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FCAI Submission to Treasury

Competition and Consumer (Motor Vehicle  
Service and Repair Information Sharing  
Scheme) Rules 2021

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24<sup>th</sup> September 2021

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## INTRODUCTION

This submission is made by the Federal Chamber of Automotive Industries (**FCAI**) in response to Exposure Draft of the Competition and Consumer (Motor Vehicle Service and Repair Information Sharing Scheme) Rules 2021 (**Bill**) released by Treasury on the 2<sup>nd</sup> September 2021.

The FCAI is the peak industry organisation representing the importers of passenger vehicles, light commercial vehicles, and motorcycles in Australia. (**Distributors**).

The FCAI Board is publicly on record as supporting the sharing of Service and Repair information with all repairers on sensible and commercially equitable terms.

## BACKGROUND

The FCAI welcomes the opportunity to make this submission to the **Treasury** concerning the **Bill**.

FCAI represents just over 50 brands offering 380 models, sold, and serviced by almost 3,600 dealers, Australia's automotive sector is a large employer and contributor to our economy, lifestyle, and communities big and small. In this submission, FCAI calculates that there will be 52 of our member distributors affected by this legislation.

FCAI member organisations are at the cutting edge of innovation, according to Boston Consulting Group 2019 Most Innovative Companies Report<sup>1</sup>, 6 vehicle manufacturers are in the Top 50 most innovative companies worldwide. Vehicle manufacturers are expending extraordinary amounts of money on research and development to commercialise and introduce the latest technologies with advances that will bring quantum changes to the way in which Australian's access and operate motor vehicles providing cutting edge technology increasingly providing safer and more environmentally friendly vehicles meeting the requirements of Australian consumers.

A snapshot from a sample of publicly available 2019 financial reports from global automakers:

<b>Brand</b>	<b>R&amp;D Expenditure</b>	<b>R&amp;D Expenditure \$AUD</b>
VW Group	14.3 billion €	\$22.4 billion
Toyota	1048.8 billion ¥	\$12.9 billion
Ford	7.4 billion US\$	\$9.5 billion

Australia represented 1.06 million sales out of an estimated global sales volume of 91 million vehicles in 2019 equating to around 1%, and the largest selling vehicle in the Australian market has sales of only 50,000 annually. It is important to recognise the extremely small size of the Australian market in comparison to other international markets, in terms of overall

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<sup>1</sup> <https://www.bcg.com/en-au/publications/2019/most-innovative-companies-innovation.aspx>

population and numbers of automotive repairers. This is important when considering the costs in providing service and repair information and the potential cost recovery from the Australian market with an aftermarket service and repair sector estimated<sup>2</sup> at around 22,500 service and repair businesses and 11,000 crash repair businesses. Those businesses that require “Safety and Security” information will be a very much smaller subset of the overall market. We can probably take some guidance from NASTF in the USA that has been operating for 20 years; for a USA population of around 330 million they have a membership base of 14,000 registered users of the Secure Data Release Model. Translating that to Australia with a population of around 25 million, we might expect a subscription base of approximately 1060; this will be challenging from an economic viability perspective.

Finally, FCAI members provide and have provided service, repair, and diagnostic information to dealers with whom they have, or have had a detailed contractual and business relationship. This provides context to the information and a limited risk of liability for the distributor. This is not necessarily the case with 3<sup>rd</sup> party repairers and training providers with consequent increased business risks that need to be adequately managed for consumers, to maintain especially the security of their motor vehicles.

## EXECUTIVE SUMMARY

FCAI's is extremely concerned that Treasury seems to have proposed a very light touch on the requirements to access security information.

If the applicant passes a Fit and Proper Person Test, largely involving a National Police Check (within the last two years) there are a few checks and balances in place and no guidance on how data providers should assess the information provided.

