

## **IMPORTANT INFORMATION FROM NSW FAIR TRADING**

To avoid delays in processing your application, please read this form carefully, and fill it in completely.

Fair Trading requires that personal information is provided as part of this application. The information is used by Fair Trading to assess eligibility for a tow truck operators licence under the *Tow Truck Industry Act 1998*.

The application will only be assessed if all the required information is provided, payment of the required fee has been made and the declaration on the final page is signed by all relevant persons. If you need help with this application including eligibility criteria, please contact Fair Trading on 13 32 20.

In the course of assessing the application Fair Trading may need to consult/share information with other government or private sector organisations. The information provided by you will be retained at Fair Trading and may be available for inspection upon written request by the licence holder.

### **Before your application can be processed you MUST:**

- complete the form in full
- pay the required fee, and
- supply all the required documentation (see page 7)

The documentation must be current and in the name of the licensee.

### **If renewal is NOT RECEIVED by licence expiry date:**

- Your licence is deemed to have expired (work performed under an expired licence is illegal).
- Expired licenses can be restored (using this form) up to 3 months after the due date.

If the licence is expired for a period exceeding 3 months, restoration may not be an option and you may need to reapply.

### **COVID-19 – lodgement of renewal**

In line with the NSW Public Health Order to stay at home, and to protect the community and reduce the spread of COVID-19, we ask licence holders to lodge their renewal paperwork via email to [towtrucks@customerservice.nsw.gov.au](mailto:towtrucks@customerservice.nsw.gov.au).

If email is not an option, you may return the form via post to: Fair Trading, PO Box 972 Parramatta NSW 2124.

In the event of ongoing closures across the State, receiving renewals via email will ensure your application can still be lodged and queued for processing. Please contact us on 13 32 20 if you have any questions.

*\*Accept only credit card payments for email lodgement.*



## Section 1. Business details

a. Please specify type of business (✓)

Company (Give details below)

Name of company

Partnership

Sole Trader

b. Registered business name (1)

Business name (2)

Business name (3)

Business name (4)

c. A.C.N.(if a company)

d. A.B.N. (must be registered to applicant)

e. Business address (where you store your towing records)

  
 Postcode

f. Postal address

  
 Postcode

g. Phone

h. Mobile

i. Email

j. Do you hold, or have you ever held a tow truck operators licence (✓)

No

Yes - Licence Number

## Section 2. Director's / Partner's /Sole Trader's Shareholder's / Close Associate's Details (Copy of photo ID required)

Please give details for each person who is a director of your company, a partner in your business, and/or a close associate of your business. If you are a sole trader you must include your personal details. A close associate is a person who has a 'relevant interest' in your business. This could include a **person who has a financial interest in your business** (such as a person who has invested in your business and/or is entitled to receive an income from your business), or a **person who makes decisions that can impact on your business** (such as a person you employ in a managerial position).

**If any person has ever used another name or identity please include these details as requested.**

If insufficient space, please attach another sheet

**Full Name (1)**

Residential address

  
 Postcode

Date of birth

Relationship to business

Previous Name Used (if applicable)

**Full Name (2)**

Residential address

  
 Postcode

Date of birth

Relationship to business

Previous Name Used (if applicable)

**Full Name (3)**

Residential address

  
 Postcode

Date of birth

Relationship to business

Previous Name Used (if applicable)

### Section 3. Criminal History

Fair Trading is required to check with police regarding any criminal history for an applicant. If any of the persons listed in Section 2 have lived outside of NSW or overseas within the past 10 years, the person(s) must provide a national criminal history record check from the relevant police or an Australian Criminal Intelligence Commission accredited body for that period in that jurisdiction.

**Note:** If you currently reside in a state or territory other than NSW, these documents must be dated within 6 weeks of the date of receipt of this application.

