

Manager's Consent FORM

Motor Dealers and Repairers Act 2013

Where there is more than one manager being nominated in your [Individual or Corporation Motor Dealer, Repairer and Recycler Application](#), use this separate Manager's Consent form to be completed for each manager.

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.

A **corporation** must nominate an individual to be the manager of the day-to-day business of the licensee.

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
 - ii. been convicted of, or has served any part of a term of imprisonment for an offence in New South Wales or elsewhere in Australia involving fraud or dishonesty? ☐ Yes ☐ No
 - iii. been refused a licence on a ground or grounds related to the honesty of the 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* (PPIP 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 or corporation for an Individual or Corporation 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 PPIP 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 the [Service NSW](#) website.