- There are no requirements to provide professional association affiliations such as exists in other overseas jurisdictions – e.g., Locksmiths, MTAA, SAE or even membership of AASRA or similar.
- There is no guidance to data providers of what constitutes a business involved in undertaking:
  - Service and repair activities
  - RTO services
  - Vehicle recycling servicesbased solely on the business name or ABN.
- For Safety and Security information generally, it would be prudent that both the business and the individual technician should be required to undertake a version of the Fit and Proper Person test.
  - The business should be an upstanding business with no pending actions or offences against the relevant State and Territory Acts that govern Motor Dealers and Repairers that relate to theft or fraud associated with motor vehicles – similar to the requirements that apply to individuals.
- Presently, the legislation does not require a cross-check between the business and the individual, and this has high potential to be used as a point of weakness for nefarious actors and places the security of consumers vehicles at risk.

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<sup>2</sup> ACCC New car retailing final report

There is little if any alignment between the proposed Federal legislation and the two State based licensing schemes both of which are closely aligned notwithstanding the references to state based regulations. There are numerous discrepancies between the proposed Federal legislation and these State based schemes.

FCAI recommends that the Federal legislation should be aligned with the two State based schemes that have been operating successfully for many years.

We are concerned that the Hybrid definition encompasses all hybrid powertrains. The intention of the “safety” information was to protect untrained technicians from the dangers associated with “high voltage” powertrains. It is not our expectation that mild hybrid powertrains that usually operate at less than 60V DC and typically operate with 48V DC electrical systems which is not considered to be “high voltage” would be included in this category.

## SAFETY AND SECURITY INFORMATION

FCAI is supportive of the definitions for “Safety Information” and “Security Information” as provided in the Exposure Draft except for the definition of Hybrid system, we will discuss this aspect in more detail later in this submission.

It is important to understand the integrated nature of modern repair manuals which makes it practically impossible to effectively segregate particular elements of the repair manuals from the overall repair manual.

## INFORMATION MANAGEMENT

### Overview

FCAI is concerned that the scheme rules are not prescriptive as to how repairers can demonstrate they are operating a relevant business to data providers. Where States and Territories have specific licensing arrangements in place, details of the licence and applicable business registration numbers would be appropriate as well as confirming that the business is registered for GST.

For States and Territories where no licensing arrangements are in place again a business registration and ABN should be mandatory along with registration for GST, which is a good measure of an active business engaged in the conduct of a service and repair of scheme vehicles. For reference the Commonwealth and the States and Territories have both used GST registration as a definitive measure of an active business in determining whether businesses are eligible for business support payments in relation to COVID-19 support.

Of course, all RTOs should be registered for GST and FCAI would expect responsible vehicle recyclers should also be appropriately registered.

It is important that Data Providers are provided with clear guidelines as to how to comply with the legislation rather than the vague references used currently in the Explanatory Memorandum which uses terms such as “may” in numerous locations.

### **What is safety information?**

FCAI recommends that the definition of “Hybrid System” needs revision as follows: The current definition would encompass restricting information on hybrid systems that are not “high voltage” systems. The intention of the legislation is to protect individuals from the dangers of electrified powertrains that use high voltage systems.

Mild Hybrid systems typically use 48V DC or less, and whilst safeguards when working with electricity are always necessary, these systems do not pose the same risk to automotive technicians as ‘high voltage’ systems pose.

Therefore, we recommend an alteration to the description of the Hybrid System for the purposes of these scheme rules as follows:

Hybrid system – is powered by a combination of a “high voltage” electric motor(s) and an internal combustion engine.

This alteration allows for mild hybrid systems to be excluded from “Safety information”

**NOTE:** The regulatory definition of “High Voltage” is “*having a working voltage of > 60 V and ≤ 1500 V DC or > 30 V and ≤ 1000 V AC root mean square (rms)*”<sup>3</sup>.

### **Prescribed safety and security criteria for an individual to be a fit and proper person. Safety Information**

FCAI concurs with the requirements specified for “Safety Information”

#### **Security Information**

We are generally concerned over the light touch approach proposed by Treasury which we believe will be exploited by those planning criminal activities where access to vehicles security systems is beneficial. Anyone can create an ABN in less than 10 minutes at minimal expense. If a police check can be completed, then almost anyone can gain access to vehicle security information under this proposed system. There are no requirements to have professional association requirements – these could be but not limited to:

- Member of Australian Automotive Service and Repair Authority
- Society of Automotive Engineers (SAE)
- Master Locksmiths Association of Australasia
- Association with one of the five industry Organisations