**Note: Criminal history checks must be issued by police directly or an Australian Criminal Intelligence Commission accredited body. Failure to declare this information will delay your application**

### Section 4. Towing Category

For all new applications please specify the type of towing work that the vehicles on this licence will undertake (✓)

**Category A** – Accident Towing (4 digit plates)

**Category B** – Trade/Breakdown (3 digit plates)

Please nominate the Motor Registry/Service Centre in NSW from which you would like to collect your new tow truck number plates.

### Section 5. Council Requirements

**Note:** All applicants must have council approval for their place of business. Additionally, for category A towing, holding yards must also have council approval. Fair Trading may require proof of council approval.

a) **Business Address** - Does your business address have current local council approval that allows you to conduct the business to which this application relates **OR** have you been advised by your local council that approval is not required for you to conduct your proposed business (e.g. *under home occupation guidelines*)?

Yes  No

If you are applying to conduct Category B towing **ONLY** go to section 6.

b) **Holding Yard(s) – (Complete this section for Category A accident towing ONLY)**

**Note:** You must have one holding yard within 10 km of your place of business that complies with Fair Trading's Holding Yard Policy, for the secure storage of towed motor vehicles. If each of the tow trucks listed on your application has a GCM of 20 tonnes or more, you are exempt from the requirement to have a holding yard. Your holding yard must have current local council approval for the storage of crash damaged vehicles, and approved for access to operators, drivers, police and authorised officers 24 hours a day seven days a week.

**Does your holding yard(s) have current local council approval?**

Yes  No

**Holding yard 1.**  Owned  Leased

Address

  

Postcode

**Holding yard 2.**  Owned  Leased

Address

  

Postcode

**Holding yard 3.**  Owned  Leased

Address

  

Postcode

### Section 6. Vehicles

You must provide details of vehicles that you either currently operate or intend to operate, under the authority of your licence. If insufficient space, please attach additional vehicle details on a separate sheet.

**NOTE:** All tow trucks operated by the licensee must be registered and insured in the name of the licensee and have a minimum load capacity of 1200kg (load capacity = GVM – Tare)

If one or more of your tow trucks is leased from another person or company (not a financial institution) you must provide a copy of the current lease for that vehicle.

**Vehicle rego no.** **Make & type (e.g. Ford tilt tray)**

Owned

Leased

If leased – name of lessor:

**Vehicle rego no.** **Make & type (e.g. Ford tilt tray)**

Owned

Leased

If leased – name of lessor:

**Vehicle rego no.** **Make & type (e.g. Ford tilt tray)**

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Leased

If leased – name of lessor:

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Leased

If leased – name of lessor:

**Vehicle rego no.** **Make & type (e.g. Ford tilt tray)**

Owned

Leased

If leased – name of lessor:

## Section 7. Tow Truck Drivers

Under section 17(2) (g) of the Act all tow truck operator licence applicants must provide details of all tow truck drivers that are employed or engaged by the applicant to use or operate tow trucks as part of the applicant's business. If insufficient space, please attach additional details on a separate sheet.

