

4 Suitability Questionnaire

Under Regulation 102 of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (the Regulations), the Australian Refrigeration Council Ltd (ARC) must consider whether you are a fit and proper person to hold a licence.

If you are an **INDIVIDUAL**, please state whether you:

have, in the last ten years immediately prior to you making this application:

1. had a civil penalty order made against you for contravention of a civil penalty provision
2. been convicted of an offence*, or an order under section 19B of the *Crimes Act 1914* has been made, for contravention of the:
 1. *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (the Act), or
 2. *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (the Regulations)
3. had any conviction for an offence*, or an order under section 19B of the *Crimes Act 1914* has been made, against a law of the Commonwealth, of a State or of a Territory that is punishable by imprisonment for a period of six months or longer

are currently bankrupt, have applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, or have compounded with creditors or have made an assignment of remuneration for their benefit

have made any statement in an application under the Act or Regulations that was false or misleading in a material particular; and if so,

knew that the statement was false or misleading

have contravened a condition of a refrigeration and air conditioning industry permit

have held a refrigeration and air conditioning industry permit that was suspended or cancelled

* Subject to the Spent Convictions Scheme

If you are a **BODY CORPORATE**, please state whether:

the body corporate has in the last ten years immediately prior to making this application:

1. had a civil penalty order made against it for contravention of a civil penalty provision
2. been convicted of an offence*, or an order under section 19B of the *Crimes Act 1914* has been made, for contravention of the:
 1. *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (the Act), or
 2. *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (the Regulations)
3. had any conviction for an offence*, or an order under section 19B of the *Crimes Act 1914* has been made, against a law of the Commonwealth, of a State or of a Territory that is punishable by imprisonment for a period of six months or longer

an executive officer of the body corporate has, in the last ten years immediately prior to making this application:

1. had a civil penalty order made against them for contravention of a civil penalty provision
2. been convicted of an offence*, or an order under section 19B of the *Crimes Act 1914* has been made, for contravention of the:
 1. *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (the Act), or
 2. *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (the Regulations)
3. had any conviction for an offence*, or an order under section 19B of the *Crimes Act 1914* has been made against a law of the Commonwealth, of a State or of a Territory that is punishable by imprisonment for a period of six months or longer.

an executive officer of the body corporate has applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, or has compounded with creditors or has made an assignment of remuneration for their benefit

the body corporate has made any statement in an application under the Act or Regulations that was false or misleading in a material particular; and if so,

knew that the statement was false or misleading

an executive officer of the body corporate has made any statement in an application under the Act or Regulations that was false or misleading in a material particular; and if so, knew that the statement was false or misleading

the body corporate has contravened a condition of an RAC industry permit

the body corporate has held an RAC industry permit that was cancelled

an executive officer of the body corporate has contravened a condition of an RAC industry permit

an executive officer of the body corporate has held an RAC industry permit that was suspended or cancelled

* Subject to the Spent Convictions Scheme

I have read the suitability questionnaire (please tick) **Do you have anything to declare?** No Yes

If you answered YES to any of these questions, please give details in a separate attachment.

Answering YES to any of these questions will not necessarily prevent you from receiving an authorisation.

5 Eligibility Requirements

YES NO

- | | | | |
|----|--|--------------------------|--------------------------|
| a. | Are your business premises equipped and operating so as to be able to handle, and prevent avoidable emissions of a refrigerant? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Are you able to ensure that a fluorocarbon refrigerant is handled only by persons who are licensed to do so? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Have you developed a risk management plan that will be put into effect upon granting of a permit – or, if a current permit holder, is in effect – to ensure appropriate handling and storage of refrigerant in your business? Please attach. | <input type="checkbox"/> | <input type="checkbox"/> |

6 Conditions of Authorisation

Once an authorisation is granted the applicant is subject to the condition that they meet the requirements set out in Regulation 141. A summary of the conditions is included below, however, for the definitive list of conditions, refer to the Regulations.

Subject to Regulation 141(1A)* and 141(1B), an authorisation, including a restricted authorisation, granted under the Regulations is subject to the conditions that the holder:

- ensures that any refrigerant in their possession is handled by the holder of a licence appropriate for the type of work being undertaken and granted under Regulation 131, 133 or 134; or by someone under the supervision of a holder of such a licence.**
- keeps and reports accurate accounts of refrigerant, checks, maintenance and other actions, as well as the names of licensees undertaking this work, quarterly and/or at the request of the ARC.
- puts into effect a risk management plan relating to the handling and storage of refrigerant in the holder's business and premises.
- possesses and maintains the equipment necessary to carry out the work they are authorised to undertake in order to minimise avoidable emissions of refrigerant; and ensures the equipment is operating correctly. Required equipment includes but is not limited to one or more of the following:
 - leak detectors
 - vacuum pumps
 - recovery units
- undertakes leak testing of any refrigerant container in their possession at least once a quarter.
- uses only refillable containers for storing refrigerant and ensures that destruction of any refrigerant is carried out only by the operator of a refrigerant destruction facility.
- display the authorisation number on any advertising, invoices, receipts and quotes for work carried out under that authorisation.