Even in the USA under the North American Task Force (NASTF) organisation, there are numerous checks required to become accredited as a Vehicle Security Professional (VSP) as per the following excerpt from NASTF:

*To obtain Vehicle Security Credential (VSC) you may do so by visiting their website at [www.nastf.org](http://www.nastf.org). Due to the security requirements, the application process is extensive and requires a \$375 fee--\$75 to cover your background check and \$300 to*

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<sup>3</sup> <https://unece.org/fileadmin/DAM/trans/main/wp29/wp29regs/2013/R100r2e.pdf>

*cover the two-year registry membership (\$150/year). Once your application is approved (along with your background check), you will receive an email notification of approval with your Vehicle Security Credentials.*

It has never been conceived that gaining access to security features should be achievable by those not willing to subject themselves to a reasonable level of scrutiny to ascertain their probity, for example in the US under the NASTF organisation it is a requirement to:

1. hold commercial general liability insurance and provide evidence
2. provide drivers licence details
3. provide proof of business entity
4. include your business card with specific details
5. provide a copy of your locksmith licence (if accredited)
6. provide the equivalent of an ABN
7. provide 2 x professional references (not family)

For individuals who register as sub accounts additionally they require:

8. provide evidence of bonding within the liability insurance covering employee dishonesty. surety bond with evidence
9. provide evidence of proof of employment

These documents would be securely uploaded during the application process.

Naturally for an Australian context, we would need to consider the most appropriate insurance and other arrangements that are appropriate for and comply with Australian legal requirements / obligations in line with the Australian Privacy Principles.

Without reasonable protections such as those above, there is no reason to believe that the security of vehicles will be maintained into the future, furthermore as vehicles continue to progressively become connected and automated; this potentially introduces unacceptable cyber security risks.

FCAI does not agree with the criterion used for the National Police Check.

In both NSW and WA<sup>4</sup> the following licensing requirements apply as follows:

- At the point of initial application, the National Police check should be less than 3 months old.
- Is the applicant aware of any legal proceedings pending against them for an offence, including proceedings by way of appeal or review?
- Has the applicant had an occupational licence refused, cancelled, or suspended or been disqualified from holding.

it seems incongruous to create another Federal / State anomaly rather than aligning with these existing jurisdictional requirements.

FCAI believes Treasury have omitted to consider the implications of continuing to provide vehicle security information where charges and proceedings have been instituted yet have not proceeded through the court system to a judgement; which can involve lengthy delays. Currently, there is no provision to prevent continued access to security information under these circumstances.

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<sup>4</sup> Refer to appended NSW and WA automotive technician licence applications

FCAI recommends that Treasury substantially strengthen the obligations required to be able to access security information, at least to a minimum level that is consistent with requirements implemented in the USA by NASTF to protect consumers vehicles from theft and associated crimes.

The proposed scheme rules and explanatory memorandum provide no guidance as to how data providers should manage ongoing security access where:

- Nefarious activities are identified after applicants have been granted access
- Employment or association of employment with the business has ceased

### **Circumstances in which personal information may be sought.**

#### **Personal information – General**

*“The data provider can only request this information in the form of a written declaration. That is, they cannot request or require the person to provide evidence of this information.”*

No guidance is offered as to how a data provider should deal with a non-existent or fictitious address?

#### **Security Criteria – general**

*“As with safety information (outlined above), the Rules prescribe that anyone accessing security information under the scheme must have an appropriate relationship with an Australian repairer or scheme RTO, to ensure that the restricted information will be used solely for the purpose of that repair business or training course. [section 7(1)]”*

No provision is offered as to cross checking between the relationship of the business and to the individual.

#### **Personal Information Standard Pathway**

The explanatory memorandum describes some pathways and uses some examples of how data providers could use a national online portal to undertake the Fit and Proper Person (FPP) checks. Practically, such a centralised method would be the most efficient for the industry. However, within the primary legislation, it does not appear possible for Data Providers to require applicants to utilise this service due to the prohibited terms and conditions refer as follows:

##### ***Prohibited Terms and Conditions***

*(2) However, a data provider must not enter into a contract for the supply of scheme information under this part that contains any of the following terms or conditions:*

*(a) a term or condition requiring an Australian repairer or scheme RTO to acquire one or more services or products from the data provider or any other person.*

Based on these requirements, FCAI has been provided with advice that if an applicant wished to provide “FPP” checks along with the other minimal declarations directly to a Data

Provider, the Data Provider would have no option but to accept the application and provide access according to the published and permitted terms and conditions.