### Full Name (1)

Driver Certificate Number

Commencement Date

### Full Name (2)

Driver Certificate Number

Commencement Date

### Full Name (3)

Driver Certificate Number

Commencement Date

### Full Name (4)

Driver Certificate Number

Commencement Date

### Full Name (5)

Driver Certificate Number

Commencement Date

### Full Name (6)

Driver Certificate Number

Commencement Date

### Full Name (7)

Driver Certificate Number

Commencement Date

### Full Name (8)

Driver Certificate Number

Commencement Date

<b>Section 8 – Disclosure</b>		
<b>If you answer Yes to any of the following questions, please provide full details on a separate sheet.</b>		
1.	Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been refused a licence?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.	Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, had his or her licence permanently revoked?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3.	Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been the subject of disciplinary action under Division 4 of Part 3 of the <i>Tow Trucks Industry Act 1998</i> that resulted in the close associate being disqualified from holding a licence or having his or her licence suspended or permanently revoked?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.	Has the applicant or a close associate of the applicant subject to firearms prohibition order under the <i>Firearms Act 1996</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.	Has the applicant or a close associate of the applicant subject to a weapons prohibition order under the <i>Weapons Prohibition Act 1998</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.	Has the applicant or a close associate of the applicant subject to a serious crime prevention order under the <i>Crimes (Serious Crime Prevention Orders) Act 2016</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7.	Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been convicted or been found guilty (but with no conviction being recorded) of the following offences (regardless of whether the offence was committed in New South Wales):	
	(i) an offence relating to the possession or use of a firearm or imitation firearm (within the meaning of the <i>Firearms Act 1996</i> ) or other weapon?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(ii) an offence involving the supply or possession of a prohibited drug within the meaning of the <i>Drug Misuse and Trafficking Act 1985</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(iii) an offence involving the cultivation (for a commercial purpose), supply or possession of a prohibited plant within the meaning of the <i>Drug Misuse and Trafficking Act 1985</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(iv) an offence relating to organised car, boat or trailer rebirthing activities under section 154G of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(v) an offence of dealing with property suspected of being proceeds of crime under section 193C of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(vi) an offence involving the recruitment of another person to carry out or assist in carrying out a criminal activity within the meaning of section 351A of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(vii) an offence involving participation in a criminal group or participation in any criminal activity of a criminal group within the meaning of Division 5 of Part 3A of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(viii) the offence of contravening a serious crime prevention order under section 8 of the <i>Crimes (Serious Crime Prevention Orders) Act 2016</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(ix) an offence under section 74 of the <i>Firearms Act 1996</i> relating to a firearms prohibition order?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(x) an offence under section 34 of the <i>Weapons Prohibition Act 1998</i> relating to a weapons prohibition order?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xi) an offence involving an assault of any kind against a person?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xii) an offence involving fraud, dishonesty or stealing?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xiii) an offence involving robbery (whether armed or otherwise)?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xiv) the offence of habitually consorting with convicted offenders under section 93X of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>

	(xv) the offence of contravening a public safety order under section 87ZA of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xvi) an offence of making, using or interfering with unique identifiers under section 154H of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xvii) the offence of having possession of a motor vehicle, vessel or trailer where the unique identifier has been interfered with under section 154I of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(xviii) the offence of having possession of an identification plate not attached to the motor vehicle or trailer to which it relates under section 154J of the <i>Crimes Act 1900</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
8.	Does the applicant or any partner, Director or shareholder have proceedings for an offence pending against them?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Section 9 – Declaration by applicant. Must be completed by each person listed in Section 2.**

I/we authorise NSW Fair Trading to obtain information and/or records, including but not limited to my/our driving licence records and the currency of my/our driver licence, criminal records, charges pending, events, transcripts of proceedings against any of the persons listed in Section 2, from its own records or the relevant Australian and/or overseas agencies.

I/we understand that NSW Fair Trading may legitimately use this information to determine the outcome of this application for a tow truck operator's licence and in the administration of that licence.

I / we acknowledge that information may be placed on an annual register open to the public.

I / we declare that the information contained in this application is true and correct in every detail. I / we consent to the disclosure of information needed to verify the contents of this application.

**NOTE: It is an offence under the Crimes Act 1900 to make a false or misleading statement in this document. The maximum penalty is imprisonment for two years or a fine of \$22,000 or both.**

**Name (1)**

Signature

Date

**Name (2)**

Signature

Date

**Name (3)**

Signature

Date

**Name (4)**

Signature

Date

## Important Information:

The following documents **MUST** be supplied with your application.

All insurance, vehicle registration and business name documents must be current and in the name of the applicant/licensee.

