Department of **Local Government, Industry Regulation and Safety**

GOVERNMENT OF WESTERN AUSTRALIA

CONSUMER PROTECTION WESTERN AUSTRALIA

Application to change Partners or Directors

Motor Vehicle Dealers Act 1973
Motor Vehicle Repairers Act 2003

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Lodgement options

By email
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

Licensing Advice Line: 1300 304 064
Licensing Email: cplicensing@lgirs.wa.gov.au
General Enquiries: 1300 304 054
Overseas Callers: +61 8 6251 2969
Web Site:www.wa.gov.au/organisation/service-delivery/consumer-protection-licensing-and-registration

For information regarding the process for making changes to any registered company or business name/s, please contact the Australian Securities and Investments Commission: www.asic.gov.au or phone 1300 300 630

General information

Any proposed changes to the members of a partnership or directors of a body corporate/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*. You are reminded that:

- For changes relating to Motor Vehicle Dealer Licences: this form must be submitted 14 days prior to the date on which the change is intended to occur.
- For incoming partners or directors of Motor Vehicle Repair Business Licences: this form must be submitted 14 days prior to the date on which the change is intended to occur.
- For outgoing partners or directors of Motor Vehicle Repair Business Licences: this form must be submitted within 14 days after the cessation.
- If the licensee is a partnership of two or more individuals and you intend to remove partners which will result in the holder becoming a sole trader, you will not be entitled to renew the current licence unless additional partners are added prior to the next renewal.

General information (cont.)

- The licensee must continue to have sufficient financial resources to comply with the requirements of the relevant industry.
- The Authorisation and Declaration section must be completed by all incoming partners or directors**.**
- In some instances, partnership licensees may be contacted to provide additional information or documentation regarding incoming and/or outgoing partners.
- If the application to change partners or directors is refused, the licence will cease to have effect 14 days after you have been notified of the decision, unless a further application is lodegd wtihin that period.

Licence holder details

Licence number/s:	**MD**	and/or	**MRB**
Name of licensee: (i.e. ABC Pty Ltd / John Smith)			
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.

Contact person:	
Business email address:	
Business contact number:	

Details of outgoing Partners or Directors

Provide full details below:

	Person 1	Person 2
Full name		
Date of resignation		

	Person 3	Person 4
Full name		
Date of resignation		

In the event of the death of a partner or director, please provide a copy of the death certificate.

Application to change Partners or Directors: MD and MRB

Details of incoming Partners or Directors

Provide full details below (if insufficient space, please copy this page):

	Incoming person 1
Full legal name	
Date of birth	
Country / town of birth	
Mobile number	
Email address	
Residential address	
Intended date of commencement	
ABN	
If applicable, company name of corporate partner of which this person is a director	

	Incoming person 2
Full legal name	
Date of birth	
Country / town of birth	
Mobile number	
Email address	
Residential address	
Intended date of commencement	
ABN	
If applicable, company name of corporate partner of which this person is a director	

Application to change Partners or Directors: MD and MRB

Fitness/Character of incoming Partners or Directors

Each new partner or director (including directors of a company if it is a corporate member of a partnership) must provide an Australian police check in their full legal name which is less than three (3) months old. Our current police check requirements can be found on our website.

You must also answer the below questions, which apply to all incoming partners/directors. If the answer to any of the questions is 'Yes', it will not necessarily affect the incoming person's ability to obtain or be involved with the operation of a licence, but they may be contacted to provide additional information as part of the application process.

Has/is any incoming partner/director:

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

MOTOR VEHICLE DEALERS ONLY: Role and training

At least one partner/director (new or existing) must have completed the required training in order to satisfy the Commissioner that they have sufficient knowledge of the *Motor Vehicle Dealers Act 1973.*

Yes or No

Will the new partner/director be involved in the buying or selling of motor vehicles?

If yes, they must provide evidence that they have completed and passed the **Dealer/Yard Manager's Course**. The list of course providers is available on our website under the heading 'Qualification requirements'.

If no, a condition will be imposed on the licence restricting that person's involvement in the operation of the dealership.

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MOTOR VEHICLE REPAIRERS ONLY: Role and certificate information

Will the new partner/director be carrying out repair work?

Yes or No

If yes, please include their Motor Vehicle Repairer Certificate number:

MR

Financial information

This section must be completed by all licensees

Yes or No

Having taken into consideration the changes to the partners/directors, does the licensee have reason to believe that they will continue to have sufficient financial resources available for it to comply with the requirements of the *Motor Vehicle Dealers Act 1973* and/or the *Motor Vehicle Repairers Act 2003* (as the case requires)?

The Commissioner will also obtain a credit report for each incoming member of a partnership as part of the application process.

Authorisation and declaration

This section must be completed by all incoming partners/directors. Where the application relates solely to the cessation of a partner/director, this section must be completed by a remaining partner/director.

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	Signature	Date

Attach additional pages if required