

Application for individual's licence Real estate agent, property developer, auctioneer and motor dealer

Property Agents and Motor Dealers Act 2000

This form is effective from 1 July 2011

ABN: 13 846 673 994

OFFICE USE ONLY

Date received

.....

Lodgement details

Lodgement unit number

.....

Amount allocated

\$.....

CHC amount

\$.....

Total amount

\$.....

Instructions

Before completing this application, please read the accompanying *PAMD Form 1-1 Notes*.

- Please complete application in BLOCK letters
- Attach extra pages if necessary
- References to dates should be in DD/MM/YYYY
- Fees quoted in this application/notes may alter at any time by Regulation
- Refer to notes for fees—No GST is payable on licence fees

Criminal history check fee of \$35.90 (inclusive of \$1.13 GST per check)

Failure to complete this form or provide all information, fees and documents may result in the application being returned to you by post which will delay the granting of your licence.

Privacy statement—please read

The Office of Fair Trading is collecting information, including personal information, on this form as required by the *Property Agents and Motor Dealers Act 2000*. In accordance with the Act, some personal information and business information may be passed on to police services in Australia (including federal, states and territories) to assist with criminal history searches. Enquiries may also be made with the Department of Immigration and Citizenship to verify eligibility to work in Australia. In other instances, information on this form can be disclosed without your consent where authorised or required by law.

Your name and business address will be placed on a register that may be inspected by the public.

Part 1—Licence application details (please tick appropriate boxes)

Section 1

Term of licence

Name of applicant

am applying for a one year or three year licence.

Section 2

Category and type of licence

Please tick appropriate box.

See *PAMD Form 1-1 Notes* for definitions of licence categories.

- | | | |
|---|--|---|
| <input type="checkbox"/> Real estate agent | <input type="checkbox"/> Auctioneer | <input type="checkbox"/> Limited Real estate agent (Business letting) |
| <input type="checkbox"/> Limited Real estate agent (Affordable housing) | <input type="checkbox"/> Property developer | <input type="checkbox"/> Property developer (director) |
| <input type="checkbox"/> Motor dealer | <input type="checkbox"/> Motor dealer (broker) | <input type="checkbox"/> Motor dealer (wrecker) |

If you are applying for a salesperson or trainee auctioneer certificate, you must complete PAMD Form 3.

OFFICE
USE ONLY

Part 2—Applicant details

Section 1 Name details

If 'yes' to name change you must provide evidence of change for each name change (e.g. original or certified copies of marriage certificate, change of name certificate, statutory declaration or Registry of Births, Deaths and Marriages documents).

Preferred title Mr Mrs Ms Miss Other (specify)

Surname

Given names

Have you been known by any other name?

No Yes

Former name

Reason for change of name

Section 2 Date, place of birth and visa details

Documentation can be certified by Justice of the Peace, Commissioner for Declarations, barrister/solicitor or notary public.

Eligibility to work in Australia

See notes for lodging visa details.

If you are lodging this application in person, you may provide an original of your birth certificate/ extract, passport or driver's licence, which will be copied and certified by the officer accepting your application. If you are lodging this application by mail, please send a photocopy certified as being a true copy.

Date / /
D D M M Y Y Y Y

Place of birth: Town State

Country

Driver's licence number State of issue

Passport number Visa number

Country of issue

Passport type Government Private UN refugee

If you are not an Australian citizen, please provide an international passport including the page displaying your visa. This must clearly state that you are authorised to work in Australia. If there are any conditions on the visa, please supply written advice from the Department of Immigration and Citizenship explaining the conditions.

Section 3 Contact details

Phone (business hours) Phone (after hours)

Fax (business hours) Mobile

Email

Preferred contact method B/H A/H Mobile Email Mail

Section 4 Residential address

A post office box address is not acceptable.

Home address

Suburb State Postcode

Section 5 Postal address

This is the address your certificate will be sent to.

Address

Suburb State Postcode
(Enter 'as above' if the same as residential address.)

Part 3—Applicant qualifications

Section 1 Educational or other qualification

The educational and other qualifications are outlined in the accompanying *PAMD Form 1-1 Notes*.

Please provide details of educational or other qualifications that meet the requirements for the type of licence applied for.

Have you completed the specified units of competency / modules for the licence for which you are applying?

Applicants for a real estate agent, limited real estate agent, auctioneer, motor dealer or motor dealer (wrecker) licences are required to complete the educational and other qualification requirements as outlined in *PAMD Form 1-1 Notes*.

Have you held a licence in the last two years or completed the relevant training?

- Yes—go to section 2.
 No—please contact a registered training provider before lodging this form as you will be required to complete relevant modules (refer to *PAMD Form 1-1 Notes*)

Name of course/training package

Ensure your modules/training package is listed in *PAMD Form 1-1 Notes*.

Section 2 Previous licence/s held

*Licence or registration issued by the Office of Fair Trading.

