

Individual Conveyancer Licence APPLICATION

Conveyancers Licensing Act 2003

Use this form to apply as an individual for an Individual Conveyancer Licence. This allows you to do legal work in relation to property transactions such as a sale or lease of land, or the granting of a mortgage.

Am I eligible?

- You must be 18 years or older.
- You must have completed the relevant [qualification/s](#) and experience.
- You must not be a 'disqualified person' under the [Conveyancers Licensing Act 2003](#), including:
 - an Australian solicitor or barrister with a current practising certificate, or
 - someone licensed under the [Property and Stock Agents Act 2002](#)
- You must meet the mandatory insurance requirements.
- You have paid the relevant contribution to the [Property Services Compensation Fund](#).

Where a licensee or applicant is in a partnership, each partner must also be licensed, unless the Fair Trading Commissioner has given approval for a partnership with an unlicensed person.

How much does a licence cost?

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

How do I apply?

Online

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

In person

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

Identification

You will need to attach two (2) [current identity documents](#) such as a copy of your driver licence, photo card, passport, or birth certificate.

What happens next?

Your application and supporting documents will be assessed to ensure you meet the requirements to hold a Conveyancer Licence. We will endeavour to complete the assessment of your application within our service standards, however, please note that 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. If your application is refused, we will contact you in writing outlining the reason(s) and provide you with details of your options.

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

SECTION 1 – Applicant details

First name

Last name

Middle name(s) *if any*

Date of birth (DD/MM/YYYY)

Any previous legal or other known names

SECTION 2 – Applicant’s contact details

Note - you must advise NSW Fair Trading of any changes to your email, mobile number, or address details

Preferred contact number

Mobile number

Email address – *this is where you will receive all correspondence*

Residential address (including postcode)

Postal address (including postcode)

SECTION 3 – Proof of identity

To verify your identity, you will need to provide **two** (2) types of identification. The names on your two documents **must match** the name provided in the applicant’s details section. Please ensure all copies are clear and legible.

Please select two types of identification and provide a copy of the document:

- | | |
|---|---|
| <input type="checkbox"/> Australian Driver Licence | <input type="checkbox"/> Australian Citizen Certificate |
| <input type="checkbox"/> Australian Birth Certificate | <input type="checkbox"/> Medicare Card |
| <input type="checkbox"/> Australian Passport | <input type="checkbox"/> Travel Visa (this must be supported by Foreign Passport) |
| <input type="checkbox"/> Proof of Age Card | |

SECTION 3a – Proof of any previous legal or other known names (if applicable)

If you have any previous legal or other known names, please select two types of identification and provide a copy of the document.

Please select two types of identification and provide a copy of the document:

- | | |
|--|---|
| <input type="checkbox"/> Australian Marriage Certificate | <input type="checkbox"/> Decree Nisi/Decree Absolute Divorce Papers |
| <input type="checkbox"/> Birth Certificate | <input type="checkbox"/> Deed Poll Papers (change of name) |
| <input type="checkbox"/> Change of Name Certificate | <input type="checkbox"/> Commonwealth Victims Certificate |

SECTION 4 – Licence duration

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

1 year

3 years

5 years

SECTION 5 – Qualification details

Select the qualifications pathway are you applying under.

Mutual recognition (interstate or New Zealand) – **provide details** below and **go to SECTION 7**

Issuing authority

Licence number

Licence expiry date

Note - You will need to complete and attach a copy of the **Notification to Local Registration Authority - Mutual Recognition form** available on the [Fair Trading Website](#).

Previously held a conveyancer licence in NSW – **provide details** below and **go to SECTION 7**

Licence number

Completed a relevant qualification – **attach a copy** of your relevant qualification and **go to SECTION 6**

SECTION 6 – Evidence of work experience

It is a condition of your licence that you gain at least 2 years practical experience in conveyancing work, at least 1 year of which is obtained while employed on a full-time basis under the supervision of a licensee with an unrestricted licence or Australian legal practitioner with an unrestricted practising certificate.

You will need to attach a copy of the statement of attainment for your relevant qualification

Start date

Finish date

Was this on a part-time or full-time basis?

Full-time

Part-time

If part-time, how many hours per week?

Provide your referee details for the above work experience. Fair Trading may contact your referee to validate your experience.

First name

Last name

Contact number

Email address

Relationship to applicant (for example, your supervising solicitor or conveyancer)

If you need to provide additional work experience and referee details, please include this information on a separate page and attach with your application.

