

Australian Capital Territory

Agent/Salesperson Disclosure Notice Approval 2003

Approved form AF2003-28

made under the

Agents Act 2003, s 177

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
12 November 2003

Agents Act 2003 – Form 1 (AF2003-28)

AGENT/SALESPERSON DISCLOSURE NOTICE

TO: [Insert name and address of recipient of the form¹]

Your sale/purchase² 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 relationship³</u>	<u>Amount or value of benefit⁴</u>
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- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

[If insufficient space, add an annexure]

¹ **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.

² Delete the inapplicable word. Other places where an inapplicable word must be deleted are also indicated by *.

³ 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.

⁴ 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> ⁵	<u>Capacity</u> ⁶	<u>Amount, value or nature of any benefit</u> ⁷
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- 1.
- 2.
- 3.
- 4.
- 5.

[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 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 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:

⁵ 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) .

⁶ 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.

⁷ Insert the amount, value or nature of any benefit.