Have you previously held a licence or registration* certificate under this Act?

- No—go to Part 4 Yes—please provide details below.

Licence number Period: from: / / to: / /

Type of licence Condition

Office use only

Type	Licence/ Certificate number	Status	Condition	Period	
				From	To
				/ /	/ /
				/ /	/ /
				/ /	/ /

Part 4—Trading particulars

Trading particulars

* If this corporation is not currently licensed, you will need to complete a separate *PAMD Form 1-2*.

How do you intend carrying on business? (Please tick appropriate box.)

- Employed licensee (complete Part 5) Sole trader (complete Part 6)
 Licensed director* (complete Parts 6 & 7)

Name of corporation (if applicable)

ACN (if applicable)

Corporation licence number* (if applicable).....

- Partnership (complete Parts 6 and 7)

Name of partner (if applicable)

ACN (if partner is a corporation*).....

Licence number (if applicable)

Part 5—Employer details (employer to sign)

Employment Details

* Licence issued by the Office of Fair Trading.

Note: if employer is a corporation, give corporation name and licence number. If employer is an individual, give individual's name and licence number. **DO NOT GIVE A BUSINESS NAME.**

Full name of employer

Licence number*

Part 5—Employer details (employer to sign) continued

<p>Employment Details continued</p>	<p>Where will you be employed as an employee licensee?</p> <p><input type="checkbox"/> Principal place of business of employer (PPOB) <input type="checkbox"/> Other place of business of employer (OPOB)</p> <p>What is the address of your employer's place of business at which you will generally report for work? (Either PPOB or OPOB)?</p> <p>Business name (if applicable)</p> <p>Address</p> <p>Suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p>
<p>Employment Details * Licence issued by the Office of Fair Trading.</p> <p>Employer to sign and date * Must be signed by director and/or person in charge.</p>	<p>Is this a new place of business?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Will you be employed as the person in charge of the place of business nominated above?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No—If NO who is the person in charge?</p> <p>Person in charge</p> <p>Licence number*</p> <p>I declare (employer name)that I will be employing the applicant and the information supplied in this part is true and correct.</p> <p>*Signature Date <input type="checkbox"/><input type="checkbox"/> / <input type="checkbox"/><input type="checkbox"/> / <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> D D / M M / Y Y Y Y</p> <p>Name of licensee</p> <p>Licence number of licensee</p>

Part 6—Sole trader/Partnership/Director

<p>Section 1 Business name</p> <p>If the business name differs at each place of business, please provide these details for each business name. Copy part if more than one business name being used.</p>	<p>Will you be trading using a Queensland registered business name?</p> <p><input type="checkbox"/> No—Go to Section 2. <input type="checkbox"/> Yes—Complete the below.</p> <p>Business name (if applicable)</p> <p>Registered Business Number (BN) <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> (Not Australian Business Number)</p>
<p>Section 2 Principal place of business</p> <p>A post office box address is not acceptable.</p>	<p>Building name (if applicable)</p> <p>Address</p> <p>Suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p> <p>Will you be carrying on business from the address listed above immediately on the grant of your licence?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Section 3 Other place of business (if applicable)</p> <p>A post office box address is not acceptable. A person cannot be in charge of more than one place at a time.</p>	<p>Address</p> <p>Suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p> <p>Name of licensee</p> <p>Licence number</p> <p>Note: if you have more than one other place of business, please supply the address and person in charge details on a separate sheet.</p>

Part 7—Executive officer and business associate details

Section 1

Executive officer or business associate details

‘Executive officer’ of a corporation means any person who is concerned, or takes part in the management of the corporation (director or company secretary).

‘Business associate’ of an applicant for a licence or a licensee means a person or corporation with whom the applicant or licensee carries on, or intends carrying on business under a licence.

If ‘yes’ to name change you must provide evidence of change for each name change (e.g. **original or certified copies** of marriage certificate, change of name certificate, statutory declaration or Registry of Births, Deaths and Marriages documents).

You should complete a copy of this section **for each individual and corporate business associate** (not your employer). Make as many copies of this page as required.

Is the business associate: (See definitions in margin.)

a corporate business associate (must be licensed)

a executive officer

Name of corporation

ACN (if applicable)

Corporate licence number (if applicable)

Name of corporation (if applicable)

Corporation licence number (if applicable)

an individual business associate

Individual business associate details

Preferred title Mr Mrs Ms Miss Other (specify)

Surname

Given names

Have you been known by any other name?

No Yes

Former name

Reason for change of name

Section 2

* Licence, not registration certificate, issued by the Office of Fair Trading.

Does this person carry out any activity which requires them to hold a current *licence?

No Yes—*Licence number.....

Section 3

Residential address

A post office box address is not acceptable.

Address

Suburb State Postcode

Section 4

Postal address

Address

Suburb State Postcode

(Enter ‘As above’ if the same as residential address.)

