

## **6. Registrar may grant or refuse application**

- (1) The Registrar is to grant an application made under regulation 4 if —
  - (a) there is no admission of a criminal record by the applicant and no objection under regulation 5 (1) to the registration of the applicant; and
  - (b) the applicant produces to the Registrar evidence that the applicant —
    - (i) holds professional indemnity insurance for not less than \$100 000 covering the year in which registration is to be granted; or
    - (ii) has sufficient moneys or other financial resources, or other sufficient material resources in the form of real or personal property, to provide professional indemnity.
- (2) If there is an admission of a criminal record in an application, or an objection to the registration of an application, made under regulation 4, the Registrar is to conduct an investigation as to whether the applicant is a fit and proper person to be registered as an industrial agent.
- (3) If, after an investigation has been conducted —
  - (a) the Registrar is satisfied that the applicant is a fit and proper person to be an industrial agent; and
  - (b) the applicant produces to the Registrar evidence that the applicant —
    - (i) holds professional indemnity insurance for not less than \$100 000 covering the year in which registration is to be granted; or
    - (ii) has sufficient moneys or other financial resources, or other sufficient material resources in the form of real or personal property, to provide professional indemnity,

the Registrar is to grant the application.
- (4) If, after an investigation has been conducted, the Registrar is not satisfied that the applicant is a fit and proper person to be an industrial agent, the Registrar is to give to the applicant written notice of the intention to refuse the application stating the grounds on which the refusal is intended to be made and allowing the applicant 21 days within which to respond to the notice.
- (5) Where the Registrar, having had due regard to any response to the notice under subregulation (4), refuses to grant an application the Registrar, not later than 28 days after the decision is made, is to give written notice to the applicant setting out the decision and the reasons for the decision.
- (6) When conducting an investigation and making a determination as to whether a person is a fit and proper person to be registered as an industrial agent the Registrar is to have regard to the conduct required under the code of conduct.