Under this scenario, it means that Data Providers would be obligated to provide the direct pathway which then means that developing an industry solution through AASRA / NASTF would be an unnecessary and costly duplication.

From an applicant's perspective that means that each manufacturer would require individual separate FPP applications.

From an AASRA perspective, it is difficult to understand the subscription model that would support such an organisation in the longer term.

FCAI recommends that Treasury undertake a review of the primary legislation and scheme rules to provide for an exemption for Data Providers to nominate a third party to undertake verification of the FPP test and safety information credential confirmation without breaching 57CC Terms of Supply.

Treasury should also develop a business case and modelling that outlines both the potential function and financial viability of AASRA

### **Attachments**

1. Western Australia - Application for Motor Vehicle Repairer's Certificate
2. New South Wales - Application for a Tradesperson's Certificate
3. NASTF – Application Checklist 2021

END OF SUBMISSION





# Application for Motor Vehicle Repairer's Certificate

## CHECK LIST

Your application can be processed **only** if **all** the relevant information and supporting documentation is provided. Incomplete applications will not be accepted and will be returned. Please check that:

- all **sections** are **complete**, including the **Authorisation and Declaration**;
- an original or certified copy of your **Australian police check** (not more than three months old) from an approved provider is attached;
- the signed **photographs** and signed **proof of identity** document are **attached**;
- all qualification/assessment **supporting documents** are **attached** and **certified**; and
- the correct non-refundable **fee** is **attached**. If paying by credit card, please complete the section below.

## APPLICATION FEE AND DURATION OF CERTIFICATE

An **application fee** is payable at the time of lodging the application. Please refer to our website at [www.commerce.wa.gov.au/CP/licensingfees](http://www.commerce.wa.gov.au/CP/licensingfees) for the current fee. If granted, your Motor Vehicle Repairer's Certificate will be ongoing until it is revoked under relevant legislation.

The fee is non-refundable, exempt from the GST and subject to change without notice. Part payment cannot be accepted. Cheques should be made payable to the Commissioner for Consumer Protection. If paying by credit card, please provide **credit card details** below.

## CREDIT CARD PAYMENT DETAILS

Card Type    Visa        Mastercard        (Only Visa and Mastercard accepted)

Card Number   

Card Holder     Please print

Expiry Date      /      *I authorise the Department to deduct the current prescribed fee\**

Signature / Authorisation        Date   

\*Fees are subject to change on 1 July of each year

You may lodge your completed application:

By post addressed to:	In person at:	In person (drop off only) at:
Licensing Services Department of Mines, Industry Regulation and Safety Locked Bag 100, EAST PERTH WA 6892	Customer Service Level 1, Mason Bird Building 303 Sevenoaks Street CANNINGTON Hours: 8:30am to 4:30pm Monday to Friday	Department of Mines, Industry Regulation and Safety Level 2, Gordon Stephenson House 140 William Street, PERTH Hours: 8:30am to 4:30pm Monday to Friday
Licensing Advice Line    1300 304 064	General Enquiries    1300 304 054	
Overseas Callers    +61 8 6251 2931	Web Site <a href="http://www.commerce.wa.gov.au/CP/licences">www.commerce.wa.gov.au/CP/licences</a>	

### OFFICE USE ONLY

Total Fee	\$	Department Code	MR	Chart Description	Indvid – 1 new certificate
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# Application for Motor Vehicle - Repairer's Certificate

You require a repairer's certificate if you:

- **DO REPAIR WORK UNSUPERVISED**; or
- **are an owner of a repair business** and you do repair work or supervise the repair work of others; or
- **are an individual who supervises** the repair work of others; or
- **are an individual repairer** and your supervisor does not have a certificate for the same class of repair work that you do.

