



Application for Motor Vehicle Repair Business Licence

**Department of Commerce
Consumer Protection**

Licensing Advice Line

Metro: (08) 9282 4338

Country: 1300 30 40 54

Fax:

(08) 9282 4363

(8.30 – 5.00 Weekdays)
(except for Public Holidays)

Licensing Branch

Head Office:

Forrest Centre
219 St Georges Terrace
PERTH

Unit 4 / 321 Selby Street (REAR)
OSBORNE PARK

Postal

The Licensing Officer
Consumer Protection
Locked Bag 14
CLOISTERS SQUARE
PERTH WA 6850

**LICENCE APPLICATION
FEES
APPLY**

See page 16

Web Site:

www.commerce.wa.gov.au

GENERAL INFORMATION

1. WHO NEEDS TO APPLY FOR A LICENCE

A person who carries on the business of motor vehicle repair work prescribed under the *Motor Vehicle Repairers Regulations* in Western Australia is required to hold a licence as a motor vehicle repairer under the *Motor Vehicle Repairers Act 2003*.

In order to hold a Motor Vehicle Repair Business Licence the applicant must employ (including self employment) a certified repairer for each class of repair work, at each of the premises from which the business operates.

2. FALSE OR MISLEADING INFORMATION

It is important to note that all the information in the application must be accurate. Any false or misleading information would be a contravention of the *Motor Vehicle Repairers Act 2003*, the *Oaths, Affidavits and Statutory Declarations Act 2005* and/or *Criminal Code Act Compilation Act 1913*.

3. PAYMENT *

Licences are issued for a period of three years from the date of issue.

See page 16 for the schedule of fees for a Repair Business Licence.

Cheques should be made payable to the Department of Commerce. If paying by **credit card**, please **complete** the **credit card payment details on the last page** of this application form.

(* Fees payable for applications made in the period 1 July 2011 to 30 June 2012)

4. POLICE CLEARANCES

One of the responsibilities of the Commissioner for Consumer Protection (the "Commissioner") is to ensure all applicants are 'of good character and repute' and 'a fit and proper person' to hold a Motor Vehicle Repair Business Licence.

All applicants who are resident in Western Australia are required to submit an original **National Police Certificate** with this application.

(Also refer to page 4).

5. LEGAL ENTITIES

The following are legal entities for the purpose of this licence:

- Sole proprietor (individual)
- Firm (partnership)
- Body corporate (company or corporation)

Please note that a Business Name and/or a Trust is **not** a legal entity.

Refer Question 1, page 6.

GENERAL INFORMATION

6. PROOF OF IDENTITY

Documentary evidence of the identity of all natural applicants (sole proprietor, partners and directors) must be provided. This evidence can be a copy of the person's current photographic driver's licence or the photographic and identification page of a passport.

7. REGISTRATION OF BUSINESS NAME/S AND COMPANY

You must ensure that any business name or names that the entity intends to use when trading are **registered**. Although you will not be required to submit proof of the registration, the Commissioner will search the 'Business Names Western Australia' Register to verify registration, principal place of business address and ownership. A licence will not be issued until registration of business name in the name of the applicant is confirmed.

If you have a partner or director of the company listed on the 'Business Names Western Australia' Register or with the Australian Securities and Investment Commission, even if they are 'silent partners', they are part of the legal entity for the purposes of this application, and full documentation for those persons is required.

To register a business name you should contact the Consumer Protection's Business Names Branch, 219 St Georges Terrace, Perth, telephone 1300 30 40 14.

Company applicants must also ensure that the company (body corporate) applying for a licence is registered in accordance with the requirements of the Australian Securities and Investment Commission. Although you will not be required to submit proof of the registration, the Commissioner will search the company names register to verify registration and the names of the office holders. A licence will not be issued until registration of a company (body corporate) is confirmed.

To register a company you should contact the Australian Securities and Investment Commission, 66 St Georges Terrace, Perth, telephone (08) 9261 4200.

8. STATUTORY DECLARATION

You must complete and sign the Statutory Declaration on page 15 in the presence of an authorised witness.

