

## APPLICATION FOR AN INDIVIDUAL CONVEYANCING LICENCE

### AGENTS LICENSING ACT

Please print in block letters. If there is insufficient space, attach extra sheets. All questions must be answered and full particulars provided

#### 1. Applicant Details

Title:  Mr  Mrs  Ms  Miss

Surname

Given Name(s)

Other Names (including maiden name and alias/es)

Date of Birth

Place of Birth

\*must be over 18 years and provide evidence in form of passport or driver's licence.

Contact Address (all notices will be sent to this address)

Postcode

Telephone (home)

Facsimile

Mobile

Email

#### 2. Business details

Do you intend, if the licence is granted, to carry on business as an agent on your own account?  Yes  No

If **YES**, do you intend to use a Business or Trading Name?  Yes  No

If **YES**, please provide details of the registered Business Name in the Northern Territory

Business Name	Business Number
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### 3. Name and Address of Employer (not required to be completed for Sole Trader)

Name of Licensed Agent or Legal Practice	Licence No.
<input type="text"/>	
Business Address	
<input type="text"/>	
<input type="text"/>	
Postcode	
<input type="text"/>	
Telephone	Facsimile
<input type="text"/>	<input type="text"/>
Email	
<input type="text"/>	

### 4. Declaration by Employer (not required to be completed for Sole Trader)

This section is to be completed and signed by the **Business Manager** of where the applicant is to be employed, if licensed agent

I, <input type="text" value="Full Name of Business Manager"/>	
certify that <input type="text" value="Full Name of Applicant"/>	
is to be employed at <input type="text" value="Business Name"/>	
<input type="text" value="Business Address"/>	
<input type="text" value="Postcode"/>	
I certify that I have read the Applicant's disclosures in section 8 of this application.	
<input type="text" value="Signature"/>	<input type="text" value="Date"/>

### 5. Qualifications

A person is eligible for the grant of a conveyancing agent's licence if he or she:

- has completed the course of competency-based training, approved by the Board
  - > Certificate IV in Financial Services (Conveyancing); and the
  - > Advanced Diploma in Financial Services (Conveyancing);
- holds the prescribed qualifications set out in Regulation 9(1)(b) of the *Agents Licensing Regulations*;
- has other prescribed qualifications or prescribed experience set out in Regulation 9(1)(b) of the *Agents Licensing Regulations*. The sub-regulation only applies if the qualifications and experience were completed within 5 years before September 2007.

## 6. Certificate of Qualifications and Experience

If a person applies for a licence on the basis that the person holds other prescribed qualifications or experience under section 22(1)(c)(iii), the application must be accompanied by the following certificate. The certificate must be signed by the employer for the practical experience period for the licence (2 or 3 years as case may be). If the applicant was not employed by the same employer for the whole practical experience period, certificates must be signed by each of the employers during the period.

I, <input type="text" value="Full Name of Business Certifier"/>
certify that <input type="text" value="Full Name of Applicant"/>
was employed by me during the period <input type="text" value="Period of Applicant's employment"/>
<input type="text"/>

and during that period, was capable, to my knowledge, of performing the functions specified in the Schedule to the Act in the following manner:  
*(briefly indicate applicant's experience and ability in relation to each of the following that are relevant)*

### Searching land titles including caveats


Searching at Government offices and offices of statutory authorities and municipalities, obtaining certificates relating to the transaction involved, and making inquiries with respect to adjustment of rates, taxes and other outgoings relating to the transaction involved


### Preparation and execution of contracts of sale


### Attendance at settlement


### Lodging and uplifting documents


Completing powers of attorney


Drawing and arranging execution of documents


Making progress reports


I also certify that during that he/she has obtained the following theoretical knowledge (*certifier must complete the following*):

Understanding of the following legislation or area of the law	Basis of understanding ( <i>certifier must set out how they know that the applicant has a good understanding of the legislation or area of the law</i> ).
Contract law	
Consumer protection principles	
<i>Land Title Act</i>	
<i>Law of Property Act</i>	
<i>Residential Tenancies Act</i>	
<i>Business Tenancies (Fair Dealing) Act</i>	
<i>Taxation (Administration) Act</i>	

<i>Stamp Duty Act</i>	
<i>Swimming Pool Safety Act</i>	
<i>Agents Licensing Act</i>	
<i>Unit Titles Act</i>	
<i>Crown Lands Act</i>	

Signature of certifier

Date

## 7. Testimonial

This section is to be completed and signed by an **Authorised Person** (refer to note 5 on page 9)

I,

of

Declare that I have known  for  year(s) and that in my opinion he/she is a person of good fame and character.

## 8. Disclosures

Please complete the following questions. If you answer **YES** to any of the questions, please **provide full details on a separate sheet** as an attachment.

1. Have you been found guilty (whether or not in the Territory) of an offence that involves dishonesty or violence or an offence against the <i>Misuse of Drugs Act</i> or the <i>Kava Management Act</i> within the last 10 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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2.	Are you an undischarged bankrupt or have you applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with creditors or made an assignment of your remuneration for their benefit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.	Are you mentally incapable of performing duties as a conveyancing agent?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.	Are you disqualified from holding a licence, certificate of registration or had a licence, certificate or other authority suspended under the <i>Consumer Affairs and Fair Trading Act</i> ?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5.	Have you failed to pay a monetary penalty payable under this the <i>Agents Licensing Act</i> , the <i>Consumer Affairs and Fair Trading Act</i> or corresponding law or failed to comply with a direction given by the Agents Licensing Board?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6.	Do you hold, or have you previously held, a licence or registration as an agent's representative under the <i>Agents Licensing Act</i> ? If yes, please provide licence/registration number.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7.	Do you hold, or have you previously held, a licence or registration under any corresponding law in any other State or Territory? If yes, please provide licence number and State/Territory.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