**1. PERSON APPLYING FOR THE CERTIFICATE**

Preferred title      Mr    Mrs    Miss    Ms    Other

First Name \_\_\_\_\_

Other (middle) name/s \_\_\_\_\_

Surname \_\_\_\_\_

Date of birth                      /       /

Place of birth                      Town/City \_\_\_\_\_

Country \_\_\_\_\_

**Contact details**

Residential address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Postal address:    *If the same as your residential address, please tick*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Home telephone \_\_\_\_\_

Work telephone \_\_\_\_\_

Mobile telephone \_\_\_\_\_

Email \_\_\_\_\_

We use email for contact purposes and to provide information to industry members so it is important that you notify the Commissioner should your email contact details change.

# INFORMATION REQUIRED

## 2. 'FITNESS' OF PERSON TO HOLD A REPAIRER'S CERTIFICATE

You must provide an original document or original certified copy of an Australian police check that is less than three (3) months old. Further information about accepted police checks is available on our website: [www.commerce.wa.gov.au/CP/policechecks](http://www.commerce.wa.gov.au/CP/policechecks).

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

Have you or are you:	Yes or No
(a) aware of any legal proceedings pending against you for an offence, including proceedings by way of appeal or review?	
(b) ever been the subject of an adverse finding by a government Board, Tribunal or other agency, e.g. the Corruption and Crime Commission?	
(c) had an occupational licence refused, cancelled or suspended?	
(d) been disqualified from holding an occupational licence?	
(e) been subject to disciplinary action by a licensing authority?	
(f) had any investigations or legal proceedings commenced against you or an associated entity, which may/did result in action being taken in relation to an occupational licence currently held?	
(g) been known by any other names?	

If the answer to any of the above items was 'Yes', full details must be provided on a separate attached sheet of paper.

## 3. CURRENT EMPLOYER/BUSINESS DETAILS

**Name of current employer/business**

.....

**Address of employer**

.....

.....

**Licence number** (if applicable): MRB .....

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

**PLEASE NOTE:** if you are a proprietor of a business that repairs motor vehicles, you must ensure that the business is also appropriately licensed.

The "Application for a Motor Vehicle Repair Business Licence" can be downloaded from our website at [www.commerce.wa.gov.au/CP/forms](http://www.commerce.wa.gov.au/CP/forms).

## INFORMATION REQUIRED

### 4. QUALIFICATION FOR EACH CLASS OF REPAIR WORK

The table below sets out what you must provide to satisfy the Commissioner for Consumer Protection that you are sufficiently qualified for each class of repair work you specify in section 5.

If you have:	You must include with this application:
An AUR99/AUR05/AUR12/AUR Australian Trade qualification as prescribed by the Regulations (or one which supersedes those prescribed by the Regulations) for a particular class of repair work	An original of a certified copy of that qualification.
An overseas trade qualification	Confirmation of the equivalency of that overseas qualification to that of a qualification prescribed by the Regulations by Trades Recognition Australia (TRA) or other Registered Training Organisation (RTO)  OR Original or certified evidence of your successful completion of a third party skills assessment*
Undertaken a third party skills assessment for a particular class of repair work	Original or certified evidence of your successful completion of a third party skills assessment*
Undertaken a migration skills assessment with Trades Recognition Australia (TRA)	Visa documentation identifying the trade occupation for which you have been approved for migration  OR Original or certified evidence of your successful completion of a third party skills assessment*
Completed in-house training with your employer, which has been approved by the Commissioner for Consumer Protection	Original or certified evidence of your successful completion of the in-house training
None of the above	Original or certified evidence of your successful completion of a third party skills assessment*

All documents required to be lodged in support of your application must be the original or a certified copy of the original. The list of occupations authorised to certify documents is available at [www.commerce.wa.gov.au/CP/authorisedwitness](http://www.commerce.wa.gov.au/CP/authorisedwitness). Original documents lodged with a completed application will not be returned. Incomplete applications will not be accepted and will be returned.

\* for details of approved third party skills assessors and for the prescribed qualifications for each class of repair work visit [www.commerce.wa.gov.au/CP/MVtraining](http://www.commerce.wa.gov.au/CP/MVtraining).