GENERAL INFORMATION

9. 'FITNESS' TO HOLD A MOTOR VEHICLE REPAIR BUSINESS LICENCE

The *Motor Vehicle Repairers Act 2003* requires that each natural person of the entity applying for a Motor Vehicle Repair Business Licence is of 'good character and repute' and 'a fit and proper person' to hold a licence.

Each natural person of the entity applying for a licence is required to submit a National Police Certificate. The Commissioner uses this certificate for assessment.

The certificate must be no more than three months old at the time of application.

However, if a person, partner or director is a member of a different entity which is the current holder of a licence issued under the *Motor Vehicle Repairers Act 2003* or *Motor Vehicle Dealers Act 1973*, these certificates are not required for that person, partner or director if they have been submitted within the previous 12 months.

Application for the National Police Certificate can be made at participating Australia Post outlets in Western Australia on provision of identification and payment of the fee.

Directors who reside in another State

Directors living in another state or territory of Australia may provide a National Police Certificate, **or alternatively** complete the **Statutory Declaration** on **page 5 [next page]**.

Directors living overseas

Directors living overseas are **not** required to provide a National Police Certificate, photographic identification or a Statutory Declaration.

Applicants who have previously resided overseas or new residents to Western Australia

If an applicant has not resided in Australia continuously for the 3 years before application for a Motor Repair Business Licence is submitted, a police clearance from their last place of long term residence is required.

A photocopy of the passport 'identification page' is also required to be submitted.

Where a police clearance from the country of origin was required to obtain a visa to enter Australia, a request for a certified copy of your police clearance can be made to the Department of Immigration and Citizenship under the provisions of Freedom of Information (FOI) legislation.

FOI applications for a certified copy of a police clearance should, where possible, include information such as:

- reference /file number;
- copy of the visa or passport;
- place of original application for the visa;
- class of visa; and
- applicant's date of birth.

**WESTERN AUSTRALIA - OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005
STATUTORY DECLARATION**

FOR DIRECTORS WHO LIVE IN A STATE / TERRITORY OF AUSTRALIA, OTHER THAN WESTERN AUSTRALIA

I, (Full name)
of (Address)
Occupation

sincerely declare that the statements and information provided on this declaration **and** in my application for a **Motor Vehicle Repair Business Licence for the entity for which I am a director** are correct to the best of my knowledge and belief.

Please answer 'Yes' or 'No' to the following:

Have/are you:	Yes or No
a) ever been convicted of, or found guilty of ANY offences, including convictions which resulted in a suspended sentence? (include all offences which went to Court, including traffic offences)	
b) presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention?	
c) ever been placed on a Community Based Order, Community Service Order, an Intensive Supervision Order or any other order made by a court or tribunal?	
d) aware of any proceedings pending against you for an offence, including proceedings by way of appeal or review?	
e) ever been the subject of an adverse finding by a government Board, Tribunal or other agency, eg. the Corruption and Crime Commission?	
f) had any application for an occupational licence refused?	
g) had an occupational licence cancelled, suspended or disqualified?	
h) been subject to disciplinary action by a licensing authority?	
i) had any investigations or proceedings pending or current, which may result in action being taken in relation to any occupational licence currently held?	
j) been known by another name?	

If you answered 'YES' to any of the above questions, please provide full details on an attached separate sheet of paper.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

at (place)

..... (date)

in the presence of -

.....
(Signature of authorised witness)

.....
(Print name of authorised witness Qualification as such a witness *)

By
(Signature of person making the declaration)

***Important This Declaration must be made before any of the following persons:-**

Academic (post-secondary institution), Accountant, Architect, Australian Consular Officer, Australian Diplomatic Officer, Bailiff, Bank Manager, Chartered Secretary, Chemist, Chiropractor, Company Auditor or Liquidator, Court Officer (Judge, Magistrate, Registrar or Clerk), Defence Force Officer (Commissioned, Warrant or NCO with 5 years continuous service), Dentist, Doctor, Engineer, Industrial Organisation Secretary, Insurance Broker, Justice of the Peace, Lawyer, Local Government CEO or Deputy CEO, Local Government Councillor, Loss Adjuster, Marriage Celebrant, Member of Parliament (State or Commonwealth), Minister of Religion, Nurse, Optometrist, Patent Attorney, Physiotherapist, Podiatrist, Police Officer, Post Officer Manager, Psychologist, Public Notary, Public Servant (State or Commonwealth), Real Estate Agent, Settlement Agent, Sheriff or Deputy Sheriff, Surveyor, Teacher, Tribunal Officer, Veterinary Surgeon
OR Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a Statutory Declaration may be made.

