

**PROPERTY, STOCK AND BUSINESS AGENTS ACT 2002**  
**SECTION 47 DISCLOSURE**

TO: [Insert name and address of recipient of the form<sup>1</sup>]

Your sale/purchase/proposed purchase<sup>2</sup> of [insert address of property]

I/We\* set out below:

- the nature of my/our\* relationship with each person named below to whom I/we\* have referred you for professional services associated with the sale or purchase;
- the amount or value of the monetary or other consideration which I/we\* derive or expect to derive from each person.

<u>Name of person</u>	<u>Nature of relationship<sup>3</sup></u>	<u>Amount or value of consideration<sup>4</sup></u>
1.		
2.		
3.		
4.		
5.		
6.		

[If insufficient space, add an annexure]

---

<sup>1</sup> **NB** A *seller's agent* must disclose to the seller and also to the prospective buyer. A *buyer's agent* must disclose to the buyer.

A buyer's agent is:

- (a) a real estate agent acting for a buyer of land, or
- (b) a real estate salesperson acting for that real estate agent.

A seller's agent is:

- (a) a real estate agent acting for the vendor of land, or
- (b) a real estate salesperson acting for that real estate agent.

A prospective buyer is a person who there are reasonable grounds to believe is a potential or likely buyer of land (whether or not the person has made an offer to buy the land).

<sup>2</sup> Delete the inapplicable word. Other places where an inapplicable word must be deleted are also indicated by \*.

<sup>3</sup> Briefly state whether the relationship is personal, commercial or some other relationship. Some examples are:

- a family relationship,
- a business relationship, other than a casual business relationship,
- a fiduciary relationship,
- a relationship in which 1 person is accustomed, or obliged, to act in accordance with the directions, instructions, or wishes of the other.

The above examples are *not* exhaustive. See s. 47(1) of the Act.

<sup>4</sup> Insert the amount or value of consideration (if any). If there is no amount or value, insert "nil".

I/We\* also set out below the amount, value or nature of any benefit of which I/we\* am/are\* aware that a person to whom I/we\* have referred you has received, receives, or expects to receive in connection with the sale, or for promoting the sale, or for providing a service in connection with the sale, of the land.

<u>Name of person</u> <sup>5</sup>	<u>Capacity</u> <sup>6</sup>	<u>Amount, value or nature of any benefit</u> <sup>7</sup>
------------------------------------	------------------------------	--

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

[If insufficient space, add an annexure]

.....  
(Signature of seller's/buyer's\* agent)

.....  
[Print name of seller's/buyer's\* agent and the agent's licence or registration number]

DATED:

**IMPORTANT NOTICE TO THE SELLER/PROSPECTIVE BUYER**

This form must be given to you at the time the agent refers you to a person for professional services associated with the sale/purchase\* and before you enter into a contract for the sale/purchase\* of the above property. If it is given to you afterwards you should not sign below.

I/we\* acknowledge receiving this disclosure form at the time the agent referred me/us\* to a person for professional services associated with sale/purchase\* and before entering into a contract for sale/purchase\* of the above property.

.....  
(Signature of each seller/prospective buyer)  
[Print name of each seller/prospective buyer]

DATED:

<sup>5</sup> Insert the name of each person who has received, receives or expects to receive a benefit. "Benefit" means monetary or other benefit (s. 47(3) of the Act).

<sup>6</sup> Briefly state the capacity in which the person has received, receives or expects to receive a benefit. Some examples are:

- seller,
- finance broker,
- financial adviser,
- financier,
- property valuer,
- legal practitioner,
- real estate agent.

The above examples are *not* exhaustive. See s. 47(1) of the Act.

<sup>7</sup> Insert the amount, value or nature of any benefit.