

Corporation Property Licence APPLICATION

Property and Stock Agents Act 2002

Use this form to apply for a Corporation Property licence.

Am I eligible?

To be eligible to proceed with the application:

- The person applying must be a director or company secretary.
- At least one director must hold a current individual property licence.
- The registered office must be in NSW. Alternatively, the registered office can be within 50 kilometres of the NSW border, but only if the licensee in charge or director holds a current licence or authority from that jurisdiction (see section 28 of the *Property and Stock Agents Act 2002* (the Act)).
- The nominated licensee in charge must hold a Class 1 licence.

How much does a licence cost?

For current property and stock agent licence fees, visit the [NSW Fair Trading](#) website. Fees are GST exempt and include a non-refundable processing component.

What happens next?

Your application and supporting documents will be assessed to ensure you meet the requirements to hold a Corporation Property Licence. We will endeavour to complete the assessment of your application within our service standards. However, if we need to contact you for additional information this may increase the time we take to assess your application.

How will I know the outcome of my application?

We will let you know whether your application is granted or refused by email.

How do I apply?

Online

Complete an online form at [Service NSW](#). The advantages of applying online are:

- you receive a discount
- the online form is easier to complete
- it speeds up processing time.

In person

Complete this form and apply in person at any Service NSW centre. For your nearest centre go to [service centre locator](#) or phone 13 77 88.

What do I need to complete this form?

Attachments you may need include:

- Evidence of identity for each director
- [Notification of Partnership Particulars](#) form if operating as a partnership
- [Licensee-in-Charge Details](#) for each place of business
- If you are applying from another jurisdiction and have an address within 50km of the NSW border, you will need to provide a copy of the current licence from that jurisdiction.

If you are having difficulty submitting this application contact NSW Fair Trading on 13 32 20

SECTION 1 – Corporation Details

You must complete either **SECTION 1.a** or **SECTION 1.b**.

SECTION 1.a - ACN

ACN

ABN

Corporation name

SECTION 1.b – Assoc. Incorporated Number

Assoc. Incorporated Number issued within NSW are either 'Y plus 7 digits e.g., Y1234567' or 'INC plus 7 digits e.g., INC1234567'. The format may vary for other states.

Assoc. Incorporated number

Organisation name

SECTION 2 –Licence Duration

Are you applying for a licence term of 1, 3 or 5 years?

1 year

3 years

5 years

SECTION 3 – Principal Place of Business

Note The registered office must be in NSW. Alternatively, the registered office can be within 50 kilometres of the NSW border, but only if the licensee in charge or director holds a current licence or authority from that jurisdiction (see section 28 of the *Property and Stock Agents Act 2002* (the Act)).

If within 50 km of the border, attach a copy of your current licence in that state.

Business email address - *this is where you will receive all correspondence*

Business phone number

Business address (including postcode)

Postal address (including postcode)

SECTION 4 - Licensee in Charge

First name

Last name

Property Individual Licence Number

Please complete and attach the [Licensee-In-Charge form](#).

SECTION 5 – Other Trading Address and Licensees-in-Charge

Does the corporation intend to carry on business at more than one trading address and or add additional Licensee’s in Charge?

- No
- Yes – provide the details of the licensee-in-charge below. If you need more space, provide the details of each additional licensee-in-charge in **SECTION 11.a**.

First name Last name

Property Individual Licence Number

Trading address (including postcode)

Please complete and attach the [Licensee-In-Charge form](#).

SECTION 6 – Partnership

Do you intend to carry on business in a partnership under the *Property and Stock Agents Act 2002*?

- No
- Yes – please complete and attach the [Notification of Partnership Particulars](#) form and ensure the form is signed by each individual partner, or a director in case of a licensed corporation.

SECTION 7 – Directors

Provide the following details for each director of the applicant corporation. If you need more space, provide the details of each additional director in **SECTION 11.b**.

Any discrepancies between the directors listed in this application and those recorded by the Australian Securities and Investments Commission for the applicant corporation will delay the processing of this application.

At least one Director must be licenced under the Act.

Note If this application is reliant on a pending Property Individual Licence application eligibility is dependent on having an acceptable licenced Director.

