

Commercial Agent Licence CORPORATION OFFICER CONSENT FORM

Part 5 of the Fair Trading Act 1987

Information for applicants

An individual or corporation who wishes to carry out Commercial Agent work is required, from 1 July 2022, to hold a Commercial Agent licence. Commercial Agent licences are required under Part 5 of the *Fair Trading Act 1987* and are issued by the Department of Customer Service (on behalf of the Commissioner for Fair Trading) (the Department).

This form provides an opportunity for all officers of the corporation to consent for a new or renewal Commercial Agent application to be made on their behalf.

This form does not apply to corporations with a sole officer.

An officer of a corporation has the same meaning as in the [Corporations Act 2001](#).

The Department collects, uses, and discloses your personal information in accordance with the Privacy Collection Notice (PCN). Please read the PCN enclosed with this application form.

Information for the nominated officer

The nominated officer must be a current officer of the corporation.

The nominated officer will apply for the Commercial Agent licence on behalf of the corporation, including other officer(s) of the corporation. During the application process, this consent form will need to be uploaded to the Commercial Agent online application. The nominated officer is responsible for ensuring that each officer of the corporation completes and signs this consent form. **The nominated officer must complete SECTIONS 1, 2 and 4 of the form and provide a National Police Certificate.**

Information for officer(s) of the corporation

As an officer of the corporation, you are responsible for the information provided on the application for a Commercial Agent licence.

You need to complete this form if:

- You are an officer of a corporation, and that corporation is applying for a Commercial Agent licence.

Please complete SECTIONS 3 and 4 of this form and give it to the nominated officer completing the application on behalf of the corporation. **You must also provide the nominated officer with your National Police Check.**

By signing the declaration in Section 4, you are giving consent for the nominated officer to act on your behalf when completing the Commercial Agent licence application.

How to lodge

The **nominated officer** is required to upload the completed consent forms and all National Police Checks, for all the officers, to the corporation's relevant Commercial Agent online application.

Commercial Agent Licence - Privacy Collection Notice

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

The personal and health information contained in your application is collected and held by the Better Regulation Division of the Department and Service NSW will collect and hold the information on our behalf as part of the application process.

Why we collect your personal information

The personal information and health information contained in your application may be used for the following purposes:

1. Issuing you with or renewing a Commercial Agent licence in accordance with Part 5 of the *Fair Trading Act 1987* (NSW).
2. Internal administrative purposes, including liaising with you in relation to your application, and in relation to compliance, investigations, and enforcement of the *Fair Trading Act 1987* (NSW).
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. Verifying your proof of identity documents with the Document Verification Service and/or Visa Entitlement Verification Online.
5. Establishing or maintaining records in your MyServiceNSW Account and/or MyServiceNSW Business Profile.
6. Other directly related purposes.

The consequence of not providing your personal information and health information is that your application may not be able to be determined.

Personal information we collect

We collect the following personal information:

- your full name, place of birth, contact details (address, email, phone number and mailing address)
- your Commercial Agents & Private Inquiry Agents license number (if applicable)
- proof of identity information, which may include your passport, driver licence, Medicare card details or other proof of identity
- additional personal information if it is required to satisfy the eligibility requirements for the licence

We note as part of the application process, if you have selected yes to being a “mentally incapacitated person”, you may be asked to provide medical evidence from a medical practitioner. This will assist the Department in determining whether you are able to be issued with a Commercial Agent licence.

How we may use this information

We may use the personal information and health information contained in your application for the purposes for which it was collected, including 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. We may also use it to administer and update your licence, including to send you information that we consider important such as reminders to renew licences.

We will store and manage your personal information and health information in accordance with the provisions under the PPIP Act and HRIP Act. This being the information is to be kept for no longer than necessary for the purposes of which the information may lawfully be used. The information is disposed of securely, protected by taking reasonably necessary safeguards against any loss, unauthorised access, use, misuse, modification or disclosure and against all other misuse of information.