## INFORMATION REQUIRED

### 5. CLASSES OF REPAIR WORK

There are 29 classes of repair work. You may only be granted the class/es of repair work that you are qualified for. Section 4 outlines how to demonstrate that you are sufficiently qualified.

In the left hand column select (**mark an X**) all of the class/es of repair work you are applying for.

X	Code	Class of Repair Work	Also entitles you to undertake work associated with these classes
<b>Classes of repair work for general trades</b>			
	LWV	Light vehicle work (GVM of < 8000 kg)	BRW, CHR, CSW, DFE, DSR, DRW, EAF, ESW, HVS, LVS, MAF, MCS, MCW, SSW, TRW, TFL, UNW
	HVV	Heavy vehicle work (GVM of > 8000 kg)	BRW, CHR, CSW, DFE, DSR, DRW, EAF, ESW, HVS, LVS, LWV, MAF, MCS, MCW, SSW, TRW, TFH, TFL, UNW
	ELW	Electrical work	EAF, HVS, LVS, MCS
	PBW	Panel beating work	EAF, MAF
	PAW	Painting work	-
	BBW	Body building work	EAF, MAF
	ACW	Air conditioning work	EAF
	GLW	Glazing work	-
	TFH	Tyre fitting (heavy) work	TFL
	TFL	Tyre fitting (light) work	-
	MCW	Motor cycle work	CHR, CSW, DSR, DRW, EAF, ESW, HVS, LVS, MAF, MCS, TRW
<b>Classes of repair work for specialist trades</b>			
	DFW	Diesel fitting work	CHR, CSW, ERW, HVS, LVS, MAF, MCS
	ERW	Engine reconditioning work	CHR, DFW
	TRI	Trimming work	MAF
	BRW	Brake work	-
	DFE	Diesel fuel and engine work	HVS, LVS, MAF, MCS
	DRW	Driveline work	DSR, HVS, LVS, MCS, SSW, TRW
	CSW	Cooling system work	-
	CHR	Cylinder head reconditioning work	-
	ESW	Exhaust system work	-
	SSW	Steering, suspension and wheel aligning work	-
	TRW	Transmission work	DSR, DRW
	UNW	Underbody Work	-
<b>Classes of repair work for servicing and accessory fitting trades</b>			
	HVS	Heavy vehicle servicing work (GVM of > 8000 kg)	LVS, MCS
	LVS	Light vehicle servicing work (GVM of < 8000 kg)	HVS, MCS
	MCS	Motor cycle servicing work	HVS, LVS
	DSR	Driveline servicing and repairing work	-
	EAF	Electrical accessory fitting work	-
	MAF	Mechanical accessory fitting work	-

The detailed description of each class is available at [www.commerce.wa.gov.au/CP/MV/training](http://www.commerce.wa.gov.au/CP/MV/training).

**6. PHOTOGRAPHS AND PROOF OF IDENTITY**

Repairer's Certificates are issued as a wallet-sized photographic identification card. To obtain your Repairer's Certificate you will need to attach two (2) identical photographs of yourself.

The photographs must be:

- passport size (44mm length x 35mm width);
- a full front view of your head and shoulders;
- less than one month old at the time of submitting the application for a repairer's certificate; and
- certified on the reverse by a person who is over the age of 18 that has known you for at least two (2) years.

The person who witnesses your photographs must also sign a copy of one piece of **your** photographic identification. This can be a copy of your current driver's licence, a current passport or any other photographic identity document issued by a Government department or authority within Australia.

Please note that the quality of the photographs provided will have a direct impact on the quality of the image that will appear on your identification card. Please ensure that the photographs you provide are clear with the image focused. **Video camera, emailed or photocopied images will not be accepted.**

A photograph will also not be accepted if:

- it is not a current image;
- it is unclear; or
- it would not serve its purpose if it were included as part of the certificate.

Photographs remain the property of the Department and will not be returned.

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*Attach signed photographs here.*

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**7. AUTHORISATION AND DECLARATION**

In order to assist with the determination of this application, I authorise the Commissioner, or persons so directed, to obtain on my behalf any document, record, file or information that may be necessary and relevant to consider my fitness to hold a certificate, including but not limited to records relating to my criminal history, current/previous occupational licences and other relevant information.

