL INFORMATION

Any proposed changes to the members of a partnership or directors of a company must be provided to the Commissioner for Consumer Protection (the Commissioner) for consideration under the requirements of the *Motor Vehicle Dealers Act 1973* and the *Motor Vehicle Repairers Act 2003*.

This form can be used by Dealers, Repair Businesses, Car Market Operators or the holder of an Exemption from the Motor Vehicle Dealers Act.

**You cannot use this form if you are changing the licensee. Please contact the Licensing Advice Line immediately on 1300 304 064 should you wish to change the entity that holds the licence.**

If the licensee is a partnership of two or more individuals and you intend to remove partners that will result in the holder becoming a sole trader, you will not be entitled to renew the current licence, unless additional partner/s are added prior to the next date of renewal.

The licensee of a dealership or a repair business must continue to have sufficient financial resources to comply with the requirements of the relevant industry.

**The authorisation and declaration must be completed by all incoming partners/directors and verified by a current partner or director.**

**IF THIS APPLICATION IS REFUSED THE LICENCE/S CEASE TO HAVE EFFECT 14 DAYS AFTER YOU HAVE BEEN NOTIFIED OF THE DECISION, UNLESS A FURTHER APPLICATION IS LODGED WITHIN THAT PERIOD.**

Please contact the Australian Securities and Investment Commission on 1300 300 630 or visit [www.asic.gov.au](http://www.asic.gov.au) for information regarding the process for making changes to any registered company or business name/s.

## INFORMATION REQUIRED

**ONLY COMPLETE THE SECTIONS THAT RELATE TO THE BUSINESS**

### **1. NAME OF LICENSEE & BUSINESS DETAILS**

**a. Name of Licensee and business name**

.....  
e.g. Fred Smith Pty Ltd t/as Smith Motors or Fred Smith and Mary Smith t/as Smith Mobile Repairs

**b. Licence/s information** (please add licence number/s in the boxes provided below)

Motor Vehicle Dealer	Motor Vehicle Repair Business	Motor Vehicle Car Market Operator	Exemption from the MV Dealers Act
MD	MRB	MO	MA/MH/MF

Please provide only the number/s of the licences/registrations that relate to this application. Separate applications are not required where the licensee holds more than one type of licence.

### **2. CONTACT PERSON FOR APPLICATION**

Contact Person .....

Email address .....

Telephone..... Fax.....

**3. RELEVANT PEOPLE**

All new and/or ceased individuals that will be or have been concerned in the management or conduct of the licensed entity must complete this form. If there is insufficient space, please photocopy this page.

**New Director / Partner**

If the licensee is the holder of an authorisation issued under the Motor Vehicle Dealers Act and/or a repair business licence, this information **MUST** be submitted 14 days prior to the date on which the change is intended to occur.

**Partnerships with corporate members:** Where the licensee includes a company as a corporate member, please provide the name of the relevant company for each incoming director below if relevant.

DIRECTOR/PARTNER PERSONAL DETAILS	
Full Name	
Residential Address	
Home Phone Number	
Mobile Phone Number	
Email Address	
Country and Town of Birth	
Date of Birth	
Intended date of commencement	
If applicable, will this person be a director of a corporate member of the partnership?	If yes, company name:

DIRECTOR/PARTNER PERSONAL DETAILS	
Full Name	
Residential Address	
Home Phone Number	
Mobile Phone Number	
Email Address	
Country and Town of Birth	
Date of Birth	
Intended date of commencement	
If applicable, will this person be a director of a corporate member of the partnership?	If yes, company name:

**Ceased Director / Partner**

- If the licence or registration is issued under the Motor Vehicle Dealers Act all relevant information must be submitted **14 days prior** to the intended change. The licensee must continue to have at least one partner/director that has undertaken the relevant training.
- If the application relates only to a Motor Vehicle Repair Business you can submit this information **within 14 days** after the change occurred.
- In the event of the death of a partner or director please provide a copy of the death certificate.

DIRECTOR/PARTNER PERSONAL DETAILS		
	Person 1	Person 2
Full Name		
Mobile Phone Number		
Email Address		
Date of resignation		
Signature		

**4. FITNESS/CHARACTER**

**Do not complete this section if the licensee holds a Car Market Operator’s registration or an Exemption issued under the Motor Vehicle Dealers Act.**

Each new partner or director (including directors of a company if it is a corporate member) must be of ‘good character and repute’ and a ‘fit and proper person’ to hold a licence. (This requirement does not relate to an Exemption issued under the Motor Vehicle Dealers Act or a business registered as a Car Market Operator).