### Section 1.

- Certificate of Incorporation – **Company applicants only. Available from [www.asic.gov.au](http://www.asic.gov.au)**
- Record of Registration of Business Name – **required if the certificate has expired since the last application (sole traders, partnerships & companies)**
- Certificate of Currency for public liability insurance for your place of business

### Section 2.

- Latest Annual Company Statement/Extract which shows current directors' and shareholders' details. **Required for company applications. Available from [www.asic.gov.au](http://www.asic.gov.au)**
- Copy of photo ID required for all directors and shareholders e.g. [Drivers licence/proof of age card (front and back), Passport]

### Section 3.

- National criminal history record check (if applicable) – **Required if a person in section 2 has lived interstate or overseas in the 10 years preceding the application. If the person currently lives interstate this document is required from the Police in the state of residence with each application and must be dated within 6 weeks of the date of the receipt of this application.**

### Section 5b. (Accident towing ONLY - unless exempt)

- Certificate of Currency for public liability insurance for your holding yard(s)
- Proof of ownership of the holding yard – this would be either
  - A copy of a current rates notice if the licensee / applicant owns the property, or
  - A valid commercial lease agreement between the owner of the property and the licensee / applicant
  - A copy of a current rates notice for the property combined with a signed and dated letter of permission from the owner of the property, confirming that the licensee / applicant has permission to use the property as a tow truck holding yard for the storage of damaged vehicles.

**A property lease it is not required again until it is renewed for a further term.**

### Section 6.

- Certificate of Currency for on hook (towed vehicle) insurance for each vehicle to be operated under licence OR a completed exemption form for licences operating solely under clause 10 of the Regulation\*\*
- Copy of current vehicle registration papers or on hold receipts.
- Copy of lease for tow trucks not owned by applicant (if applicable) – **also required when the lease is renewed for a further term.**

\*\* Exemption policy and form available from the NSW Fair Trading website. [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

### Section 7

- All current tow truck driver details to be provided.

### Section 8

- Disclosure must be read by each person listed in section 2. Further details must be provided for items marked yes.

### Section 9

- Declaration must be signed by each person listed in section 2.

## LICENCE DURATION AND FEES:

### IMPORTANT Eligibility Requirements:

All applicants are eligible to apply to renew for **1 year**.

You must have held your operator licence continuously for 3 years to be eligible to renew for **3 or 5 years**. Reasons for non-continuity include your licence being suspended, revoked or lapsed.

A full list of the fees and charges is available on the NSW Fair Trading website <https://www.fairtrading.nsw.gov.au/help-centre/fees2/tow-truck-fees>. The fee contains a non-refundable application fee which is retained by NSW Fair Trading if your application is refused.

Your application must be accompanied by payment of the correct fee. Please calculate your fee, and fill in the appropriate total below:

#### Metro Authority

	<input type="checkbox"/> 1 year	<input type="checkbox"/> 3 year <(see eligibility requirements above)>	<input type="checkbox"/> 5 year
Application fee	\$1090 (*\$382)	\$2505 (*\$382)	\$3921 (*\$382) *non-refundable fee
Per Category A Plate	\$409	\$1228	\$2046
Per Category B & C Plate	\$388	\$1164	\$1941
			<b>TOTAL \$</b> _____

#### Country Authority

	<input type="checkbox"/> 1 year	<input type="checkbox"/> 3 year <(see eligibility requirements above)>	<input type="checkbox"/> 5 year
Application fee	\$701 (*\$382)	\$1341 (*\$382)	\$1980 (*\$382) *non-refundable fee
Per Category A Plate	\$162	\$487	\$812
Per Category B & C Plate	\$155	\$465	\$775
			<b>TOTAL \$</b> _____

Fair Trading accepts the following forms of payment:

- MasterCard & Visa – (processing fee surcharge will apply)
- Bank/Personal Cheque – all cheques made payable to Fair Trading.
- Money Order – all money orders made payable to Fair Trading.



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

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:

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

**OFFICE USE ONLY:**

Case number			
Officer		Date	/ /