How we may disclose this information

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 purposes of assessing your application and for compliance purposes. We may disclose the information for these purposes. If you are making an application as an officer of a corporation, the Department will receive your personal information and health information from the person making the application on behalf of the corporation.

We will not use or disclose your personal information and health 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](#).

Further information

Better Regulation Division, Department of Customer Service

Please visit the NSW Fair Trading website and search for the [Fair Trading Privacy Management Plan](#) for more information about how we handle your personal and health information, how you can request access to or correct the 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.

Service NSW

For further details about how Service NSW collects and manages personal information and health information, how you can access and correct it, to raise concerns about an alleged breach of privacy law or other relevant legislation, or to make a privacy complaint, please visit the Service NSW website and search for the [Service NSW privacy statement](#). Service NSW is located at 2-24 Rawson Place Sydney NSW 2000 and can be contacted on info@service.nsw.gov.au.

The Act and regulations may be viewed at or downloaded from legislation.nsw.gov.au ©State of New South Wales through NSW Fair Trading, 2014.

SECTION 1 – Application type

☐ New application

☐ Renewal application

SECTION 2 – Nominated officer details

This is the person who will complete the relevant online application for a Commercial Agent licence on behalf of the corporation.

Name

Surname

Date of birth

ACN of corporation

Corporation name

Nominated Officer Role (Director, Secretary etc.)

Business address (including postcode)

Residential address (including postcode)

Email address

Telephone number

Mobile number

The Commercial Agent ‘change of details notification’ form can be found on the [NSW Fair Trading website](#). For changes to licence details, please complete and submit the form with this application.

SECTION 3 – Officer(s) details

Please collect the details of all other officers of the corporation.

Officer 1

Name

Surname

Date of birth

ACN of corporation

Corporation name

Officer Role (Director, Secretary etc.)

Business address (including postcode)

Residential address (including postcode)

Email address

Telephone number

Mobile number

Officer 2

Name

Surname

Date of birth

ACN of corporation

Corporation name

Officer Role (Director, Secretary etc.)

Business address (including postcode)

Residential address (including postcode)

Email address

Telephone number

Mobile number

Officer 3

Name

Surname

Date of birth

ACN of corporation

Corporation name

Officer Role (Director, Secretary etc.)

Business address (including postcode)

Residential address (including postcode)

Email address

Telephone number

Mobile number

Important if insufficient space, please download an additional form and include details

SECTION 4 – Declaration and consent

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.

Nominated officer

I declare that:

I am an officer of _____ ACN: _____ “the corporation”.

I am authorised to apply to the Department for a Commercial Agent licence on behalf of the corporation.

Full Name

Nominated Officer role (Director, Secretary etc.)

Signature

Date

Other Corporation Officers

In signing this consent form, I:

- authorise the nominated officer of the corporation to make an application for a Commercial Agent licence on behalf of the corporation
- agree to provide accurate and complete information to the nominated officer in respect of the corporation to which the Commercial Agent licence application relates
- authorise the Department to conduct additional checks, to make any other inquiries, and to receive and disclose any information which is relevant to this Commercial Agent licence application
- agree to disclose my personal information contained in this form, my national police certificate, and any other information required to complete the application for a Commercial Agent licence to the nominated officer, any other officer of the corporation, Service NSW, and the Department for the purposes of this application
- authorise the Department and other officers of the corporation to collect my personal information from the nominated officer, for the purposes of the Commercial Agent licence application
- have read and understand that the Department will handle my personal information in accordance with the Department’s Privacy Collection Notice.

Officer 1

Full Name

Officer role (Director, Secretary etc.)

Signature

Date

Officer 2

Full Name

Officer role (Director, Secretary etc)

Signature

Date

Officer 3

Full Name

Officer role (Director, Secretary etc)

Signature

Date

Important if insufficient space, please download an additional page and include details