

Australian Capital Territory

# Agent/Salesperson Disclosure Notice Approval 2003

Approved form AF2003-26

made under the

**Agents Act 2003, s 177**

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**1 Name of instrument**

This instrument is the *Agent/Salesperson Disclosure Notice Approval 2003*.

**2 Commencement**

This instrument commences on the day after notification.

**3 Approval**

The attached form is approved.

Elizabeth Kelly  
Commissioner for Fair Trading  
24 October 2003

# Agents Act 2003 – Form 1 (AF2003-26)

## AGENT/SALESPERSON DISCLOSURE NOTICE

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

Your sale/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 benefit 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 benefit<sup>4</sup></u>
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- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

[If insufficient space, add an annexure]

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<sup>1</sup> **NB** A seller's agent and/or salesperson employed by that agent must disclose to the seller. A buyer's agent and/or salesperson employed by that agent must disclose to the buyer.

<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 family, business or some other relationship. Some examples are:

- a family relationship;
- a business relationship;
- a fiduciary relationship;
- a relationship in which a 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 s81 of the Act.

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

I/we\* also set out below, so far as I/we\* know, the amount, value or nature of any benefit any person has received, receives, or expects to receive in connection with the sale/purchase\*, or for promoting the sale/purchase\*, or for providing a service in connection with the sale/purchase\*, 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:

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<sup>5</sup> Insert the name of each person who has received, receives or expects to receive a benefit. "Benefit" means financial or other benefit (s81(c) 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;
- lawyer;
- real estate agent.

The above examples are *not* exhaustive. See s81 of the Act.

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