Director 1

First name Surname
Middle name(s) Date of birth
Mobile Email (optional)
Driver licence number (optional) State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the director have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the director.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

Director 2

First name

Surname

Middle name(s)

Date of birth

Mobile

Email (optional)

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the director have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the director.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

SECTION 8 - Secretaries

Does the corporation have a secretary within the meaning of the *Corporations Act*?

No

Yes - provide the details of the secretary(-ies) below. If you need more space, provide the details of each additional secretary in **SECTION 11.c**.

Secretary 1

First name

Surname

Middle name(s)

Date of birth

Mobile

Email (optional)

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the secretary have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the secretary.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

Secretary 2

First name

Surname

Middle name(s)

Date of birth

Mobile

Email (optional)

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the secretary have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the secretary.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

SECTION 9 – Disclosures

If you answer yes to any of the following questions, please provide full details in **SECTION 11.d**.

Criminal Record

1. Has any director or person concerned in the management of the corporation been convicted in NSW or elsewhere of ANY offence that was recorded in the last 10 years or have any pending charges? No Yes

This question is asking if you (or any person described/identified in this section) have been found guilty of a criminal charge or offence that was recorded against your/their name. A criminal offence includes:

- recorded conviction for a criminal offence
- incarceration
- being subject to a bond
- being on parole or subject to parole conditions.

2. Has any director or person concerned in the management of the corporation been convicted in the last five (5) years of an offence of licence or certificate lending under the *Property and Stock Agents Act 2002*? No Yes

This question is asking if you (or any person described/identified in this section) have been charged with lending your property licence or certificate to another person.

Financial

1. Has any director or person concerned in the management of the corporation in the preceding three (3) years, been an undischarged bankrupt or applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with his/ her creditors or made an assignment of his/ her remuneration for their benefit? No Yes

This question is asking if you (or any person described in this section) are, or have been, bankrupt or insolvent and:

- *have used the law to relieve debt*
 - *have made contractual agreements to manage debt with creditors*
 - *have assigned part of your salary (remuneration) to pay off debt.*
2. Is any director or person concerned in the management of the corporation currently an undischarged bankrupt? No Yes

An undischarged bankrupt is an individual (or any person described/identified in this section) who is declared bankrupt. If bankruptcy has been annulled, this means it has come to an end.

Insolvency

1. Has any director or person concerned in the management of the corporation in the preceding three (3) years, been a director or person concerned in the management of ANY externally-administered body corporate (within the meaning of the *Corporations Act*)? No Yes

An externally administered body corporate is a corporation that:

- *is being wound up. This is the same as liquidation.*
 - *is under administration.*
 - *has entered a contract with creditors that has not ended, or*
 - *has entered into a compromise or arrangement with another person where the administration has not ended.*
2. Has any director or person concerned in the management of the corporation in the preceding three (3) years ceased to be a director or person concerned in the management of ANY corporation that became an externally-administered body corporate within 12 months of the date they ceased? No Yes

This question is asking if you (or any person described in this section) have been a manager or director of a business that was put under administration (this may be called in liquidation; winding up, or insolvent), even if they left the business before it went under administration.

3. Is any director or person concerned in the management of the corporation currently a director or person concerned in the management of ANY externally-administered body corporate (within the meaning of the *Corporations Act*)? No Yes

This question is asking if you (or any person described in this section) have been a manager or director of a business or association that was under administration (this may be called in liquidation; winding up, or insolvent), in the past 3 years.

4. Is the corporation the subject of a winding up order or the appointment of a controller or administrator? No Yes

Disqualifications

1. Is the corporation or any director or person concerned in the management of the corporation disqualified from holding a licence, certificate of registration, permit or other authority under legislation administered by the Minister responsible for Fair Trading or under a corresponding law? No Yes

This question is asking if you (or any person described in this section) have been disqualified from holding any type of licence issued by NSW Fair Trading or in another jurisdiction.

2. Is the corporation or any director or person concerned in the management of the corporation the holder of a licence, certificate of registration, permit or other authority that is suspended under legislation administered by the Minister responsible for Fair Trading or under a corresponding law? No Yes

This question is asking if you (or any person described in this section) have had a suspension placed on any type of licence issued by NSW Fair Trading or in another jurisdiction.

