

Automatic Mutual Recognition (AMR)

(Part 3A of the *Mutual Recognition Act 1992 (Cth)*¹)

Notice of Intent to Operate in Western Australia

Contact Details

* Given Name(s): _____ * Last Name: _____

* Date of Birth: _____ * Email: _____

* Mobile: _____ Phone (other): _____

* Which State or Territory are you claiming as your home State for the purpose of AMR?

Your home State can be the State or Territory of your principal place of residence or your principal place of business. If these are different you may choose one or the other.

* Principal Place of Residence: _____

* Principal Place of Work: _____

Employer/Business Name: _____

Employer Address (if relevant) _____

Business Premises in WA (if relevant): _____

Licence / Registration (Occupation) Details

I am giving notice of my intent to undertake activities in Western Australia covered by the following occupation(s) in accordance with the automatic mutual recognition principle:

Real Estate and Business Agent

Motor Vehicle Dealer

Real Estate and Business Sales Representative

Motor Vehicle Yard Manager

Real Estate Settlement Agent

Motor Vehicle Salesperson

Business Settlement Agent

Motor Vehicle Repair Business

Land Valuer

Motor Vehicle Repairer

Employment Agent

Debt Collector

* Selection of at least one checkbox is mandatory

¹ as adopted in Western Australia by the *Mutual Recognition (Western Australia) Act 2020*

* I hold the following licence(s)/registration(s) allowing me to work in the occupation(s) selected above.

<i>Licence/Registration and Number</i>	<i>State</i>	<i>Issuing Agency</i>

The following conditions apply to the licences/registrations listed above. If all conditions on any licence/registration listed above are not disclosed, this Notice is **incomplete** and you **cannot** commence activities in Western Australia.

<i>Licence/Registration Number</i>	<i>Conditions on the Licence/Registration</i>

Public Protection Requirements

(MANDATORY for listed licences/registrations)

You **cannot** commence activities in Western Australia, that are covered by a licence/registration listed below, until you have provided evidence of the public protection requirements associated with the selected occupation(s).

	<i>Public Protection Requirements</i>			
	<i>Sufficient Resources</i>	<i>Fidelity Fund payment</i>	<i>Bond or Bank Guarantee</i>	<i>Insurance</i>
Real Estate and Business Agent	Yes	\$150 ⁺		
Real Estate and Business Sales Representative		\$45 ⁺		
Settlement Agent (Conveyancer)	Yes	\$150 ⁺		Yes
Debt Collector			\$6,000	
Motor Vehicle Dealer	Yes			
Motor Vehicle Repair Business	Yes			

⁺ Current at 1 July 2022

Sufficient Resources

(MANDATORY for Real Estate and Business Agents, Real Estate Settlement Agents (Conveyancers), Business Settlement Agents, Motor Vehicle Dealers, and Motor Vehicle Repair Businesses)

You **cannot** commence activities in Western Australia unless you satisfy the WA local registration authority that you have sufficient material and financial resources to comply with the requirements of WA legislation.

If you are intending to operate as a sole trader in WA, to enable the Local Registration Authority to obtain a credit history report on your behalf you are required to provide your:

Australian Business Number (if relevant): _____

You must also complete the following **Confidential Statement** of Assets and Liabilities:

<i>Assets</i>	\$
<i>Liabilities</i>	\$
<i>Net Worth</i>	\$

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 activities associated with the selected occupation? Yes ☐ No ☐

Fidelity Fund Payment

(MANDATORY for Real Estate and Business Agents, Real Estate and Business Sales Representatives, Real Estate Settlement Agents, and Business Settlement Agents)

Consumer Protection maintains a separate Fidelity Guarantee Account which helps provide financial reimbursement to people who suffer loss of trust money or trust property through the criminal or fraudulent action of a licensed real estate or business agent, real estate settlement or business settlement agent, or their employees in the course of a real estate settlement or business broking transaction. Further information is available at www.consumerprotection.wa.gov.au/fidelity-guarantee-account.

In accordance with WA legislation, if you will be carrying on the functions of a real estate and business agent, real estate and business sales representative, real estate settlement agent, or business settlement agent in WA, you must pay a contribution towards the Fidelity Guarantee Account.

Eligible participants will be contacted by phone to arrange this payment after their lodgement has been assessed. **DO NOT provide payment card details by email.**

Fidelity and Professional Indemnity Insurance (PII)

(MANDATORY for Real Estate Settlement Agents and Business Settlement Agents)

Individuals 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. Further information about obtaining insurance under the Master Policy Agreement is available at www.wa.gov.au/government/multi-step-guides/settlement-agent-licensing.

If you intend to trade in your own right, you must provide a copy of the current certificate of insurance for a policy held in your name.

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.**

Fidelity Bond or Bank Guarantee (MANDATORY for Debt Collectors)

If you will be carrying on the functions of a debt collector in Western Australia you must lodge a fidelity bond in the prescribed form issued by an accepted provider, or a bank guarantee in the approved form. The bond or bank guarantee must be to the value of \$6,000.

The original bond or bank guarantee must be lodged with this Notice.

Further information is available at www.wa.gov.au/government/multi-step-guides/debt-collectors-licence/debt-collectors-licence-new.

DECLARATION *

I understand that I can only undertake activities in Western Australia for which I am licensed under my nominated home State licence/registration. ☐

I am not the subject of disciplinary proceedings in any State or Territory (including any preliminary investigations or action that might lead to disciplinary proceedings) in relation to the occupation(s) nominated above. ☐

No licence/registration that I hold or have held to carry on the activity, or occupation that covers the activity, in any State or Territory has been cancelled or suspended as a result of disciplinary action. ☐

I am not personally prohibited from carrying on the activity, or an occupation that covers the activity, and I am not subject to any conditions on carrying out the activity, as a result of criminal, civil or disciplinary proceedings. ☐

By lodging this Notice you:

- declare that the information and documents provided in and with the Notice are true and correct, and that your licence/registration may be cancelled or suspended if you provide false or misleading information; and
- acknowledge that information relating to my licence/ registration may be disclosed by the local licence/registration authority in Western Australia and local licence/registration authorities in other States and Territories in accordance with the *Mutual Recognition Act 1992 (Cth)* and the *Mutual Recognition (Western Australia) Act 2020*.

If you do not complete all mandatory sections relevant to the occupation you intend to undertake in Western Australia, your Notice is **incomplete** and you **cannot** commence activities in this State. Mandatory sections marked *.

You can lodge this Notice, along with the required supporting documents, by:

- email to cplicensing@lgirs.wa.gov.au (not permitted for debt collectors); or
- post to Locked Bag 14, Cloisters Square, PERTH WA 6850