Section 5

Date, place of birth and visa details

Documentation can be certified by justice of the peace, commissioner for declarations, barrister/solicitor or notary public.

Eligibility to work in Australia

See notes for lodging visa details.

You must provide an original of your birth certificate, birth extract, passport, driver’s licence or certificate of citizenship with this application or a photocopy which has been certified* as a true copy.

Date / /
D D M M Y Y Y Y

Place of birth: Town State

Country

Driver’s licence number State of issue

Passport number Visa number

Country of issue

Passport type Government Private UN refugee

If you are not an Australian citizen, please provide an international passport including the page displaying your visa. This must clearly state that you are authorised to work in Australia. If there are any conditions on the visa, please supply written advice from the Department of Immigration and Citizenship explaining the conditions.

Part 7—Executive officer and business associate details continued

Section 6

Contact details

For each person mentioned in Part 7 Section 1.

Phone (business hours) Fax (business hours)
 Phone (after hours) Mobile
 Email
 Preferred contact method Phone Fax Mobile Email Mail

Part 8—Trust account and auditor declaration (auditor to sign)

Section 1

Operation of a trust account

A licensee who receives trust monies should operate a trust account.

Property developers can not operate a trust account—see Section 374 of the Act.

***If employed by another licensee then you will not operate a separate trust account Please tick 'No'.**

Will you operate a trust account?

- *No— Go to Part 9.
- Yes— Your appointed auditor is required to complete and sign this declaration below.

Refer to PAMD Form 1-1 Notes (Part 8)

Provide the name and branch of financial institution where you will open a trust account:

Name of branch.....
 Financial institution.....

Do you use a computer program instead of the prescribed trust account books, accounts, or records that meets the standard provided under the *Property Agents and Motor Dealers Regulation (section 52)*?

- No Yes—Name of computer program and version

Section 2

Auditor's declaration

Please see PAMD 1-1 Notes for explanation.

Auditor to sign and date

Auditor's full name
 Business address
 Suburb State Postcode
 Contact details.....
 Member of ICAA CPA Australia NIA
 I accept appointment as auditor for the applicant's trust account(s)
Signature **Date** / /
D D M M Y Y Y Y

Part 9—Suitability checklist

Section 1

Suitability requirements

Please see PAMD Form 1-1 Notes for explanation.

It is an offence to supply incorrect or misleading information. Disclosure of previous convictions does not automatically disqualify you from holding a licence. However, failure to disclose convictions may result in your licence being cancelled and prosecution action being commenced.

****Executive officer'** of a corporation means any person who is concerned, or takes part, in the management of the corporation (director or company secretary).

Has the applicant mentioned in Part 2 or have any of the executive officers or business associates/partners of the corporation mentioned in Part 4 and/or Part 7:

- Been affected by bankruptcy action? No Yes (please supply written details)
- Been an executive officer* of a corporation that has been placed in receivership or liquidation? No Yes (please supply written details)
- Has the corporation been placed into receivership/liquidation? No Yes (please supply written details)
- Been convicted of a serious offence in Queensland or elsewhere, within the preceding five years No Yes (please supply written details)
- Been disqualified from holding a licence or registration certificate under the current Act, the repealed *Auctioneers and Agents Act 1971* or a corresponding law? No Yes (please supply written details)
- Held a licence under the current Act, the repealed *Auctioneers and Agents Act 1971* or a corresponding law that has been suspended or cancelled? No Yes (please supply written details)

Part 9—Suitability checklist continued

**Section 1
Suitability requirements**

Please see *PAMD Form 1-1 Notes* for explanation.

- Had an amount paid from the Claim Fund under the current Act or the Auctioneers and Agents Fidelity Guarantee Fund under the repealed *Auctioneers and Agents Act 1971*, because you did, or omitted to do something that gave rise to a claim against the Fund? No Yes (please supply written details)
- Been disqualified under the current Act, the repealed *Auctioneers and Agents Act 1971* or a corresponding law from being a licensee or an executive officer of a corporation? No Yes (please supply written details)
- Been convicted of an offence under the current Act, the repealed *Auctioneers and Agents Act 1971* or any corresponding law? No Yes (please supply written details)
- Been named in the register of disqualified directors and other officers under the *Corporations Law*? No Yes (please supply written details)
- Within the last five years, has the Property Agents and Motor Dealers Tribunal, Queensland Civil and Administrative Tribunal, Commercial and Consumer Tribunal or the district court made an order against you because of your involvement as a marketeer of residential property? No Yes (please supply written details)

Part 10—Checklist

**Section 1
Checklist and declaration**

- I have read all the accompanying *PAMD Form 1-1 Notes* attached to this form.
- I have completed all relevant parts relating to the category of licence applied for.
- If I am an executive officer or business associate, I have attached a certified copy of either my birth certificate/extract, passport or driver's licence.
- Where applicable, my employer has signed at Part 5.
- I have enclosed a copy of my course completion certificate and list of modules.
- I have enclosed any extra necessary information or documents.
- My auditor has completed the auditor's statement.
- I have enclosed the appropriate fee for the licence applied for
(state amount including application fee) \$
- For the second and/or subsequent individual licence categories I have enclosed the additional application fees of \$132.60 x (number of additional categories) = \$
- Criminal history check fee \$35.90 x = \$
- Total amount enclosed (add up previous three points) \$

Part 11—Declaration (applicant to sign)

Applicant signature

Processing timeframes:

Average processing times for a complete application is four to six weeks.