Further, I declare that the information and documents given with or in support of this application, whether or not provided at the time of or subsequent to lodgement, are true and correct. **I understand that providing a false or misleading statement in an application is an offence.**

Applicants full name: .....

Applicant signature: ..... Date: .....



## APPLICATION FOR A TRADESPERSON'S CERTIFICATE

Motor Dealers and Repairers Act 2013

Apply using this application form OR apply online at [www.onegov.nsw.gov.au](http://www.onegov.nsw.gov.au)

### PART A – APPRENTICESHIPS

Are you currently serving an apprenticeship or traineeship?  Yes  No

If you answered “Yes”, please note that a tradesperson’s certificate cannot be granted to an applicant who is currently an apprentice or Trainee.

### PART B – APPLICANT DETAILS

Select the licence duration you are applying for:  1 year  3 years  5 years

Surname:

Given Names:

Former Names (if any):

Date of Birth:

Place of Birth:

Driver's Licence No.:

Residential Address:


<input type="text"/>	
<input type="text"/>	Postcode: <input type="text"/>

**Email Address** to which correspondence, including renewal notices, will be sent:

Telephone No.:

Mobile Telephone No.:

### How to lodge this application

 Apply online at:

[www.onegov.nsw.gov.au](http://www.onegov.nsw.gov.au)

Or

 In person at:

**Service NSW Service Centre**

For your nearest Service NSW Service Centre, go to: [www.service.nsw.gov.au](http://www.service.nsw.gov.au) or telephone 13 77 88.

USE BLOCK LETTERS WHEN COMPLETING THIS FORM

**PART C - POSTAL ADDRESS**

Provide a postal address if different to your residential address:

Postal Address:

	Postcode:	
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**PART D – IDENTIFICATION**

Attach to this application some form of identification, such as a copy of your current driver's licence or a copy of your current passport.

Ensure that the applicant name on this application form is identical to that which is shown on your identification document and on your qualification documents.

**PART E – CLASS OF REPAIR WORK**

Indicate below which class or classes of repair work you are applying for:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Automotive Electrician          | <input type="checkbox"/> Liquefied Petroleum Gas Mechanic | <input type="checkbox"/> Steering, Suspension and Wheel Alignment |
| <input type="checkbox"/> Body Maker                      | <input type="checkbox"/> Motorcycle Mechanic              | <input type="checkbox"/> Transmission Specialist                  |
| <input type="checkbox"/> Compressed Natural Gas Mechanic | <input type="checkbox"/> Motor Mechanic                   | <input type="checkbox"/> Underbody Work                           |
| <input type="checkbox"/> Exhaust Repair                  | <input type="checkbox"/> Panel Beater                     | <input type="checkbox"/> Vehicle Painter                          |
| <input type="checkbox"/> Liquefied Natural Gas Mechanic  | <input type="checkbox"/> Radiator Repairs                 |   |

**Qualifications**

Attach a copy of the documents evidencing your qualifications to this application form. A list of approved qualifications is available on the NSW Fair Trading website - <https://www.fairtrading.nsw.gov.au/trades-and-businesses/construction-and-trade-essentials/motor-repairers>

**PART F – DISCLOSURE**

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

1.	Have you been found guilty, within the preceding 10 years of any offence?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.	Do you have proceedings for an offence pending against you?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3.	Have you been convicted of an offence against the <i>Motor Dealers and Repairers Act 2013</i> (or prior repealed Acts) or regulations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.	Have you been convicted under any Act administered by the Minister for Fair Trading?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.	Have you failed to pay any contribution or other payment required to be paid by you to the Compensation Fund under the <i>Motor Dealers and Repairers Act 2013</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>

NSW Fair Trading will conduct a criminal history check in respect of the Applicant



## PART G

The fee payable for this application is a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002* and will not be refunded if the application is refused or withdrawn.

For information on how much to pay, visit the fees section on the NSW Fair Trading website <https://www.fairtrading.nsw.gov.au/help-centre/fees2/motor-dealers-and-repairers-fees>

## PART H - PAYMENT

A fee must be paid on lodgement of the application form.