INFORMATION REQUIRED

1. NAME OF THE ENTITY APPLYING, & TRADING NAME DETAILS, FOR THE LICENCE

a. Name of Entity applying

.....
eg. Fred Smith (sole proprietor), Fred & Mary Smith (firm or partnership) or Smith Pty Ltd (body corporate)

b. Business Name under which Entity trades (if applicable)

.....
eg. Smith Smash Repairs

2. CONTACT DETAILS FOR THE ENTITY

Address for the Service of Notices (must be a street address)

.....
.....
Postal Address (if different to above)

.....
Email address for the business

.....
Telephone Number **Facsimile Number**

3. DETAILS OF THE PRINCIPAL OFFICERS

(sole proprietor, partners and/or directors)

PERSON 1

Full Name	.....
Residential address	..........
Date of birth	.....
Contact number	Email
Role in business (eg. sole proprietor, partner, director)	.....
MV Repairer Certificate Number (if applicable)	.....
How long have you lived in Australia?	.....

INFORMATION REQUIRED

PERSON 2

Full Name	.....
Residential address	..........
Date of birth	.....
Contact number	Email
Role in business (eg. sole proprietor, partner, director)	.....
MV Repairer Certificate Number (if applicable)	.....
How long have you lived in Australia?	.....

PERSON 3

Full Name	.....
Residential address	..........
Date of birth	.....
Contact number	Email
Role in business (eg. sole proprietor, partner, director)	.....
MV Repairer Certificate Number (if applicable)	.....
How long have you lived in Australia?	.....

PERSON 4

Full Name	.....
Residential address	..........
Date of birth	.....
Contact number	Email
Role in business (eg. sole proprietor, partner, director)	.....
MV Repairer Certificate Number (if applicable)	.....
How long have you lived in Australia?	.....

Please add a sheet of paper with further details if there are more than 4 partners or directors.

If any sole proprietor, partner or director has previously been known by another name please provide details:

.....

INFORMATION REQUIRED

4. **'FITNESS' AND 'CHARACTER' OF PERSONS AND ENTITY**

Each sole proprietor, partner or director of the entity is required to submit an **original National Police Certificate** to meet the 'good character and repute' and be 'a fit and proper person to hold a licence' requirements of the *Motor Vehicle Repairers Act 2003*.

- The certificate must be no more than three (3) months old at the time of application.
- Directors living overseas are **not** required to provide a National Police Certificate.
- Directors living in another state or territory of Australia may provide a National Police Certificate, **or alternatively** complete the **Statutory Declaration** on **page 5**.

Application for the National Police Certificate can be made at participating Australia Post outlets in Western Australia on provision of identification and payment of the fee.

Please answer 'Yes' or 'No' to the following:

Has/is the entity, any person, any partner or any director:	Yes or No
(a) ever been convicted of, or found guilty of ANY offences, including convictions which resulted in a suspended sentence? <i>(Include all offences which went to Court, including traffic offences)</i>	
(b) presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention?	
(c) ever been placed on a Community Based Order, Community Service Order, an Intensive Supervision Order or any other order made by a court or tribunal?	
(d) aware of any proceedings pending against them for an offence, including proceedings by way of appeal or review?	
(e) ever been the subject of an adverse finding by a government Board, Tribunal or other agency, eg. the Corruption and Crime Commission?	
(f) had any application for an occupational licence refused?	
(g) had an occupational licence cancelled, suspended or disqualified?	
(h) been subject to disciplinary action by a licensing authority?	
(i) had any investigations or proceedings pending or current, which may result in action being taken in relation to any occupational licence currently held?	
(j) been known by another name?	