Debts

1. Does the corporation or any director or person concerned in the management of the corporation owe a monetary penalty payable in relation to disciplinary proceedings or failed to comply with a direction given by the Secretary under the Act? No Yes

This question is asking if you (or any person described in this section) owe the government money that the Property Services Compensation Fund has already compensated consumers with. This happens when an agent has failed to account for funds held in trust.

2. Does the corporation or any director or person concerned in the management of the corporation own an amount to the Crown for the recovery of payments from the Compensation Fund? No Yes

This question is asking if you (or any person described in this section) have an outstanding penalty to pay in relation to the property industry.

SECTION 10 – Declaration

I apply for the grant of a licence under the *Property and Stock Agents Act 2002* and certify that the particulars specified in this application and all attachments are, to the best of my knowledge, true and correct in every detail.

Under the *Privacy and Personal Information Protection Act 1998*, I:

- Authorise NSW Fair Trading to make any inquiries and to receive and disclose any information which is relevant to my ongoing eligibility to hold a registration under the *Property and Stock Agents Act 2002*
- Acknowledge that information will be placed on the register open to the public in accordance with the *Property and Stock Agents Act 2002*
- Accept that failure to supply information required on this application may delay the processing of this application; and
- Have a right to seek access to, and correction of, information supplied

Making a false or misleading statement, giving false or misleading information, or producing false or misleading documents is a serious offence which may render you liable to prosecution for offences including under the *Crimes Act 1900* which may result in penalties including a fine or imprisonment.

Full name of the Director/Secretary completing this application
(Only a director or secretary of the organisation can make this application)

Mobile

Email

Signature

Date (DD/MM/YYYY)

It is an offence under the Property and Stock Agents Act 2002 for you to be, represent as, act as or exercise any of the functions of an assistant agent if you do not hold the relevant certificate of registration under the Act.

SECTION 11.a - Attachments (Other Trading Addresses and Licensee-in-Charge)

Other Trading Address and Licence-in-Charge

First name	Last name
<input type="text"/>	<input type="text"/>

Property Individual Licence Number

Trading address (including postcode)

Please complete and attach the [Licensee-In-Charge form](#).

SECTION 11.b – Attachments (Directors)

Director 3

First name	Surname
<input type="text"/>	<input type="text"/>

Middle name(s)	Date of birth
<input type="text"/>	<input type="text"/>

Mobile	Email (optional)
<input type="text"/>	<input type="text"/>

Driver licence number (optional)	State of driver licence
<input type="text"/>	<input type="text"/>

Residential address (including postcode)

Postal address (including postcode)

Does the director have a current licence?

Yes – Provide licence number

No - attach evidence of identity of the director.
Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

Director 4

First name	Surname
<input type="text"/>	<input type="text"/>

Middle name(s)	Date of birth
<input type="text"/>	<input type="text"/>

Mobile	Email (optional)
<input type="text"/>	<input type="text"/>

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the director have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the director.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

SECTION 11.c – Attachments (Secretaries)

Secretary 3

First name

Surname

Middle name(s)

Date of birth

Mobile

Email (optional)

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the secretary have a current licence?

Yes - Provide licence number

No - attach evidence of identity of the secretary.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

Secretary 4

First name

Surname

Middle name(s)

Date of birth

Mobile

Email (optional)

Driver licence number (optional)

State of driver licence

Residential address (including postcode)

Postal address (including postcode)

Does the secretary have a current licence?

Yes – Provide licence number

No - attach evidence of identity of the secretary.

Evidence can be a copy of driver's licence, passport, birth certificate or change of name certificate.

SECTION 11.d – Attachments (Disclosures)

If you have answered 'Yes' in your disclosure questions, complete and attach the additional details in the relevant forms below

- Criminal Record Complete and attach the [Criminal History](#) form.
- Financials Complete and attach the [Bankruptcy](#) form
- Insolvency Complete and attach the [External Administration of a Company](#) form
- Disqualifications Complete and attach the [Disqualifications/Suspensions](#) form
- Debts Complete and attach the [Debts](#) form

These forms are to assist you in providing the required details and allow prompt assessment of your application. Failure to provide sufficiently detailed information can affect the outcome of your application as NSW Fair Trading will be unable to assess your circumstances.

PRIVACY COLLECTION NOTICE

Who we are

Your information is being collected by the Department of Customer Service (the Department) on behalf of the Commissioner for NSW Fair Trading. NSW Fair Trading gives priority to protecting the privacy of your personal information, in accordance with the *Privacy and Personal Information Protection Act 1998* (PIIP Act) and *Health Records and Information Privacy Act 2002* (HRIP Act).

If you have any questions about this document, or how we handle your personal information, you can contact our Privacy team using the contact details at the end of this notice.

Why we collect your personal information

NSW Fair Trading is collecting your personal information for the purpose of assessing your application to apply for a corporation property licence in accordance with the *Property and Stock Agents Act 2002* and the *Licensing and Registration (Uniform Procedures) Act 2002*.

The kinds of information we collect

We may collect the following information:

- The names and individual property licence numbers for the licensee's in charge
- Full names, dates of birth, contact details (address, email and phone number), drivers licence number (optional), licence numbers of directors and secretaries.
- Proof of identity information, which may include photo identity documents, like a passport or driver licence, your Medicare card details and/or other proof of identity.
- Criminal offences and/or pending charges recorded in the last ten years.
- Convictions recorded in the last five years for an offence relating to a licence or certificate under the *Property and Stock Agents Act 2002*.
- Qualification details
- Some financial information, including information about bankruptcy, insolvency and debts.
- Details of any relevant disqualifications or suspensions
- Additional personal information if it is required to satisfy the eligibility requirements for the licence.

Failure to provide information

Your information is provided voluntarily, however if you choose not to provide your information, we may be unable to process your application.

How we may use this information

We may use the information we collect in the following ways:

- To assess your application for a corporation property licence in accordance with Part 2 of the *Property and Stock Agents Act 2002* and Part 2 of the *Licensing and Registration (Uniform Procedures) Act 2002*.
- Internal administrative purposes, including liaising with you in relation to your application, and in relation to compliance, investigations, and enforcement of the *Property and Stock Agents Act 2002* or *Fair Trading Act 1987*.
- To administer and update your licence, including to send you information that we consider important such as reminders to renew licences and to confirm your details if you make any subsequent applications in relation to any licence or authority issued by the Department on behalf of the Commissioner for Fair Trading.
- To support more informed policy making, program management, evaluation, research, and service planning as it can facilitate more efficient service delivery for residents and business in NSW.
- To verify your proof of identity documents with the Document Verification Service.
- To record information on a public register which is published online (as required by section 220 of the *Property and Stock Agents Act 2002* and clause 58 of the *Property and Stock Agents Regulation 2022*). Where applicable, this may include the names and details of members of a partnership or directors of the corporation, licensee in charge details, suburb, licence type and validity, details of other property licences or certificates members or directors hold, and associated compliance history.
- Other directly related purposes.

Who we may share your information with

If required, we may make enquiries and exchange information with other NSW Government agencies, or other States, Territories and/or the Commonwealth for the purposes of assessing your application and for compliance purposes. We may disclose your information to such bodies for these purposes.

We will not disclose your information to anybody else unless we are authorised or permitted to do so by law or where you have given consent. Our [Privacy Statement](#) describes when this may occur.

Service NSW

Service NSW collects and uses your personal information where this form is lodged at a Service NSW Service Centre.

Service NSW may use your information for the following purposes:

- Verify your identity with the Document Verification Service
- Share details with NSW Fair Trading.

Service NSW also maintains and uses your personal information for internal administrative purposes, including for the purposes of our interactions with you.

Other information you provide through the application will be collected and stored by NSW Fair Trading only.

For more information about how Service NSW handles personal information, please visit the [Service NSW Privacy Statement](#).

Protecting your information

We will store and manage your personal information and health information in accordance with the provisions under the PPIP Act and HRIP Act. We have measures in place to help protect your personal information from loss, unauthorised access, use, modification, disclosure, or other misuse.

We will only keep information for as long as we need it to fulfil the purposes we collected it for. After which, the information will be disposed of securely in accordance with the *State Records Act 1998* and any other applicable legislation.

See our [Privacy Management Plan](#) for more information about how we handle your personal information.

Your rights

Subject to certain conditions, you have the following rights in relation to your personal information:

- The right to request **access** to your personal information
- The right to request **correction** of your personal information.

If you wish to invoke any of the above rights, please contact us using the details below.

Contact us

If you would like to make a privacy enquiry or complaint, you can contact us at BRDPrivacy@customerservice.nsw.gov.au.