Pay by credit card or PayPal using the following link:

[www.fairtrading.nsw.gov.au/applicationpayments](http://www.fairtrading.nsw.gov.au/applicationpayments)

Step 1 – Click on the link or type the URL into your web browser

Step 2 – Follow the instructions online to complete the payment

Step 3 – When the lodgement fee is paid online you will receive a receipt number.

Please record the receipt number below before lodging the application, not providing this information may result in delays in processing your application.

Receipt number:

Note: If you are having difficulty lodging the application please contact NSW Fair Trading on 13 32 20.

## PART I - DECLARATION BY 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 tradesperson's certificate:

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 certificate;
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.

**NOTE: 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 which may result in penalties including a fine or imprisonment.**

Signature: \_\_\_\_\_

Date:

Full Name:

## IMPORTANT INFORMATION

### Online application

An application for a tradesperson's certificate may be made online at [www.onegov.nsw.gov.au](http://www.onegov.nsw.gov.au). For online applications, the processing fee is discounted by 10%.

When lodging an online application, you will need to upload copies of documents evidencing your qualifications.

### Apprenticeships

Section 26 of the Act provides that a tradesperson's certificate must not be granted to an applicant if the applicant is an apprentice or trainee.

Information relevant to Motor Vehicle Tradespersons Certificates is available on the NSW Fair Trading website - [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

## ATTACH A COPY OF YOUR QUALIFICATIONS TO THIS APPLICATION FORM

<b>APPLICANT'S CHECKLIST</b>	<b>✓</b>
Application form fully completed	
Application form signed and dated	
Copy of qualifications attached	
Copy of document evidencing identification attached. eg: Drivers licence, passport, Change of Name certificate, Birth certificate	
Application fee or credit card details	

[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

This document must not be relied on as legal advice. For more information refer to the *Motor Dealers and Repairers Act 2013* and Regulations. The Act and regulations may be viewed at or downloaded from [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)  
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# Application (New and Renewal) Checklist

To assist us in providing the fastest review of your application please use this check list to confirm that you have all of the necessary current documents to complete your application

## Commercial General Liability Insurance

Primary accounts require at least a 1 million dollar aggregate/\$500,000 per event liability policy with NASTF named as a certificate holder/additional insured. Address for the certificate is 4501 Harlan St. Wheat Ridge, CO 80033 But Please ask your agent NOT to mail a certificate of insurance to NASTF. VSPs must upload a new copy when their policy renews or changes.

## Driver's License

A valid US or Canadian Driver's license from the state or province in which you do business - Clear, color picture or copy. Please be sure it is legible. Temporary Driver's license or any other form of ID is not accepted.

## Proof of Business

Please upload a dated Certificate of Good Standing from your secretary of state - These can be obtained in nearly all cases by date marked screen capture or file download. You will also be required to have a current Employer ID Number EIN (US and Puerto Rico) or Business Number (for Canadians) - see below

## Business Card

Must include business name, your name, address and contact information on it.

## Locksmith License

If you use registry data to acquire key codes you are a locksmith and must provide a locksmith license for the individual applicant. This is required for all states/provinces and municipalities in which you do business - Service repair providers who ONLY use immobilizer codes for repairs are exempt at this time.

## You will also need:

**US -Federal Employer Identification number (EIN) - Canadians, your Business Number**

**Insurance agent name and phone - Please give your agent permission to allow NASTF to call and confirm coverage**

**2 professional references (not family) names and direct phone numbers - Business name only or 800 numbers are not accepted as they delay processing your application.**

## Sub-account requirements

### Bonding

In addition to the Liability policy for the Primary, businesses must carry a minimum \$100,000 employee dishonesty/surety bond for registered sub accounts. In many cases if there are only 1-3 sub accounts it may be more cost effective to register them as primary accounts. Please provide proof by receipt or dated document that the policy is in force.

### Proof of employment

The primary must attest that the employee is a full time (not contract or 1099) employee of the business. This may be by the following methods:

Upload a current and complete W2 (the social security number should have all but the last 4 digits redacted)

Upload a current pay stub with only the income redacted.

Or by a letter signed by the principal/HR department of the corporation or municipality

W4s are no longer accepted. Additional information may be requested.

When you have all of your documents ready, start your application at [sdrm.nastf.org](http://sdrm.nastf.org)