Processing times vary depending on volumes of applications on hand, seasonal fluctuations, and whether you are recorded on an interstate police database.

Please allow at least four weeks from the date of lodgement before enquiring on the progress of an application.

The licence and application fees do not include the criminal history check fee of \$35.90 per individual whose date of birth and place of birth are listed on the application (i.e. a company with two directors will be required to pay \$71.80 being 2 x \$35.90 for the criminal history checks).

In submitting this application, I/we consent to a national criminal history check being conducted by the Queensland Police Service (QPS) and for QPS and other Australian police services to disclose criminal history information and any impending charges to the Office of Fair Trading. I/we understand any disclosure will be subject to applicable Commonwealth, state or territory legislation and/or police policy.

Enquiries may also be made with the Department of Immigration and Citizenship to verify eligibility to work in Australia. In other instances, information on this form can be disclosed without your consent where authorities or required by law.

I have checked the answers I have given and state that they are true and correct in every detail.

NOTE it is an offence to supply incorrect or misleading information.

Signature

Signatory's name (please print)

Position held

Date / /
D D / M M / Y Y Y Y

Note The Office of Fair Trading may contact you for further information. Your application will be considered withdrawn if you fail to respond 28 days after a written request for further information.

Please ensure you have signed above!

Lodgement details

Change of address

If you change your address you are required to notify the chief executive in writing within 14 days. If you do not notify Industry Licensing within the required timeframes it may result in a fine being issued.

Lodgement details

Please lodge the completed application, any supporting documentation and fees to the Office of Fair Trading at the address below, or at one of our regional offices.

By mail:

Industry Licensing Unit

Office of Fair Trading, GPO Box 3111, Brisbane QLD 4001.

Visit www.fairtrading.qld.gov.au or call **13 QGOV (13 74 68)** for information and your nearest Fair Trading Office.

Payment details

Payee details

This section must be completed by the person who provides the payment for this application.

Name

Address

Suburb State Postcode

Phone () Fax ()

Cash Credit card Money order Cheque

Make money order or cheque payable to the Office of Fair Trading.

A receipt will not be issued unless specifically requested.

Credit card payment

Charge my:

Mastercard VISA

Credit card number:

Cardholder's name:

.....

Amount authorised:

\$ Expiry date: /
M M / Y Y Y Y

Cardholder's signature:

.....

Application for individual's licence

Real estate agent, property developer, auctioneer and motor dealer

Property Agents and Motor Dealers Act 2000

ABN: 13 846 673 994

This form is effective from 1 July 2011

Form 1-1 is for an individual only to apply for a licence under the *Property Agents and Motor Dealers Act 2000* ('Act'). For a corporation licence, please use Form 1-2 or if you are applying for a resident letting agent's licence, either as an individual or a corporation, please use Form 1-3 or, if you are applying for a commercial agents licence as an individual, please use Form 1-5.

Fees payable

The Act provides for a licence applicant to pay both an application fee and a licence issue fee. These fees are in the *Property Agents and Motor Dealer Regulation 2001*. Listed below are the current application and licence issue fees, for a single and multiple licence category of one or three years.

Applicants for a single category licence, both one or three years, pay the one licence issue fee and a non-refundable application fee of \$132.60.

* Where an applicant applies for more than one category of licence, they must pay an added application fee of \$132.60 for each additional licence category. The added \$132.60 application fee is non-refundable.	INDIVIDUAL APPLICATIONS			
	TOTAL FEE (Includes a non-refundable application fee of \$132.60) NO GST PAYABLE ON ANY LICENCE FEES			
	Licence Category	One year term (One licence category, includes application fee)	Three year term (One licence category, includes application fee)	Additional licence category fee* one or three year term to be added to one licence category fee.
	Real estate	1124.50	2105.85	+ 132.60
	Auctioneer	1124.50	2105.85	+ 132.60
	Property developer	1124.50	2105.85	+ 132.60
	Property developer director	1124.50	2105.85	+ 132.60
	Motor dealer	1124.50	2105.85	+ 132.60
E.g. If applying for a one year licence in three categories the fee would be (\$1124.50 + (\$132.60 x 2)).				

Criminal history check

A criminal history check will be conducted on each person whose date and place of birth are requested on the application. The fee for each check conducted is \$35.90 (inclusive of \$1.13 GST) and the processing of the application will not be progressed until this fee is paid.

