

LICENSING, REGULATION AND ALCOHOL STRATEGY

Approved Managers under the *Commercial and Private Agents Licensing Act*

This fact sheet has been developed to inform business and individuals of the requirement of Agents in the Northern Territory to appoint an Approved Manager under the *Commercial & Private Agents Licensing Act*, and the process for obtaining approval from the Commissioner of Consumer Affairs.

Requirement for an Agent's Manager

A licensed Agent must not carry on business unless there is present and in charge of the operations of the business, an approved manager if the licensee is a corporation and if the agent is a natural person, either the agent or another natural person approved by the Commissioner to be the manager.

A licensed Agent who fails to comply with this requirement may incur a maximum fine of 500 penalty units. The *Penalty Units Act* prescribes the monetary value of a penalty unit, its indexation and change of value by regulation. A licensee, when recruiting a manager, should consider that Commissioner of Consumer Affairs will carefully examine the character, criminal history and reputation of the person before selecting them as the manager.

A person who desires to be approved by the Commissioner as an Approved Manager must satisfy the character test and not have a criminal history containing, for example, fraud, dishonesty or physical violence offences. The Commissioner will also take into account the reputation of the applicant in deciding whether they are a fit and proper person to be granted approval.

Fees and duration of approval

An application fee* applies when the application is lodged (Please note all fees are GST exempt). This is non-refundable and covers the costs of assessment. The Commissioner's approval is valid until the expiry of the licence of the agent for whom he or she is manager, the licence is revoked, surrendered, the agent dies or if the agent is a corporation, it is dissolved.

LICENSING, REGULATION AND ALCOHOL STRATEGY

Darwin
Level 1, Enterprise House
28-30 Knuckey Street, Darwin
GPO Box 1154, Darwin, NT 0801
Ph: 08 8999 1800
Fax: 08 8999 1888

Katherine
18 Katherine Terrace, Katherine
GPO Box 2138, Katherine NT 0850
Ph: 08 8972 8906
Fax: 08 8972 8910

Alice Springs
1st Floor Belvedere Hse
Cnr Parsons & Bath Sts
GPO Box 8470, Alice Springs NT 0871
Ph: 08 8951 5195
Fax: 08 8951 8591

Undertaking a Criminal History Check

Please note applicants for a criminal history check are required to attend a police station to lodge their criminal history check. The Police will photocopy your identification (drivers licence/ 18+ card, birth certificate/extract or passport) and witness the Authority to Release Criminal History. The criminal history check can only be witnessed by an authorised officer. Authorised officers are Northern Territory Police Fire and Emergency Services employees and interstate and overseas Police Officers.

The fee for lodging a criminal check is to be paid at the police station. Please supply a copy of a receipt showing payment of your criminal history check fee when lodging your application.

The key steps to obtaining the Commissioner's approval to be a Manager for a licensed Agent.

Complete the Form 8 Application for Approval for an Agents Manager together with an Authority to Release Criminal History form and lodge with the prescribed fees.

The applicant must provide a copy of their current photographic proof of identity, i.e. passport or drivers licence, and two written reference statements attesting to the good character of the applicant.

The Commissioner of Consumer Affairs will only accept applications which have been completed in full.

Applications lodged by post must include the relevant fees*, a completed application form, a completed Authority to Release Criminal History form and include a certified true copy of proof of identity.

Cheque payments to be made payable to the Receiver of Territory Monies, or electronic payment (Visa and Mastercard) can be made through the Territory Business Centres, telephone 8982 1700.

Key obligations of an Approved Manager

An Approved Manager must ensure that the business is carried out in compliance with the law and the required records are maintained.

**Please refer to the relevant schedule of fees.*

TERRITORY BUSINESS CENTRES

TOLL FREE LINE: 1800 193 111 (Australia Wide)

Darwin	Katherine	Tennant Creek	Alice Springs	Postal Address
Development Hse 76 The Esplanade Darwin NT 0800 Phone: (08) 8982 1700	1 Randazzo Bldg 18 Katherine Tce Katherine NT 0850 Phone: (08) 8972 8906	Shop 2, Barkly Hse Cnr Paterson & Davidson Sts Tennant Creek NT 0860 Phone: (08) 8962 4411	Peter Sitzler Bldg 67 Nth Stuart Hwy Alice Springs NT 0870 Phone: (08) 8951 8524	GPO Box 9800 Darwin NT 0801 territory.businesscentre@nt.gov.au

General Disclaimer: The material contained in this publication is intended for use as a guide and for general information only. It is not intended to be a substitute for independent professional advice. The Northern Territory Department of Justice accepts no responsibility or liability for the correctness, accuracy and completeness of any of the material contained in this publication and recommends that users of this publication exercise their own skill, care and judgment in the application of the information contained in the publication.