If the answer to any of the above questions was 'Yes', for any entity, person, partner or director, please provide full details below or on a separate attached sheet of paper.

.....

.....

.....

.....

INFORMATION REQUIRED

5. **BANKRUPTCY, RECEIVERSHIP, ADMINISTRATION OR LIQUIDATION**

Your answer must apply to each person involved in the entity – answers should be ‘Yes’ or ‘No’.

Please note that answering ‘Yes’ to any of these questions will not necessarily affect your ability to obtain a licence.

Is the entity or any person, partner or director:	Yes or No
1) in liquidation ?	
2) under official management ?	
3) an undischarged bankrupt ?	
4) having affairs administered under bankruptcy laws ?	
5) within the past 5 years, been a director of a corporation, which within that period has been subject to any form of insolvency administration ?	

If ‘Yes’, give details:

.....

.....

.....

.....

.....

6. **CREDIT HISTORY REPORTS**

Sole Proprietor or Partner

- A credit history report is required for each individual proprietor or partner.

Director and/or Company

- If a company has been established less than 12 months, a credit history report is only required for each director, not the company.
- If a company has been operating for more than 12 months, a credit history report is required for the company only.

Credit history reports are available through various agencies including:

- Dun and Bradstreet – telephone: 13 23 33; website address www.dnb.com.au
- Veda Advantage – telephone 1300 762 207; website address www.mycreditfile.com.au

If you have a Motor Vehicle Dealer’s Licence, you only need to provide a credit history report for the entity with this application if the Dealer’s Licence was renewed **more than** 12 months ago.

INFORMATION REQUIRED

List of Classes of Repair Work:

1	2	3	4
	Code	Class of Repair Work	If you have an individual certified repairer, certified in a class of repair work under column 3, then that person will qualify your business for the classes of repair work listed in this column (column 4) and your repair business licence will state these classes.
1	ACW	Air conditioning work	* Please refer to page 10
2	BBW	Body building work	EAF, MAF
3	BRW	Brake work	
4	CSW	Cooling system work	
5	CHR	Cylinder head reconditioning work	
6	DFW	Diesel fitting work	CSW, CHR, DFE, ERW, HVS, LVS, MAF, MCS
7	DFE	Diesel fuel and engine work	HVS, LVS, MAF, MCS
8	DSR	Driveline servicing and repairing work	
9	DRW	Driveline work	DSR, HVS, LVS, MCS, SSW, TRW
10	EAF	Electrical accessory fitting work	
11	ELW	Electrical work	EAF
12	ERW	Engine reconditioning work	DFW, CHR
13	ESW	Exhaust system work	
14	GLW	Glazing work	
15	HVS	Heavy vehicle servicing work (gross vehicle mass of more than 8000 kg)	LVS, MCS
16	HVW	Heavy vehicle work (gross vehicle mass of more than 8000 kg)	BRW, CSW, CHR, DFE, DSR, DRW, EAF, ESW, HVS, LVS, LVW, MAF, MCS, MCW, SSW, TRW, TFH, TFL, UNW
17	LVS	Light vehicle servicing work (gross vehicle mass of less than 8000 kg)	HVS, MCS
18	LVW	Light vehicle work (gross vehicle mass of less than 8000 kg)	BRW, CSW, CHR, DFE, DSR, DRW, EAF, ESW, HVS, LVS, MAF, MCS, MCW, SSW, TRW, TFL, UNW
19	MAF	Mechanical accessory fitting work	
20	MCS	Motor cycle servicing work	HVS, LVS
21	MCW	Motor cycle work	CSW, CHR, DSR, DRW, EAF, ESW, HVS, LVS, MAF, MCS, TRW
22	PAW	Painting work	
23	PBW	Panel beating work	EAF, MAF
24	SSW	Steering, suspension and wheel aligning work	
25	TRW	Transmission work	DSR, DRW
26	TRI	Trimming work	MAF
27	TFH	Tyre fitting (heavy) work	TFL
28	TFL	Tyre fitting (light) work	
29	UNW	Underbody work	
30	AGW	Autogas work	* Please refer to page 10

See www.commerce.wa.gov.au/motorvehicles [follow the links to 'Motor Vehicle Repairer's Certificate] for the description of the classes of repair work.