Criminal history checks will be conducted in accordance with the legislation as outlined in the *Property Agents and Motor Dealers Act 2000*.

All applications are subject to mandatory criminal history checks.

The above fees do not include the criminal history check fee of \$35.90 per individual whose name, date of birth and place of birth are listed on the application (i.e. a company with two directors will be required to pay \$71.80 being 2 x \$35.90 for the criminal history checks).

Criminal history check fee \$35.90 x = \$

Part 1 Section 1—Term of licence

Section 78 of the Act allows for a licence to be issued for either one or three years. Should an applicant wish to apply for a licence with a term of three years, then the applicant will only pay one application fee of \$132.60.

Applicants applying for more than one licence category pay the licence fee plus \$132.60 for each additional category. I.e. if applying for a one year licence in three categories the fee would be (\$1124.50 + (\$132.60 x 2)).

For applicants applying for more than one licence category, all licences applied for will expire at the same time.

The \$132.60 per category is non-refundable.

Part 1 Section 2—Category and type of licence

Form 1-1 is for an individual only to apply for a licence under the *Property Agents and Motor Dealers Act* ('Act') for one or more licence categories. If you require a corporation licence, please use *PAMD Form 1-2* or if you are applying for a resident letting agent's licence, either as an individual or a corporation, please use *PAMD Form 1-3*. If you are applying for a commercial agents licence as an individual, please use *PAMD Form 1-5*.

Real estate agent

If you are acting as an agent for others and you perform the following activities -

- A real estate agent includes buying, selling, exchanging, negotiating or letting places of residence, businesses or land including interests in places of residence, businesses or land
- Collection of rents
- Buying, selling, negotiating or exchanging livestock or an interest in livestock.

Limited real estate agent

A limited real estate agent -

- **Affordable housing** – acts as an agent for others under the affordable housing rental scheme to let places of residence, collect rents and negotiates for the letting of places of residence.
- **Business letting** – acts as an agent for others to let businesses or interests in businesses, collects rents or negotiates for the letting of businesses or interests in businesses.

Auctioneer

An auctioneer -

- Sells or offers to sell property by way of auction.

Property Developer (individuals/partners)

A property developer –

Completes more than six residential property sales and markets residential property where the Property Developer has at least a 15% interest.

Residential property is a single parcel of land on which a place of residence is constructed or being constructed or a single parcel of vacant land in a residential area.

Property Developer Director

A property developer director –

Completes more than six residential property sales and markets residential property where the Property Developer has at least a 15% interest as a director of a licensed property developer corporation.

Residential property is a single parcel of land on which a place of residence is constructed or being constructed or a single parcel of vacant land in a residential area.

Motor Dealer

A motor dealer –

- Acquires primarily for resale used motor vehicles
- Sells used motor vehicles
- Sells used motor vehicles on consignment.

Meaning of motor vehicle - a vehicle that moves on wheels and is propelled by a motor that forms part of the vehicle, whether or not the vehicle is capable of being operated or used in a normal way and includes a caravan

A **motor vehicle** does not include –

- A hovercraft; or
- A vehicle designed for use exclusively in the mining industry; or
- A trailer; other than a caravan; or
- A tractor or farm machinery; or
- A vehicle designed for use exclusively on a railway or tramway.

If you are selling second-hand vehicles which do not require a motor dealer's licence you may be required to hold a second-hand dealers licence. It is suggested that you seek your own independent legal advice to see which licence you require.

Motor Dealer Wrecker

A motor dealer wrecker acquires used motor vehicles whether or not as complete units to break up for sale as parts and to sell the acquired used motor vehicles as parts.

Motor Dealer Broker

A motor dealer broker negotiates for the purchase or sale of a used motor vehicle for another person who is not a motor dealer or auctioneer under a consultancy arrangement.

How to Apply

Choose your licence category/ies ensuring you have carefully read the definitions of each licence type.

If you are unsure as to which licence category/ies you require please seek your own independent legal advice.

Part 3—Applicant qualifications

Applicants should note that for a licence to be granted they must meet the relevant requirements exactly. If they do not, **the application will be refused**. Where an application is refused, a further application may not be made for three (3) months.

Please note: There are no educational requirements for applicants applying for a Motor Dealer (Vehicle Broker), Property Developer or Property Developer (Director) licences.

For Auctioneer, Motor Dealer, Motor Dealer (Wrecker), Real Estate Agent, Limited Real Estate Agent (Business letting), Limited Real Estate Agent (Affordable Housing), applicants are required to meet the prescribed eligibility requirements for the respective licences.

Please provide with your application a certificate of completion, statement of attainment or official transcript of the relevant course/training package listing the units/modules successfully completed.

For information on training providers:

- visit www.ntis.gov.au and search by typing in the name of the qualification from the relevant training package;
- visit www.training.com.au, or for general enquiries telephone 1300 369 935; or
- check with industry associations or search the yellow pages for training providers.