**Qualifications**

**Dealer**

**Will the new directors/partners be involved in the buying or selling of motor vehicles?**

Yes or No

If **yes**, please provide a copy of each person’s certificate of completion for the **Dealer/Yard Manager Licence Requirements course**.

Please visit [www.commerce.wa.gov.au/CP/MVtraining](http://www.commerce.wa.gov.au/CP/MVtraining) for a list of recognised course providers.

Please note that if you answered **no** to the question above, at least one existing partner or director must have sufficient knowledge of the Motor Vehicle Dealers Act for this application to be approved. When a new person has not completed the training requirements, a condition may be imposed on the licence restricting that person’s involvement in the operation of the business.

**Repair Business**

**Will the new directors/partners be carrying out repair work?**

Yes or No

If **yes**, please provide the motor vehicle repairer certificate number

MR.....

MR.....

Please note that if the licensed entity is a partnership and you answered **no** to the question above, a condition may be imposed that the new partner/s cannot undertake repair work for the licensee.

**Credit History Report and Financial Viability**

As part of the application process, rather than requiring that each incoming member of a partnership provide a credit history report, Consumer Protection will obtain the necessary reports on your behalf. The report assists in assessing whether the licensee partnership continues to have sufficient financial resources to enable it to meet its obligations under the relevant legislation. The report provides a 'snapshot' of the persons credit history and other relevant matters and are equivalent to the report that is available to credit providers. Where a negative report is obtained, the relevant person will be given the opportunity to provide additional information. The report will be held by the Department as a confidential document and will only be released to third parties as required under law.

**ALL APPLICANTS TO COMPLETE**

**Having assessed the situation of the licensee, the applicant has reason to believe that the licensee will continue to have sufficient financial resources for it to comply with the requirements of the *Motor Vehicle Dealers Act 1973* and/or the *Motor Vehicle Repairers Act 2003*?**

Yes or No

If **no**, you may be required to provide additional information in support of the application, or the application may be refused.

**Bankruptcy, Receivership, Administration or Liquidation and Character**

Your answer to each item below must apply to all **new** people that will be concerned in the management and conduct of the licence – answers should be either 'Yes' or 'No'.

Please note that answering 'Yes' to any of these questions will not necessarily affect your ability to obtain or be involved with the operation of a licence.

Has /is any incoming partner / director:	Yes or No
1. in liquidation under official management or an undischarged bankrupt?	
2. having affairs administered under bankruptcy laws ?	
3. been a director of a corporation, which within that period has been subject to any form of insolvency administration ?	
4. aware of any legal proceedings pending against you for an offence, including proceedings by way of appeal or review?	
5. ever been the subject of an adverse finding by a Government Board, Tribunal or Agency, e.g. the Corruption and Crime Commission?	
6. had an occupational licence refused, cancelled or suspended?	
7. been disqualified from holding an occupational licence?	
8. been subject to disciplinary action by a licensing authority?	
9. had any investigations or legal proceedings commenced against you or an associated entity, which may/did result in action being taken in relation to an occupational licence currently held?	
10. been known by another name?	
11. not permitted to work and/or remain in Australia?	

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

**National Police Certificate**

**All Australian citizens and permanent residents must submit an Australian police check.**

To assist the Commissioner in determining your fitness to hold a licence an original Australian police check must be lodged in support of your application for all new partners or directors (including directors of a corporate member of a partnership). The certificate must be no more than three (3) months old at the time of application.

Applications for a Police Certificate can be made at participating Australia Post outlets in Western Australia on provision of identification and payment of a fee. If you reside outside of Western Australia please contact your nearest local police station.

Please visit [www.commerce.wa.gov.au/CP/policechecks](http://www.commerce.wa.gov.au/CP/policechecks) for further information about accepted police checks.

**Applicants that are not Australian and living overseas**

An Australian police check is not required for a person that lives overseas and is not an Australian Citizen or Permanent Resident.

**AUTHORISATION AND DECLARATION**

*(All new partners or directors must complete – if there is insufficient space please photocopy)*

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, current/previous occupational licences and other relevant information.

Further, I declare that the information and documents given with or in support of this application, whether or not provided at the time of or subsequent to lodgement, are true and correct. **I understand that providing a false or misleading statement in an application is an offence. I also declare that I am authorised to make this application on behalf of the licensee.**

Full Name: ..... Full Name: .....

Signature: ..... Signature: .....

Date: ..... Date: .....

This application must be **VERIFIED** by a current partner/director that has previously been approved:

Name: ..... Contact telephone: .....

Signature: ..... Date: .....