INFORMATION REQUIRED

8. STAFFING

Owner of a Motor Vehicle Repair Business

If you are the **owner** of a motor vehicle repair business, you can **not** do repair work unless you hold a Motor Vehicle Repairer's Certificate.

Definition of a Certified Motor Vehicle Repairer

A '**certified repairer**' means a person who has been issued with a **Motor Vehicle Repairer's Certificate** by the Commissioner. It does **not** mean someone who has a 'Trade Certificate'.

Staff Engaged in Repair Work - including the owner of the business, if that person does repair work

The following information will be used for calculating your licence fee (see page 16).

Please answer	Number
How many staff are engaged in repair work (certified and uncertified) including the owner of the business, if that person does repair work? <u>DO NOT COUNT</u> apprentices, trainees and administrative staff.	

The following information will be used for research and analysis purposes only and does **not** affect your licence fee.

Please answer	Number
How many apprentices do you employ?	
How many trainees do you employ?	

REPAIRER SUPERVISION RATIO

The Commissioner has determined that a supervision ratio of certified repairers to uncertified repairers will be one as to three. Therefore you will require at least one certified repairer (for **each** class of repair work) for every three uncertified repairers that you employ at **each** of the premises from which you operate.

(i.e. If you employ six uncertified repairers, you will require at least two certified repairers to supervise them).

Details of Certified Motor Vehicle Repairer Staff

Please provide the following information:

Name of certified staff member	Motor Vehicle Repairer's Certificate Number	Classes of repair work certified (Codes only required)
	MR	
	MR	
	MR	
	MR	
	MR	

If you employ more than 5 certified repairers, please add a sheet of paper with details of additional certified staff.

INFORMATION REQUIRED

9. PREMISES INFORMATION

If you only have mobile premises, go to Part B.

A) Fixed Premises

Each applicant for a business licence is required to submit the following information about each premise from which it intends to trade:

Principal place of business address:		
----- Number and Street	----- Suburb	----- Postcode
Each additional address at which the business operates: (if you have more than 4 premises, please add a sheet of paper with the details of the additional premises)		
----- Number and Street	----- Suburb	----- Postcode
----- Number and Street	----- Suburb	----- Postcode
----- Number and Street	----- Suburb	----- Postcode
Registered Company address: (for corporate applicants only)		
----- Number and Street	----- Suburb	----- Postcode

Local Government Approval

You must provide written approval from the local government authority for the premises to be used for the purposes of the licence and details of any special conditions or restrictions imposed by the local government authority.

The Commissioner accepts that written approval for the specified premises from the local government authority may be a letter of authority or confirmation rather than a planning certificate.

INFORMATION REQUIRED

9. PREMISES INFORMATION continued ...

B) Mobile Premises (vehicles used for mobile repairs)

Each applicant for a business licence is required to submit the following information about each mobile premise from which it intends to trade:

Make of vehicle	Model of vehicle	Year of manufacture	Vehicle colour	Registration number

10. AUTHORISATION TO THE COMMISSIONER FOR CONSUMER PROTECTION

In order to assist the Commissioner with assessment of this application, I give authorisation to the Commissioner, or person(s) they direct, to make such further enquiries as he or she deems necessary, to obtain:

- (a) verification of my qualifications from the training organisation, within Australia or New Zealand, that has granted the qualification;
- (b) copies of any court transcript or records for proceedings to which I or an associated entity, have been a party;
- (c) copies of any decision in proceedings before any Board to which I, or an associated entity, have been a party;
- (d) copies of any other document or file relating to another occupational licence that I have held or for which I, or an associated entity, have applied; and/or
- (e) any other document or file that may be necessary to assist the Commissioner with assessment of this application.

I further agree to provide any additional information requested by the Commissioner and acknowledge that the Commissioner can use any or all of the information or documentation he or she receives pursuant to this authority for the purpose of assessing my application.