The prescribed eligibility requirements for the respective licences are:

Auctioneer requirements for applicants:

Auctioneer licence applicants are required to meet the criteria of either 1 or 2.

1. If you are applying for an auctioneer licence, please provide a signed letter from the licensed supervising auctioneer verifying that you have completed 5 supervised auctions whilst being employed as a registered trainee auctioneer holding a trainee auctioneer registration certificate issued by this Office. The letter should also list the dates of the auctions held.

AND Successfully completed or been assessed as competent in, 5 units/modules from the property Development and Management Training Package. These modules are:

- PRDRE09A (Implement and monitor financial systems);
- PRDRE14A (Market property);
- PRDRE26A (Conduct property sale by auction) or PRDSSA24A (conduct chattel auction/clearing sale);
- PRDRE28A (Maintain trust account);
- PRDRE39A (Prepare and execute documentation).

OR Successfully completed, or been assessed as competent in, 5 units from the Property Services Training Package—CPP07, endorsed by the National Quality Council. These modules are:

- BSBSBM406A (Manage finances) or BSBSMB406A (Manage small business finances)
- CPPDSM4004A (Conduct auction)
- CPPDSM4006A (Establish and manage agency trust accounts)
- CPPDSM4014A (Market property for sale)
- CPPDSM4019A (Prepare for auction and complete sale) or CPPDSM4038A (Conduct goods, chattels or equipment clearing sale or auction)

2. Had been licensed as an auctioneer within 2 years before the day the application for an auctioneer's licence is received by this Office

Motor Dealer requirements for applicants:

Motor dealer licence applicants are required to meet the criteria of either 1 or 2.

1. Successfully completed, or been assessed as competent in, 11 modules from the Automotive Industry Retail, Service and Repair Training Package AUR99. The modules are:

- AUR38216A (Determine used motor vehicle stock requirements)
- AUR41303A (Apply sales procedures)
- AUR41769A (Sell product)
- AUR41803A (Apply legal requirements relating to product sales)
- AUR41903A (Apply relevant finance, leasing and insurance contracts/policies)
- AUR44230A (Inspect and appraise used motor vehicles in preparation for purchase)
- AUR44355A (Purchase used motor vehicles to supplement stock for sale)
- AUR63238A (Manage complex customer issues)
- AUR70125A (Follow workplace occupational health and safety procedures)
- AUR70314A (Contribute to workplace communication)
- AUR70421A (Establish relations with customer)

OR Successfully completed, or been assessed as competent in, 10 modules from the Automotive Industry Retail, Services and Repair Training Package AUR05. The modules are:

- AURS338216A (Determine used motor vehicle stock requirements)
- AURS241303A (Apply sales procedures)
- AURS241769A (Sell product(s))
- AURS241803A (Apply legal requirements relating to product sales)
- AURC341903A (Apply relevant finance, leasing and insurance contracts/policies)
- AURS344330A (Inspect, appraise and purchase used motor vehicles to supplement stock for sale)
- AURC463238A (Manage complex customer issues)
- AURC270103A (Apply safe working practices)
- AURC270789A (Communicate effectively in the workplace)
- AURC270421A (Establish relations with customers)

2. Had been licensed as a motor dealer within 2 years before the day the application for a motor dealer's licence is received by this Office.

Motor Dealer (Wrecker) requirements for applicants:

Motor Dealer (Wrecker) licence applicants are required to meet the criteria of either 1 or 2.

1. Successfully completed, or been assessed as competent in, 8 modules from the Automotive Industry Retail, Service and Repair Training Package AUR05. The modules are:
 - AURS238127A (Identify and select automotive parts and products)
 - AURS241303A (Apply sales procedures)
 - AURV228603A (Apply legal requirements for vehicle dismantlers)
 - AURS344330A (Inspect, appraise and purchase used motor vehicles to supplement stock for sale)
 - AURC463238A (Manage complex customer issues)
 - AURC270103A (Apply safe working practices)
 - AURC270789A (Communicate effectively in the workplace)
 - AURC270421A (Establish relations with customers)
- OR** Successfully completed, or been assessed in competent in, 8 modules from the Automotive Industry Retail, Service and Repair Training Package AUR99. The modules are:
 - AUR37927A (Identify automotive parts/components/accessories)
 - AUR41303A (Apply sales procedures)
 - AUR42403A (Apply legal requirements relating to automotive sales)
 - AUR44355A (Purchase used motor vehicles to supplement stock for sale)
 - AUR63238A (Manage complex customer issues)
 - AUR70125A (Follow workplace occupational health and safety procedures)
 - AUR70314A (Contribute to workplace communication)
 - AUR70421A (Establish relations with customer)
2. Had been licensed as a motor dealer (wrecker) within 2 years before the day the application for a motor dealer (wrecker) licence is received by this Office.

Real Estate Agent requirements for applicants:

Real estate agent licence applicants are required to meet the criteria of either 1 or 2.

1. Successfully completed, or been assessed as competent in, 17 selected units/modules from the Property Development and Management Training Package. The modules are:
 - PRDRE09A (Implement and monitor financial systems)
 - PRDRE10A (Manage agency risk)
 - PRDRE11A (Provide property appraisal)
 - PRDRE12A (Establish and expand client base)
 - PRDRE13A (Obtain property listings)
 - PRDRE14A (Market property)
 - PRDRE15A (Undertake property sale by private treaty)
 - PRDRE16A (Monitor sales process)
 - PRDRE18A (Lease property)
 - PRDRE19A (Provide property management services)
 - PRDRE22A (Present and explain property reports)
 - PRDRE26A (Conduct property sale by auction)
 - PRDRE28A (Maintain trust account)
 - PRDRE30A (Implement personal marketing plan)
 - PRDRE37A (Perform and record property management activities and transactions)
 - PRDRE39A (Prepare and execute documentation)
 - PRDPOD62A (Clarify and confirm property information requirements)
- OR** Successfully completed, or been assessed as competent in, 19 selected units from the Property Services Training Package—CPP07, endorsed by the National Quality Council. The modules are:
 - BSBSBM406A (Manage finances) or BSBSMB406A (Manage small business finances)
 - CPPDSM4003A (Appraise property)
 - CPPDSM4005A (Establish and build client-agency relationships)
 - CPPDSM4006A (Establish and manage agency trust accounts)
 - CPPDSM4007A (Identify legal and ethical requirements of property management to complete agency work)
 - CPPDSM4008A (Identify legal and ethical requirements of property sales to complete agency work)
 - CPPDSM4009A (Interpret legislation to complete agency work)
 - CPPDSM4010A (Lease property)
 - CPPDSM4011A (List property for lease)
 - CPPDSM4012A (List property for sale)
 - CPPDSM4013A (Market property for lease)
 - CPPDSM4014A (Market property for sale)
 - CPPDSM4015A (Minimise agency and consumer risk)
 - CPPDSM4016A (Monitor and manage lease or tenancy agreement)
 - CPPDSM4018A (Prepare and present property reports)
 - CPPDSM4019A (Prepare for auction and complete sale)
 - CPPDSM4022A (Sell and finalise the sale of property by private treaty)
 - CPPDSM4046A (Manage tenancy disputes)
 - CPPDSM4080A (Work in the real estate industry)
2. Had been licensed as real estate agent within 2 years before the day the application for a real estate agent licence is received by this Office.

Limited Real Estate Agent (Business Letting) licence requirements for applicants:

Limited real estate agent (business letting) licence applicants are required to meet the criteria of either 1 or 2.

1. Successfully completed, or been assessed as competent in, 4 selected units/modules from the Property Development and Management Training Package – PRD01. The modules are:
 - PRDRE13A (Obtain property listings)
 - PRDRE15A (Undertake property sale by private treaty)
 - PRDRE18A (Lease property)
 - PRDRE39A (Prepare and execute documentation)
- OR** Successfully completed, or been assessed as competent in, 4 selected units/modules from the Property Services Training Package—CPP07, endorsed by the National Quality Council. The modules are:
 - CPPDSM4010A (Lease property)
 - CPPDSM4011A (List property for lease)
 - CPPDSM4013A (Market property for lease)
 - CPPDSM4016A (Monitor and manage lease or tenancy agreement)
2. Had been licensed as limited real estate agent (business letting) within 2 years before the day the application for a limited real estate agent (business letting) licence is received by this Office.

Limited Real Estate Agent (Affordable Housing) licence requirements for applicants:

One of the prescribed qualification for a limited real estate agent's licence (affordable housing) is that the person is a director of an approved non profit corporation, or a person in charge of an approved non profit corporation's business at a place of business. An *approved non profit corporation* means a non profit corporation that—

- is a registered provider under the Housing Act 2003; and
- provides a service consisting of letting and collecting rents under an affordable housing rental scheme; and
- has to provide a copy of the approval from the Department of Housing

In addition to the above qualification, limited real estate agent licence (affordable housing) applicants are also required to meet the following criteria of either 1 or 2.

1. Successfully completed, or been assessed as competent in, 2 selected units/modules of the Property Development and Management Training Package – PRD01. The modules are:
 - PRDRE28A (Maintain trust account)
 - PRDRE37A (Perform and record property management activities and transactions)
- OR** Successfully completed, or been assessed as competent in, 3 selected units/modules of the Property Services Training Package—CPP07, endorsed by the National Quality Council. The modules are:
 - CPPDSM3008A (Maintain and protect condition of managed properties)
 - CPPDSM4006A (Establish and manage agency trust accounts)
 - CPPDSM4016A (Monitor and manage lease or tenancy agreement)
2. Had been licensed as a limited real estate agent (affordable housing) within 2 years before the day the application for a limited real estate agent (affordable housing) licence is received by this Office.

