

Licensee-In-Charge Details

Property, Stock and Business Agents Act 2002

A licensed corporation must employ an individual who holds a current licence to be the licensee-in-charge at each place of business at which the corporation carries on business under the Act subject to the requirements of section 31 of the Act. Each place of business must have a separate licensee-in-charge.

Similarly, a licensed individual who carries on business at more than one place must employ a person who holds a current licence to be the licensee-in-charge at each place of business, except at the place of business at which the licensed individual is personally in charge.

Section 31(4) of the Act provides that a person may not be the licensee-in-charge at a place of business on behalf of 2 or more licensees, whether corporations or individuals, unless those licensees are in partnership. NSW Fair Trading must be notified of partnership arrangements using the *Notification of Partnership Particulars* form.

The type of licence(s) held in common by a licensed corporation's licensed director(s) and licensee-in-charge will determine the type of business that the corporation may carry on from that place of business. Examples are set out in the table below.

	Director 1 is a licensed:	Director 2 is a licensed:	Licensee-in-Charge is a licensed:	Type of business corporation may carry on at that place:
Example 1	Real estate agent	Business agent	Real estate agent	Real estate agent only.
Example 2	Strata managing agent	Strata managing agent	Real estate agent and Strata managing agent	Strata managing agent only.
Example 3	Stock and station agent	Real estate agent and Business agent	Real estate agent, Stock and station agent and a Business agent	Real estate agent, Stock and station agent and a Business agent
Example 4	Stock and station agent	Business agent	Real estate agent	Corporation is not authorised to carry on business

Examples of the type of business that an individual licence holder may carry on at a particular place of business are set out below:

	Individual carrying on business is a licensed:	Licensee-in-charge is a licensed:	Type of business that the individual may carry on at the place:
Example 1	Stock and station agent	Real estate agent and Stock and station agent	Stock and station agent only
Example 2	Real estate agent and Business agent	Real estate agent and Stock and station agent	Real estate agent only
Example 3	Strata managing agent	Business agent	Individual is not authorised to carry on business

1. Details of the licensed corporation or individual employing the licensee-in-charge:

Name of licensed corporation or individual: _____

A.C. N. if a corporation: _____

Licence number under the Act of the corporation or individual: _____

2. Appointment of a Licensee-In-Charge to take effect on the following date: ____/____/____

Name of person to be licensee-in-charge: _____

Declaration by nominated licensee-in-charge:

I declare that my licence number is _____ and I am: (*tick the applicable box*)

not the licensee-in-charge of my own place of business or any other place of business for the licensee named in Section 1 of this form or any other corporation or individual;

OR

presently the licensee-in-charge of the following place of business located at:

_____ Postcode: _____

and have completed the *Resignation of Licensee-in-Charge* section of this form so that I can take up this appointment as licensee-in-charge.

The address of the place of business that I will be in charge of is:

_____ Postcode: _____

I understand that this place of business will be updated on my individual licence record as my business address.

Signature of nominated licensee-in-charge: _____ **Date:** _____

The appointment must be verified by a director of the licensed corporation or the licensed individual that will be employing the licensee-in-charge.

Name of Director or licensed individual verifying this appointment: _____

Director's/licensed individual's signature: _____ **Date:** _____

3. Resignation of Licensee-In-Charge to take effect on the following date: ____/____/____

Name of licensee-in-charge who is resigning: _____

Declaration by resigning licensee-in-charge

I certify that my licence number is: _____ and that I am resigning as licensee-in-charge of the following place of business:

_____ Postcode: _____
(provide full street address)

I request that the following particulars be updated on my licence record:

Business address: _____ Postcode: _____

Email address: _____ @ _____
(Note: if an email address is provided, all correspondence including renewals will be sent to this address)

Postal address: _____ Postcode: _____
(All correspondence will only be sent to this address if an email address is not provided)

Telephone Number: _____

Signature of licensee resigning: _____ **Date:** _____