## 9. Supporting Documentation

The following documents are required to be lodged **with** the application:

- Evidence of completion and details of the academic qualifications relied upon to demonstrate eligibility for licence (only if points 1 or 2 of section 5 have been checked)
- Evidence of the NT News advertisement, a copy of the full page of the newspaper with the date must be provided (refer to note 4 on page 9)
- Evidence of lodgement of Criminal History Name Check Application (refer to note 3 on page 8)
- Current photographic identification (refer to note 6 on page 9)

## 10. Declaration by Applicant

I do solemnly and sincerely declare that the statements and information contained in this application are true and correct to the best of my knowledge and belief and I make the following statements:

1. I authorise the Department of Justice to make any inquiries and to receive and disclose any information which is relevant to this application;
2. I acknowledge that specific information will be placed on a public register in accordance with the *Agents Licensing Act*;
3. I accept that failure to supply information required on this application form may delay the processing of the application; and
4. I have a right to seek access to and correction of information supplied.

5. I acknowledge that if licensed, I will be required for the whole period of the licence to be insured under an approved indemnity insurance policy within the meaning of section 108A of the Act, unless exempted;
6. I acknowledge that's if licensed, I will be required to open a trust account(s) at an ADI or the Territory Insurance Office within 7 days of the grant of the licence and provide the Registrar with notification of the account(s), unless exempted.

I acknowledge that a person making a false statement in a statutory declaration is guilty of an offence and is liable to a penalty of \$2000 or imprisonment for twelve months, or both.

Declared at.....on ..... day of ..... 20.....

Signature of person making declaration

Date

Signature of Witness\*

Date

Full Name of Witness\*

\*This Declaration may be made before any person who has attained the age of (18) eighteen years

## 11. Privacy Statement

The Department of Justice complies with the Information Privacy Principles scheduled by the *Information Act*.

## 12. Lodgement Options

Applications can be lodged at a Territory Business Centre with the prescribed fee at:

<b>DARWIN</b> Ground Floor, Development House 76 The Esplanade  GPO Box 9800 DARWIN NT 0801  Telephone: +61 8 8982 1700 Facsimile: +61 8 8982 1725 Toll Free: 1800 193 111	<b>KATHERINE</b> Shop 1, Randazzo Building 18 Katherine Terrace  PO Box 9800 KATHERINE NT 0851  Telephone: +61 8 8973 8180 Facsimile: +61 8 8973 8188
<b>TENNANT CREEK</b> Shop2, Barkly House Cnr Davidson and Paterson Streets  PO Box 9800 TENNANT CREEK NT 0861  Telephone: +61 8 8962 4411 Facsimile: +61 8 8962 4413	<b>ALICE SPRINGS</b> Peter Sitzler Building 67 North Stuart Highway  PO Box 9800 ALICE SPRINGS NT 0871  Telephone: +61 8 8951 8524 Facsimile: +61 8 8951 8533

or emailed by scanning a complete application at [territory.businesscentre@nt.gov.au](mailto:territory.businesscentre@nt.gov.au) with your credit card details and all required supporting documentation.



4. A person who intends to apply for a licence as an individual must first publish a notice in the NT News which notifies of his or her intention. This notice serves to inform the public of the impending application and provides a person the opportunity to lodge an objection against the grant of the application.

A 14 day objection period applies.

A Northern Region applicant must arrange for the publication of the following notice in the "Public Notices" section of one Saturday edition of the NT News

A Southern Region applicant must arrange for the publication of the following notice in the Friday edition of the Centralian Advocate

The application for a licence is to be lodged with the Registrar not later than 14 days after the notice is published.

Notice of Intention to apply for a Conveyancing Agent Licence **(Full name of applicant)**, of **(full address of applicant)** intends to apply for the above licence under the Agents Licensing Act. Any objection to this application is to be made in writing to the Registrar of Land, Business and Conveyancing Agents, GPO Box 1154, Darwin, 0801 and received within 14 days of this notice.

5. The Testimonial is a Character reference and must be completed by an Authorised Person who is:
- I. a person authorised by the *Oaths Act* to administer an oath for any purpose;
  - II. a Justice of the Peace;
  - III. a commissioner for declarations appointed by the Attorney-General of the Commonwealth under the *Statutory Declaration Act 1959* of the Commonwealth;
  - IV. a legal practitioner;
  - V. a member of the Northern Territory Police Force;
  - VI. a bank manager;
  - VII. a judge;
  - VIII. a magistrate;
  - IX. a notary public;
  - X. a Registrar appointed under the *Local Court Act*;
  - XI. a master appointed under the *Supreme Court Act*
  - XII. a commissioner for taking affidavits in the Supreme Court of a State or Territory;
  - XIII. a licensed agent;
  - XIV. a person registered or enrolled under the *Health Practitioners Act*, (e.g. Medical Practitioner, Pharmacist, Dentist, Registered Nurse etc.)
  - XV. a person registered as a teacher under the *Teaches Registration (Northern Territory) Act*;
  - XVI. a person who holds an office, appointment or authority in a State or Territory equivalent to any of those specified in (i) to (xv).

The person completing the Testimonial **must not be a relation** as defined under Regulation 17(2) of the Agents Licensing Regulations and must have known the person to whom the testimonial relates for a period of not less than 12 months.

6. The Agents Licensing Regulations require a person applying for a licence as an individual to provide a certified copy of identification. Please attach a certified copy of your identification in the form of either: an Australian or Overseas Passport which is current or expired within two years or an Australian Photographic Driver's Licence which is current or expired within 2 years. Additional documentation such as Australian residency or working Visa and citizenship papers (where applicable) will also assist in the processing of the licence application.