Part 4—Trading particulars

- If you are trading as a licensed director of a corporation the corporation is required to be licensed.
- If you are trading in a partnership with a corporation, the corporation is required to be licensed.
- If you are trading in partnership with an individual and your partner is undertaking the activities (See Part 1 Section 2 of these notes) for the particular category or categories of licence being applied for, then the partner is required to be licensed.
- If your partner is not undertaking the functions for the particular category or categories of licence being applied for then the partner is to be considered as an individual business associate for the purposes of Part 7 of the *PAMD form 1-1*.

Part 6 Sections 2 and 3—principal place of business and other places of business

Licensees may be in charge of more than one premise if they are contiguous (adjoining). For separate premises a separate licensee must be in charge of each premises.

Part 7 Section 1—Details of business associates and executive officers

This section requires the applicant or licensee to provide details of business associates and or executive officers irrespective of whether each holds, is applying for, or does not require a licence.

If any of the business associates or executive officers undertake any of the functions mentioned in the appropriate sections listed below, for the licence category being applied for, then that person will be required to lodge a *Form 1-1 (Individual)*. All corporate partners must be licensed under the Act using a *Form 1-2 (Corporations)*.

Licence Category	Section of the Act
Real estate agent	128
Auctioneer	205
Property developer	262
Property developer director	263
Motor dealer	279

Part 8—Trust account and auditor declaration

Trust accounts are to be opened only with Approved Financial Institutions listed on the Office of Fair Trading website (www.fairtrading.qld.gov.au).

The licensee must produce their current licence in order to open a trust account. A corporation licence is required to open a trust account in the name of a company.

Within 14 days of opening, closing or changing the name of a trust account, the licensee must advise the Office of Fair Trading in writing using PAMD Form 19, which is available at www.fairtrading.qld.gov.au

An audit report of all trust accounts held by a licensee must be lodged with the Office of Fair Trading on a yearly basis.

If the auditor is not a registered company auditor, or a member of CPA Australia, or ICAA, or NIA with prescribed auditing qualifications, then the approval of the Chief Executive (OFT) will be required.

Applications for approved auditors—see sections 393 to 399 of the Act. *PAMD Form 14* is the appropriate form to complete.

Auditors should be aware of sections 400 to 407 of the Act regarding the audit of licensees' trust accounts.

Principal licensees should be aware of Part 7 of the Regulation regarding accounts, funds and record keeping.

Auditor's declaration

An auditor for this section can be:

- a person approved by the Chief Executive (OFT) to audit the licensee's trust account;
- a registered auditor under the Corporations Law;
- a member of CPA Australia or the Institute of Chartered Accountants in Australia (ICAA); or
- a member of the National Institute of Accountants (NIA) who has satisfactorily completed an auditing component of a course of study in accounting of at least three years duration at a tertiary level conducted by a prescribed university or prescribed institutions under the Corporations Law section 1280(2)(a)(ii).

Part 9—Suitability requirements

This section of the form relates to an individual, business associate or executive officer of a corporation who is intending to carry on a business as a sole trader, member of a partnership or an employed licensee **'affected by bankruptcy action'**, in relation to an individual, means the individual:

- is bankrupt; or
- has compounded with creditors; or
- has otherwise taken, or applied to take, advantage of any law about bankruptcy.

The term **'affected by bankruptcy action'** is meant to cover all the events encompassed under the *Bankruptcy Act 1966* (C'wlth):

- 'is bankrupt' will cover those cases where a debtor has committed an act of bankruptcy and is currently declared bankrupt.
- 'has compounded with creditors' will cover deeds of arrangement or assignment or a composition with creditors under Part X of the *Bankruptcy Act 1966* (C'wlth).
- 'has otherwise taken, or applied to take, advantage of any law about bankruptcy' will cover other non-bankruptcy options such as a debtor's agreement.

'serious offence' means any of the following offences **punishable** by three or more years imprisonment:

- an offence involving fraud or dishonesty;
- an offence involving the trafficking of drugs;
- an offence involving the use or threatened use of violence;
- an offence of a sexual nature;
- extortion;
- arson; or
- unlawful stalking.

The fact that a sentence for one of the offences was less than three years does not lessen the applicant's responsibility for disclosure. If in doubt answer "Yes" and provide written details of the conviction. It is an offence to provide incorrect or misleading information.

'conviction' includes a plea of guilty or a finding of guilt by a court, but does not include a plea of guilty or a finding of guilt by a court if no conviction is recorded by the court.

'corresponding law' means a law of another State, Territory or New Zealand that provides for the same matter as this Act or a provision of this Act.

If you are uncertain about any of the above, you can contact the Office of Fair Trading on 13 QGOV (13 74 68) for information and assistance.