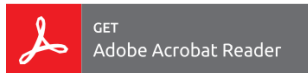


# Notification of Commencement of Trading

## Real Estate and Business Agents Act (s.35) or Settlement Agents Act (s.36)

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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).

### Lodgement options

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#### By email

[cplicensing@lgirs.wa.gov.au](mailto:cplicensing@lgirs.wa.gov.au)

#### 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 Local Government, Industry  
Regulation and Safety  
Locked Bag 14  
CLOISTERS SQUARE WA 6850

### Enquiries

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Licensing Advice Line: 1300 304 064

Licensing Email: [cplicensing@lgirs.wa.gov.au](mailto:cplicensing@lgirs.wa.gov.au)

Overseas Callers: +61 8 6251 2969

General Enquiries: 1300 304 054

CPD Enquiries: [cpd@lgirs.wa.gov.au](mailto:cpd@lgirs.wa.gov.au)

Web Site: [www.wa.gov.au/organisation/service-delivery/consumer-protection-licensing-and-registration](http://www.wa.gov.au/organisation/service-delivery/consumer-protection-licensing-and-registration)

### Licence holder details

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Licence number/s:

RA

SA

SB

Name of licensee:

(i.e. ABC Pty Ltd / John Smith)

Business email address:

Business contact number:

Trading commencement date:

ABN:

Business Name (if applicable):

**NOTE:** A licensee who intends to carry on business under a business name must have registered that business name with ASIC under the *Business Names Registration Act 2011*. For further information or to register a business name, visit [www.asic.gov.au](http://www.asic.gov.au).

## Notification of Commencement of Trading: RA and SA

### Principal place of business

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Street address:

Suburb:

State:

Postcode:

### Branch Office/s

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If the licensee's business has any branch offices, the licensee must give the Commissioner for Consumer Protection (the Commissioner) written notice of the address of each branch office on or before commencing to carry on business at that branch office. For each office, a branch manager who is the holder of a current triennial certificate must also be nominated by the licensee.

### Registered Office in Western Australia

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**\*This address will be publicly available and cannot be a PO Box**

Street address:

Suburb:

State:

Postcode:

The address you nominate can, but does not have to, be the same as your principal place of business. It will be used as the address for the service of any summons, notice, order or other document. There must be a person present to accept service. As such, PO Boxes are not accepted; however, a registered office can include a lawyer or accountant's office.

### Details of Trust Account/s

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If you do not intend to receive or hold trust monies, you are not required to maintain a trust account.

However, if you do intend to receive or hold trust monies, you must maintain a trust account with an authorised financial institution and, as soon as practicable, pay to the credit of that account or those accounts all monies received on behalf of any other person.

If you maintain a trust account, you must appoint an auditor. Your auditor must be a registered company auditor under Part 9.2 of the *Corporations Act 2001*. The Commissioner generally does not approve the appointment of auditors who have any close relationships (de facto, blood or marriage) or any business dealings with the agent. Your auditor's appointment is continuous unless the Commissioner approves a subsequent change in the appointment.

If you have not already notified the Commissioner of the details of your trust account(s) and / or your nominated auditor, you must complete and submit a trust account opening notification form and the request for approval of auditor appointment. The forms can be downloaded from our website:

- For Real Estate Agents and Business Agents: [Auditing real estate agents – forms and publications](#)
- For Settlement Agents and Business Settlement Agents: [Auditing settlement agents – forms and publications](#)

## Notification of Commencement of Trading: RA and SA

### **SETTLEMENT AGENTS ONLY: Professional Indemnity Insurance (PII)**

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In accordance with section 35 of the Act, each triennial certificate holder that is 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](mailto:kylie.zoghbi@marsh.com).

You **must** attach a copy of the current certificate of insurance for the trading entity. Ensure the certificate of insurance also includes the names of the person in *bona fide* control and any branch managers as the "Insured", along with the name of the trading entity.

### **REAL ESTATE AGENTS ONLY: Franchise Agreement information**

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In accordance with section 56(1) of the Act, a licensee is not permitted to carry on business under a franchising agreement unless approved to do so by the Commissioner. Approval may be subject to such conditions that the Commissioner sees fit to impose. If you intend to carry on business pursuant to a franchising agreement, you must provide the following information:

Name of Franchisor:

Period of agreement:  to

A copy of the signed agreement **must also be lodged** with the Commissioner.

### **Declaration**

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**This section must be signed by the person in *bona fide* control / the licensee of the business**

I declare that the information and documents given with or in support of this form, whether or not provided at the time of or subsequent to lodgement, are true and correct. I understand that providing false or misleading information in a notification is an offence.

Individual's full name:

Signature:  Date: