

# Motor Dealer, Repairer and Recycler Licence INDIVIDUAL APPLICATION

*Motor Dealers and Repairers Act 2013*

A licence must be held by an individual (natural person) or a corporation. Use this application form to apply as an **individual** or an individual of a partnership for a motor dealer, repairer or recycler licence. If you are applying as a corporation, please complete the [Motor Dealer, Repairer and Recycler Licence Corporation Application](#).

### Obligations and responsibilities of licence holders

All applicants must ensure that they are aware of their obligations and responsibilities under the *Motor Dealers and Repairers Act 2013*, the Motor Dealers and Repairers Regulations 2014 and any other relevant Acts and Regulations related to the conduct of the business that will be authorised under the type of licence being applied for.

### Important information

In the case of a business operating as a partnership only one partner is required to hold a licence under the Act. A licence cannot be issued to a Partnership. Please give careful consideration as to which partner is to hold the licence. Once the licence is granted, it cannot be transferred to another partner.

### Managers details

An applicant that is an individual may manage their own business or employ a manager to manage their business. To nominate a manager, use the [Managers Consent form](#) included with this application.

### How do I apply?

#### Online

Complete an [online form](#) at the Service NSW website.

#### In Person

Complete this form and apply in person at a Service NSW Centre. To find your nearest Service NSW Centre, use the [service centre locator](#) or phone 13 77 88.

For more detailed information on [motor dealers'](#) please visit the NSW Fair Trading website.

### Fees

Information about the current motor dealers and repairer fees is available on the [NSW Fair Trading](#) website. Fees are GST exempt and include a non-refundable processing component.

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

### Forms checklist

Please complete additional forms and attached if required.

- Authorised Representative [Authorised Representative form](#) – if one or more individuals will be an authorised representative of the licensee/applicant.
- Sharing of Premises [Undertaking Concerning the Sharing of Premises form](#) – if the applicant will be sharing a place of business with one or more other motor dealers.
- Additional Manager's Consent Additional [Manager's Consent form](#) – if more than one manager is being nominated.
- Additional Details of Partners [Additional Details of Partners](#) – if more than one individual or corporate partner.

**SECTION 1 – Application details**

Choose the type of licence you are applying for from the below (tick the appropriate box)

- Motor Dealer’s Licence
- Motor Dealer’s Licence *restricted to dealing in motor vehicles on a wholesale basis only*
- Motor Vehicle Repairer’s Licence
- Motor Vehicle Recycler’s Licence

**SECTION 2 – Licence duration**

Select the licence duration you are applying for

- 1 Year
- 3 Years
- 5 Years

**SECTION 3 – Identification**

All individuals (including individuals of a partnership, or manager) nominated on this application form, **must provide one form of photo identification** such as a current driver licence or passport.

**SECTION 4 - Individual applicant details**

Surname	Given names
<input type="text"/>	<input type="text"/>
Former names (if any)	Driver licence number
<input type="text"/>	<input type="text"/>
Date of birth	Place of birth
<input type="text"/>	<input type="text"/>
Postal address (including postcode) - <i>If an email address is not provided, all correspondence will be sent here</i>	
<input type="text"/>	
Phone number	Mobile number
<input type="text"/>	<input type="text"/>
Email - <i>All correspondence, including renewal applications will be sent to this email address</i>	
<input type="text"/>	

**SECTION 5 - Details of partners**

Provide details of individual and corporate partners other than the licence applicant. If there is more than one individual partner or one corporate partner, please attach an [Additional Details of Partners form](#) from the Fair Trading website showing details of the other individual and corporate partners.

**Individual partner**

Surname	Given names
<input type="text"/>	<input type="text"/>
Former names (if any)	
<input type="text"/>	
Date of birth	Place of birth
<input type="text"/>	<input type="text"/>
Postal address (including postcode)	
<input type="text"/>	
Phone number	Mobile number
<input type="text"/>	<input type="text"/>
Email	Driver licence number
<input type="text"/>	<input type="text"/>

### Corporate partner

Corporation name

ACN

Date of incorporation

Postal address (including postcode)

Telephone number

Mobile number

Email

*Attach additional pages if needed*

### Directors of Corporate partner

Please ensure that the directors shown on this application form are the same as those registered with the Australian Securities and Investments Commission (ASIC). If there is more than one director, attach an [Additional Details of Partners form](#) from the Fair Trading website showing details of the second and any subsequent directors.

### Director of corporate partner

Surname

Given names

Former names (if any)

Date of birth

Place of birth

Postal address (including postcode)

Phone number

Mobile number

Email

Driver licence number

*Attach additional pages if needed*

### SECTION 6 - Place of business

#### Business name

If you intend to carry on business under a business name at any of the proposed premises, provide details below. If you are registered as a company (Pty Ltd) please complete the [Motor Dealer, Repairer and Recycler Licence Corporation Application](#).

Business name

ABN

*Attach a copy of the current business name registration certificate issued by ASIC to this application*

**Note** - A business name must be held by the applicant. If the applicant is not shown as the holder of the business name or you do not provide a copy of the current business name registration certificate, the business name will not appear on the licence.

NSW Fair Trading will not contact you requesting a copy of the certificate for the purposes of assessing this application.

Business address (including postcode)

Telephone number

Mobile number

### Local council approval

You have an obligation to comply with local government requirements. Those obligations exist in addition to the requirement to hold a licence. Non-compliance may result in you being liable to prosecution. Contact your local council for any questions you may have relating to approvals.

*For Motor Dealer/Recycler* - Do the premises have current local council approval to display and sell vehicles?  Yes  No

*For Motor Vehicle Repairers* - Do the premises have current local council approval that allows the conduct of the business of a Motor Vehicle Repairer?  Yes  No

Development application (DA) number

Date DA approved (DD/MM/YYYY)

*If you answered NO to the questions above, your application will not progress any further.*

*For all proposed premises, you must attach local council approval. Please speak to your local council for the appropriate approval. Without this approval your application will be refused.*

Are any of the premises occupied by another licensee?  Yes  No

**Note** - Motor Vehicle Recyclers cannot share premises.

*If you answered YES, provide the other licensee's details here*

Name of other licensee

Licence number

Will you be sharing the premises with the other licensee?  Yes  No

*If the answer is YES and this is an application for a motor dealers' licence, and the premises will be shared with another motor dealer, the [Undertaking Concerning the Sharing of Premises form](#) on the Fair Trading website, must be completed.*

You must also attach to this application a plan showing how the premises will be shared. A legible hand drawn sketch is sufficient for this purpose.

If you will not be sharing the premises, will the other licensee be vacating the premises?  Yes  No

**Additional place of business (if any)**

Business address (including postcode)

Telephone number

Mobile number

**SECTION 7 - Mobile workshops**

If you are applying for a motor vehicle repairers' licence and you will be operating a mobile workshop from a motor vehicle, provide the particulars below in respect of each motor vehicle.

**Each mobile workshop (motor vehicle) is counted as a place of business. The prescribed fee is payable for each place of business.**

**Motor vehicle 1**

Registration number

**Motor vehicle 2**

Registration number

**Motor vehicle 3**

Registration number

Business name

ABN

*Attach a copy of the current business name registration certificate issued by ASIC to this application.*

**Note** - If the applicant and any listed partners are not shown as the holder of the business name or you do not provide a copy of the current business name registration certificate, the business name will not appear on the licence.

**SECTION 8 - Sale of motor vehicles on consignment**

A motor dealer who proposes to commence to sell motor vehicles on consignment must give notice in writing of that intention. Note that the notice must be given before the dealer commences to sell motor vehicles on consignment.

If this application is for a motor dealers' licence, does the applicant propose to sell motor vehicles on consignment?  Yes  No

**SECTION 9 - Contact person**

Please provide details of an alternative contact person (other than the applicant) if questions arise during the processing of this application.

Full name

Position

Telephone number

Mobile number

Email address

**SECTION 10 – Financial resources**

An applicant must have sufficient financial resources to enable the person to carry on business pursuant to the authority that would be conferred by the licence if it were granted. If you do not have sufficient financial resources, you are not qualified to be granted a licence.

Fair Trading may request documented evidence of your financial resources.

Does the applicant have sufficient financial resources to meet its liabilities?  Yes  No

## SECTION 11 – Disclosure and declaration

### 1. Is/has the applicant/person, partner or a corporation of which the person is/was a Director or officer

- a) currently a controlled member of a declared organisation under the *Crimes (Criminal Organisation Control) Act 2012*?  Yes  No
- b) currently an undischarged bankrupt?  Yes  No
- c) been **found guilty** within the preceding ten (10) years of any offence, or has proceedings for an offence pending against them in New South Wales or elsewhere in Australia?  Yes  No
- d) been **convicted** of an offence against the *Motor Dealers and Repairers Act 2013* (or \*prior Acts) or regulations?  Yes  No
- e) been **charged** with any offence in the preceding ten (10) years in New South Wales or elsewhere in Australia?  Yes  No
- f) been convicted of an offence against **any Act** administered by the Minister for Fair Trading?  Yes  No
- g) failed to pay any contribution or other payment required to be paid by them to the Compensation Fund under the *Motor Dealers and Repairers Act 2013* (or \*prior Acts)?  Yes  No
- h) failed to comply with a rectification order made against them under the *Motor Dealers and Repairers Act 2013* (or \*prior Acts)?  Yes  No
- i) had any application for a licence, certificate or other authorisation under any Act refused?  Yes  No
- j) been subject to disciplinary action in the last ten (10) years relating to any licence?  Yes  No
- k) been **investigated** (or is/are being investigated) which may result in criminal or disciplinary action being taken?  Yes  No
- l) had a receiver or other controller appointed in respect of any applicant/person, partner or a corporation of which the person is/was a director or officer?  Yes  No
- m) in the course of being wound up?  Yes  No
- n) entered into a compromise or scheme of arrangement with its creditors?  Yes  No

\* In this form, “prior Acts” means the *Motor Dealers Act 1974* and/or the *Motor Vehicle Repairs Act 1980*

*If you answer Yes to any of the above questions, please provide full details on a separate sheet*

**SECTION 12 - Declaration by applicant**

Individual declaration must be signed by the Applicant.

I certify that the particulars specified in this application and all attachments are, to the best of my knowledge, true and correct in every detail.

**Statement under the *Privacy and Personal Information Protection Act 1998***

The applicant for this licence:

1. authorises NSW Fair Trading to make any inquiries and to receive and disclose any information which is relevant to the applicant's initial and ongoing eligibility to hold this licence.
2. acknowledges that information will be placed on a register open to the public in accordance with the *Motor Dealers and Repairers Act 2013*
3. accepts that failure to supply information required on this application form may delay the processing of the application; and
4. has 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.**

Signature

Date

Full name

*NSW Fair Trading will conduct a criminal history check in respect of the applicant, directors, partners and managers.*

## Manager's Consent FORM

*Motor Dealers and Repairers Act 2013*

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An **individual** may manage the business themselves or nominate another individual to manage the day-to-day business of the licensee. One or more individuals may be nominated to manage the day-to-day business of the licensee.

Where there is more than one manager, a [separate Manager's Consent form](#) must be completed for each manager.

The nominated manager(s) must give their consent to being nominated as a manager and must authorise NSW Fair Trading to conduct criminal record checks and to make any other inquiries and to receive and disclose any information which is relevant to their nomination as a manager.

### **SECTION 1 - Certain persons not to be employed as manager**

A licence holder must not employ any person as a manager of a place of business if the licence holder is notified by the Secretary, or if the licence holder is aware or ought reasonably to be aware that:

#### **1. Is/has the person to be employed as Manager:**

- a) within the last 10 years:
  - i. held a licence that has been cancelled?  Yes  No  
been convicted of, or has served any part of a term of imprisonment for an
  - ii. offence in New South Wales or elsewhere in Australia involving fraud or dishonesty?  Yes  No  
been refused a licence on a ground or grounds related to the honesty of the
  - iii. person or on the ground of his or her status as a fit and proper person to be a licence holder?  Yes  No
- b) subject to a good behaviour bond in relation to an offence in New South Wales or elsewhere in Australia involving fraud or dishonesty?  Yes  No
- c) had proceedings commenced against them in New South Wales or elsewhere in Australia in relation to an offence involving fraud or dishonesty?  Yes  No
- d) had a licence suspended?  Yes  No
- e) been disqualified from holding a licence as an individual or as a director or manager of a corporation where a licence was required to conduct business?  Yes  No

*If you answered YES to any of the above questions, the person nominated as manager cannot be employed by the licence holder and a new person must be nominated as manager.*



**SECTION 2 - Applicant details**

Name of licensee/applicant

Licence number/application number

**SECTION 3 - Proposed manager details**

Surname

Given names

Former names (if any)

Date of birth

Place of birth

Driver licence number

Postal address (including postcode)

Mobile number

Telephone number

Email address

**SECTION 4 – Identification**

All individuals nominated on this form, **must provide one form of photo identification** such as a current driver licence or passport.

**SECTION 5 - Details of managers to be removed (if any)**

Provide below the names of any managers to be removed from a licence or pending application.

**SECTION 6– Declaration and consent of nominated manager**

I agree to being nominated as a manager in respect of the business to which the licence/application relates and I authorise NSW Fair Trading to conduct criminal record checks and to make any other inquiries and to receive and disclose any information which is relevant to my nomination as a manager.

I declare the details confirmed in **SECTION 1** meet the requirements to be employed as a manager.

Nominated Manager’s signature

Date

Licensee/applicant signature

Date

## Privacy Collection Notice

NSW Fair Trading, Department of Customer Service gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with the *Privacy and Personal Information Protection Act 1998* (PIIP Act). Service NSW acts as a shopfront for us and performs transactions for you, on our behalf.

The personal information contained in your application is collected and held by NSW Fair Trading and Service NSW will collect and hold person information on our behalf as part of the application process.

We are collecting your personal information for the following purposes:

1. To process an application for an individual for an Individual Motor Dealer, Repairer or Recycler licence in accordance *Motor Dealers and Repairers Act 2013* and Section 22 of the *Licensing and Registration (Uniform Procedures) Act 2002*
2. Internal administrative purposes, including liaising with you in relation to your application.
3. We may use the information 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.
4. As required by legislation to record information on a public register, parts of which will be published online.

The consequence of not providing it is that your application may not be able to be renewed. We may use the personal information contained in your application to confirm your details if you make any subsequent applications in relation to any licence or authority issued by NSW Fair Trading. We may also use it to administer/update our customer database including to send you information that we consider important such as reminders to renew licences.

We will store and manage your personal information in accordance with provisions under the PIIP Act.

If required, we may make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes. We may disclose your personal information for these purposes.

We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or permitted to do so by law. Our [Privacy Statement](#) describes when this may occur. You can find this information and our [Privacy Management Plan](#) on the Department of Customer Service website.

Please see the [Fair Trading Privacy Code of Practice](#) for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint, or email [brdprivacy@customerservice.nsw.gov.au](mailto:brdprivacy@customerservice.nsw.gov.au).

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