

IMPORTANT INFORMATION FROM NSW FAIR TRADING

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

NSW Fair Trading requires that personal information is provided as part of this application. The information is used solely by NSW Fair Trading to assess eligibility for a tow truck operator 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. In the course of assessing the application, NSW Fair Trading may need to consult/share information with other government or private sector organisations. The information provided by you will be retained at NSW Fair Trading and may be available for inspection upon written request by the licence holder. Information contained within the application may be placed on an annual register of licensed operators that is available to the public.

If you need help with any part of this application, please contact the Tow Truck Licensing Team; Ph 1300 131 134.

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 5).
The documentation must be current and in the name of the licensee.

Please calculate your total fee payable, which is made up of an operator licence fee (metro or country) and a fee for each tow truck attached to the licence (Category A, B or C).

A full list of current fees and charges is available on the NSW Fair Trading website. The fee contains a non-refundable application fee which is retained by NSW Fair Trading if your application is refused.

NSW Fair Trading accepts the following forms of payment:

- MasterCard, Visa, Amex, - See *credit card slip on page 5 of this form*.
- Cash and Eftpos - *Only accepted for applications made over the counter*.
- Money Order
- Bank Cheque
- Personal Cheque

ALL CHEQUES/ MONEY ORDERS MADE PAYABLE TO: NSW Fair Trading

Please return this form to:

Please return this form to the following service centres: Parramatta, Blacktown, Botany, Newcastle, Wollongong, Wagga Wagga, or mail to: Tow Truck Licensing, Locked Bag 5054, Parramatta NSW 2124

www.fairtrading.nsw.gov.au | T 1300 131 134 | E TowTrucks@finance.nsw.gov.au

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)

f. Postal address

g. Phone

h. Mobile

i. Email

j. Do you hold, or have you ever held a tow truck operator licence in NSW? ()

No

Yes - Licence number

Section 2. Director's / Partner's / Sole Trader's Shareholder's / Close Associate's details

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 defined in section 5 of the Act to mean 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

Date of birth

Relationship to business

Previous name used (if applicable)

Full name (2)

Residential address

Date of birth

Relationship to business

Previous name used (if applicable)

Full name (3)

Residential address

Date of birth

Relationship to business

Previous name used (if applicable)

Section 3. Criminal History

NSW 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 the original of a national criminal history record check from the relevant police 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 and failure to supply 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 Towing (3 digit plates)

Please nominate a Motor Registry/Service NSW 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. You have an obligation to comply with local government requirements. Those obligations exist in addition to the requirements to hold this licence and non-compliance may result in you being prosecuted by your council. NSW 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 (eg under home occupation guidelines)?

Yes No

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

- b. **Tow Truck Operator Licence** (complete this section for Category A Accident Towing ONLY)

Note: You must have one holding yard within 10km of your place of business that complies with Fair Trading's Holding Yard Policy. If all of the tow trucks listed on your application have a GCM of 25 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 is approved for access to operators, drivers, police and authorised officers 24 hours a day seven days per week.

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

Yes No

Holding yard 1. Owned Leased
Address

Holding yard 2. Owned Leased
Address

Holding yard 3. Owned Leased
Address

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 and type (eg Ford tilt tray)

Owned Leased

If leased - name of lessor

Vehicle rego no. Make and type (eg Ford tilt tray)

Owned Leased

If leased - name of lessor

Vehicle rego no. Make and type (eg Ford tilt tray)

Owned Leased

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Owned Leased

If leased - name of lessor

Vehicle rego no. Make and type (eg 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 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)

D/C number

Commencement date

Full name (2)

D/C number

Commencement date

Full name (3)

D/C number

Commencement date

Full name (4)

D/C number

Commencement date

Full name (5)

D/C number

Commencement date

Full name (6)

D/C number

Commencement date

Full name (7)

D/C number

Commencement date

Full name (8)

D/C number

Commencement date

Full name (9)

D/C number

Commencement date

Section 8. Declaration

WARNING

Please read carefully before you sign. If you do not tell the truth you could be fined. Maximum penalty \$5,500 or imprisonment for 6 months or both.

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 and 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 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.

***Must be completed and signed
by all persons listed in Section 2***

Name (1)

Signature

Date

Name (2)

Signature

Date

Name (3)

Signature

Date

Name (4)

Signature

Date

Name (5)

Signature

Date

Section 9. Would you like to collect your operator licence from a Motor Registry/Service NSW Centre in NSW?

Yes - which Motor Registry/Service NSW Centre would you like to collect your licence from?

No, please post

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 - **Only required with a new application and only if applicant/licensee is a company. Note, this document can be obtained from Australian Securities and Investments Commission (ASIC).**
- Certificate of Registration of Business Name - **If held, this is required with a new application and with a renewal 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 - **Must be provided with all applications.**

Section 2.

- Latest Annual Company Statement which shows current director and shareholder details - **Required with a new application and with a renewal application if the applicant/licensee is a company. Note, this document can be obtained from Australian Securities and Investments Commission (ASIC).**

Section 3.

- National criminal history record check (*if applicable*) - **Required for new applications 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 renewal 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) - **Must be provided with all applications.**
- Proof of ownership of holding yard/s (eg. current rates notice or valid lease) - **Rates notices are required with all applications. If a property lease is provided with a new application it is not required again until the lease is renewed for a further term.**

Section 6.

- Certificate of Currency for on-hook (towed vehicle) insurance for each vehicle to be operated under the licence OR a completed exemption form for licences operating solely under clause 12 of the Regulation** - **Required for new applications and for renewals.**
- Copy of current vehicle registration papers or on hold receipts/ plates surrendered receipts - **Required with all applications.**
- Copy of lease for tow trucks not owned by applicant (if applicable) - **Required with new applications and when the lease is renewed for a further term.**

** Exemption form available from the NSW Fair Trading website.

Credit Card Payment Voucher

Please charge the full cost of \$ _____ for the enclosed Operator Licence application to my credit card.

Applicant name: _____

(if the same as card holder please leave blank)

Address: _____

Card type (*tick*) Mastercard Amex Visa

Card number: - - - Expiry date: /

Name on card: _____

Address: _____

Signature of card holder: _____

Date: / /

**Please ensure your card number is quoted correctly.
The application will not be accepted without full payment.**