Full Name:

Signature:

Date:

STATUTORY DECLARATION

WESTERN AUSTRALIA - OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005 STATUTORY DECLARATION

I, (Full name)

of (Address)

Occupation

sincerely declare that the statements and information provided in my application for a **Motor Vehicle Repair Business Licence** are correct to the best of my knowledge and belief.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

at (place)

..... (date)

in the presence of -

.....
(Signature of authorised witness)

.....
(Print name of authorised witness Qualification as such a witness *)

By
(Signature of person making the declaration)

***Important This Declaration must be made before any of the following persons:-**

Academic (post-secondary institution), Accountant, Architect, Australian Consular Officer, Australian Diplomatic Officer, Bailiff, Bank Manager, Chartered Secretary, Chemist, Chiropractor, Company Auditor or Liquidator, Court Officer (Judge, Magistrate, Registrar or Clerk), Defence Force Officer (Commissioned, Warrant or NCO with 5 years continuous service), Dentist, Doctor, Engineer, Industrial Organisation Secretary, Insurance Broker, Justice of the Peace, Lawyer, Local Government CEO or Deputy CEO, Local Government Councillor, Loss Adjuster, Marriage Celebrant, Member of Parliament (State or Commonwealth), Minister of Religion, Nurse, Optometrist, Patent Attorney, Physiotherapist, Podiatrist, Police Officer, Post Officer Manager, Psychologist, Public Notary, Public Servant (State or Commonwealth), Real Estate Agent, Settlement Agent, Sheriff or Deputy Sheriff, Surveyor, Teacher, Tribunal Officer, Veterinary Surgeon
OR Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a Statutory Declaration may be made.

LICENCE FEES AND PAYMENT DETAILS

LICENCE FEES

Fees payable for a Motor Vehicle Repair Business Licence, based on the number of both certified and uncertified staff engaged in repair work (excluding apprentices, trainees and administration staff) by the business, is shown in the following table.

Business Size Category	Number of Repairers	Licence Fee (for three years)
1	1-2	\$804
2	3	\$1061
3	4	\$1287
4	5-7	\$1802
5	8-10	\$2253
6	11+	\$2800

Payment *

The applicable **licence fee is payable at the time of lodging an application**. Cheques should be made payable to the Department of Commerce. If paying by **credit card**, please **complete the credit card payment details** on the last page.

(* Fees payable for applications made in the period 1 July 2011 to 30 June 2012)

LODGING YOUR APPLICATION

Your application can **only** be processed if **all** the relevant information and supporting documentation is provided. You may lodge, and pay the fee for, your application:

By post addressed to:

The Licensing Officer
Consumer Protection
Locked Bag 14
Cloisters Square
PERTH WA 6850

In person at:

Department of Commerce
Consumer Protection
Unit 4 / 321 Selby Street (rear)
OSBORNE PARK

In person at:

Department of Commerce
Consumer Protection
Ground Floor
219 St Georges Terrace
PERTH

If paying by credit card, please complete the credit card payment details on the next page.

CHECK COMPLETION

Please check:

- all **questions** that are relevant to your entity are **complete**
- all **supporting documents** are **attached**
- any **further information** is **attached**
- the correct **fee** is **included**
- an original **National Police Certificate**, as required, is **attached**
- **credit history reports** are **included**
- the **Statutory Declaration** has been **signed** before an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*

MOTOR VEHICLE REPAIRERS ACT 2003

Copies of the *Motor Vehicle Repairers Act 2003* and Regulations are available from the:

State Law Publisher
 10 William Street,
 Perth WA 6000
 Telephone: (08) 9321 7688

The Act can also be viewed on the State Law Publishers website at www.slp.wa.gov.au

CREDIT CARD PAYMENT DETAILS

Application for Motor Vehicle Repair Business Licence

For Credit Card Payment – applicant to complete

Card Type Visa Mastercard (Only Visa and Mastercard accepted)

Card Number

Card Holder Please print

Expiry Date / Amount \$

Signature / Authorisation Date



Department of Commerce
Consumer Protection