Note: A number of terms included in these Regulations are defined in the Act, including quarter.

* Under Regulation 141A, the ARC may, on application by the prospective authorisation holder, determine that one or more conditions do not apply.

** if the refrigerant is handled on board an AMSA vessel, the handler must hold either a licence granted under regulation 131, 133 or 134; or an AMSA certificate. For more information on AMSA certification, go to: www.amsa.gov.au

7 Authorisation: Please tick the Authorisation type required.

1. refrigerant trading authorisation, permitting the person to acquire, store or dispose of a refrigerant other than halon.
Now please complete sections 7a, 7b, 7g, 8, 9, 10.

1. Please indicate the segment of the industry that you predominantly work in: (Tick one box only)

- All refrigeration & air conditioning (RAC) Auto A/C Aviation A/C Domestic RAC Install Split System A/C Marine RAC Refrigerant Wholesaler Transport Refrigeration

2. Please indicate the other segment/s of the industry that you occasionally work in: (Multiple boxes can be ticked)

- All refrigeration & air conditioning (RAC) Auto A/C Aviation A/C Domestic RAC Install Split System A/C Marine RAC Refrigerant Wholesaler Transport Refrigeration

2. refrigeration and air-conditioning equipment manufacturing authorisation, permitting the corporation to acquire refrigerant, other than halon, for use in the manufacture of RAC equipment.
Now please complete sections 7b, 7c, 7d, 7e, 7f, 8, 9, 10.

Important:

the authorisation is subject to the condition that from 1 July 2010 the authorisation holder must not use hydrochlorofluorocarbon (HCFC) in the manufacture of air conditioning equipment unless:

- the equipment is a chiller charged with HCFC123; or
- the equipment is a replacement part for HCFC equipment in operation immediately before 1 July 2010. (a replacement part does not include a complete, or substantially complete, indoor or outdoor unit of a split system air conditioner); or
- the equipment comprises high static ducted split system components.

1. Please indicate the segment of the industry that you predominantly work in: (Tick one box only)

- Refrigeration & air conditioning (RAC) Manufacturer

3. restricted refrigerant trading authorisation, permitting the person to:
- recover refrigerant from RAC equipment; and
 - store the refrigerant; and
 - dispose of the refrigerant by causing it to be given to the operator of a refrigerant destruction facility.
- Now please complete sections 7a, 7b, 7g, 8, 9, 10.*

1. Please indicate the segment of the industry that you predominantly work in: (Tick one box only)

- Waste Management Auto Parts Recycler Metal Recycler Restricted Recoverer Non-fluorocarbon refrigerants (recovering fluorocarbons prior to retrofit) Restricted Install Split System A/C

7d Details of equipment* (Describe the equipment and processes in place to prevent avoidable emissions of refrigerant)

7e Training undertaken* (Please provide details of training undertaken by production line workers to carry out their work)	

7f Supervisor* (Please provide details of licensed supervisor/s)		
Name	Licence number	Expiry date

7g Equipment details*				
Note: All equipment must have a serial or unique identifying number.				
	Make	Model	Serial number	Branch where held
Recovery units				
Recovery cylinders				
Vacuum pumps				
Leak detectors				

It is expected that all equipment that is adequate to undertake the applicants activities will be available for inspection. This might include scales, vacuum (micron) gauge and gauges manifold set.

Important: All details above may be audited by a representative of the RAC Industry Board. *If insufficient space please attach separate details.

8 Application details:	Year (s)	Please tick
Refrigerant trading authorisation	3	<input type="checkbox"/>
Restricted refrigerant trading authorisation	3	<input type="checkbox"/>
RAC equipment manufacturing authorisation	3	<input type="checkbox"/>

Application fee amounts are available on the ARC's website

<https://www.arctick.org/refrigerant-handling-licence/licence-fees/>

Note: If both a **refrigerant trading authorisation** and a **RAC equipment manufacturing authorisation** are required only one application fee is applicable. Please note these fees and authorisation duration options apply as from 1 January 2021. The fees will be indexed annually based on the wage price index published by the Australian Bureau of Statistics (Catalogue 6345.0).