SECTION 7 – Place of business

What is the address where you will be conducting conveyancer work, such as your employer or where you will be conducting your own conveyancing business?

Note – this address will be visible on the NSW Public Register.

Business address (including postcode)

SECTION 8– Business names

If you will be conducting your own conveyancing business from this address, will you be carrying on business under a registered business name?

Yes – provide your registered business name No/not applicable

SECTION 9 – Partnerships and receipt sharing

Do you intend to carry on business in a partnership or share receipts with another person?

Yes No

Note - If yes, you **must** complete and attach the [Partnerships Application form](#) to this application.

SECTION 10 – Disclosures

If you answer Yes to any of the following questions, please provide full details in attachments section.

Mental incapacity

1. Do you have a mental incapacity? No Yes

A ‘mentally incapacitated person’ means a person who is an involuntary, forensic or correctional patient as defined by the Mental Health Act 2007 (NSW).

Or it also means a ‘protected person’ within the meaning of the NSW Trustee and Guardian Act 2009.

Criminal Record

2. Have you been convicted in NSW or elsewhere of **any** criminal offence that was recorded in the last 10 years? No Yes

This question is asking if you have been found guilty of a criminal charge or offence that was recorded against your 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.

Financial

3. Are you now, or have you been in the preceding 3 years, an undischarged bankrupt? No Yes

An undischarged bankrupt is an individual who is declared bankrupt. If bankruptcy has been annulled, this means it has come to an end.

4. Have you in the preceding 3 years applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with your creditors or made an assignment of your remuneration for their benefit? No Yes

This question is asking if you 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.

Insolvency

5. In the last 3 years, did you cease to be concerned in the management of, or a director of, **any** corporation that became an externally-administered body corporate within 12 months of the date you ceased? No Yes

This question is asking if you 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 you left the business before it went under administration.

6. Are you now, or were you at any time in the preceding 3 years, a director or person concerned in the management of any externally-administered body corporate (within the meaning of the Corporations Act 2001)? No Yes

This question is asking if you 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 three (3) years.

Disqualifications

7. Are you disqualified from holding a licence, certificate of registration, permit or other authority under legislation in NSW administered by the Minister responsible for Fair Trading or under a corresponding law elsewhere? No Yes

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

8. Do you hold a licence, certificate or registration, permit or other authority that is suspended or cancelled in NSW or elsewhere for disciplinary reasons? No Yes

This question is asking if you have had a suspension placed on any type of licence issued by NSW Fair Trading or in another jurisdiction or had a licence cancelled in NSW or another jurisdiction due to disciplinary action being taken.

9. Have you been removed (otherwise than at your own request) from the roll of lawyers kept by the Supreme Court or from a corresponding roll of lawyers kept by the superior court of another State or Territory? No Yes

10. Are you disqualified from being employed in a law practice by virtue of an order made under Division 1 of Part 3.9 of the Legal Profession Uniform Law (NSW)? No Yes

11. Are you a legal practitioner in Australia? No Yes

12. Do you hold a current licence or certificate of registration under the *Property and Stock Agents Act 2002*? No Yes

SECTION 11 – Professional indemnity insurance

The Conveyancers Licensing Regulation 2015 requires a licence holder, when carrying out conveyancing work, to be insured under an approved policy of professional indemnity insurance in force with respect to the licensee. It is a condition of a licence that the holder of the licence be insured as required.

SECTION 12 – Declaration and consent

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 and under *the Privacy and Personal Information Protection Act 1998* (PIIP Act):

- I authorise Fair Trading to make any inquiries and to receive and disclose any information which is relevant to my ongoing eligibility to hold a licence under the *Conveyancers Licensing Act 2003*.
- I acknowledge that information will be placed on the register open to the public in accordance with the *Conveyancer Licensing Act 2003*.
- I accept that failure to supply information required on this application may delay the processing of this application.
- I have a right to seek access to and correction of information supplied.
- I understand the professional indemnity insurance obligations as a licensee under the *Conveyancers Licensing Act 2003*.

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

Signature

Date (DD/MM/YYYY)

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 personal 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 Conveyancer Licence in accordance with section 11 of the *Conveyancers Licensing Act 2003* and *Part 2 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 determined. 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.

For more information about how Service NSW handles personal information please visit www.service.nsw.gov.au/privacy-statement.