The default duration for refrigerant trading authorisations is 3 years. You can apply for a permit of less than 3 years. If needed, complete section 8a below and indicate the permit duration you would like to apply for.

8a Requested Permit Duration

9 Executive officer OR sole trader/operator declaration:

- I understand that the information and documents provided in this application will be used to assess my suitability to hold an Authorisation in Australia.
- I understand and consent to my personal information, provided in this application, being disclosed to third parties in circumstances including the following:
 - to a State, Territory or Commonwealth government agency for the purpose of determining my suitability to hold an Authorisation;
 - to any other third party identified in this application, for the purpose of verifying data or statements attributed to that third party in this application;
 - to a Commonwealth government agency for the purpose of investigating or taking action in relation to a suspected breach of the law.
- I understand and consent to my personal information being used by the Commonwealth for the purposes of contacting me in relation to matters relevant to the refrigeration and air conditioning industry, including new or proposed laws, which could directly or indirectly affect licence holders.
- I declare that all the information and documentation supporting this application is true and correct in every particular and that all relevant documents supporting this application are attached.
- All licence holders listed on this application for a Refrigerant Trading Authorisation have been asked for and have provided their permission for their name to be listed on the resulting authorisation in the holder's name as it appears in section seven.

I acknowledge that it is a criminal offence, under Part 7.4 of the *Criminal Code 1995* (Commonwealth) to provide false and misleading information in an application.

Signature of executive officer OR sole trader/operator		Date	/ /
Name of executive officer OR sole trader/operator			
Signature of Witness (aged 18 years or over)		Date	/ /
Name of Witness			

10 Payment Details :

Payment can be made by cheque or money order. **Payable to Australian Refrigeration Council Ltd.**

Please send to **Australian Refrigeration Council, Locked Bag 3033, Box Hill VIC 3128**, along with this application form.

If you wish to make payment by credit card, you can do so by completing an online application. Visit **www.arctick.org**

Note: Application fees are non refundable.

Method of Payment Cheque Money Order Amount \$ Do Not Send Cash

Checklist:

Important:

To ensure your application can be processed immediately, all aspects of the application must be correctly completed. If this is not the case, your application will be held up until all requirements are supplied.

To assist you in correctly completing all of the requirements the following checklist should be ticked off as you complete each section:

- Employer/Company Details** (This includes a corporation and a sole trader/operator)
Are all Company Details complete? Have you included your ABN Number?
- Details of company executive officer OR sole trader/operator.**
Have you completed all contact details?
- Details of responsible officer for everyday contact.** (This can be the same person as above.)
Have you completed all contact details?
- Suitability Questionnaire**
Is the "Suitability Questionnaire" completed? You must respond to all questions.
If you answered YES to any of these questions, please give details in a separate attachment.
Answering "Yes" to any of these questions will not necessarily prevent you from receiving an authorisation.
- Eligibility Requirements**
Is the "Eligibility Requirements complete? **Important: Have you attached your Risk Management Plan?** Failure to do so will impede the processing of this application. Should you need assistance developing a risk management plan, go to:
www.arctick.org/RMP
- Conditions of Authorisation**
Important! Have you read and understood the conditions of authorisation?
- Authorisation**
Have you determined which authorisation you require? Have you ticked one box only to indicate the segment of the industry you predominantly cover?
Have you ticked the box/boxes that indicate the other segments of the industry you cover from time to time? Have you carefully completed those sections indicated for your authorisation type?
- Company executive officer OR sole trader/operator Declaration**
Is the Declaration completed and signed by the above?
Important: This must be signed by the executive officer of the corporation OR sole trader/operator and witnessed by someone aged 18 years or over.
Note the executive officer of a corporation includes the following:
- a director of a corporation,
 - the chief executive officer - CEO (however described)
 - the chief financial officer - CFO (however described)
 - the secretary of the corporation
- Payment details**
Have you supplied payment? All cheques/money orders to be made payable to the **Australian Refrigeration Council Ltd**
Please note that GST does not apply to the application fee and cheques require 5 working days to be cleared.
Application fees will increase in line with the wage price index (WPI) in the future and applicants will be notified if this change affects them upon application.
- Completion of Details for your authorisation**
Incomplete applications will not be processed. Are all details for the authorisation you are applying for complete?
- Postal Details**
Have you addressed your envelope to: **The Australian Refrigeration Council, Locked Bag 3033 Box Hill VIC 3128**