**psra/s30 form a – 2019 - Explanatory Note**

(not part of the form)

“client account” means a current or deposit account in the name of a licensee in the title of which the word “client” appears and which is kept with a bank. At a minimum, the name of the client account must contain the word “client” and the name of the applicant in the title.

PSRA/S30 Form A – 2019 must be submitted by a property services employer (company, partnership or sole trader) or an independent contractor when making an application for a licence. PSRA/S30 Form A – 2019 is not required from individual applicants unless the individual is a property services employer or an independent contractor – employees or principal officers of a property services employer do not need to submit PSRA/S30 Form A – 2019 with their individual licence application.

There are 2 types of forms to be submitted with first applications. Firstly, PSRA/S30 Form B -2019 is to be used by those who intend to provide property management services and pay client money directly into an account of a management body – management agents paying service charges and sinking fund contributions into an owners’ management company’s accounts established for that purpose (a “relevant account”).

Secondly, PSRA/S30 Form A -2019 is to be used in all other cases, including the intended provision of property management services where client money is not paid directly into a “relevant account”.

Both forms will need to be completed where a “client account” is held and the applicant believes that moneys will also be lodged to a “relevant account”

Part I – Applicant’s Declaration is completed by the applicant for the licence. Where the applicant is a company or a partnership, Part I is completed by a Principal Officer of the company or partnership. Part II – Accountant’s Declaration is completed by the accountant.

PSRA/S30 Form A -2019 was specified on 18th April 2019 and Accountants should check, on [www.psr.ie](http://www.psr.ie), that it has not been superseded before using it.

When a licence is being renewed - the relevant accountant’s report(s) (PSRA/S35 Renewal ABC and/or PSRA/S35 Renewal D) need to be completed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### Instructions relating to completion of PSRA/S30 FORM A - 2019

1. Where the space provided in respect of any part of the form is inadequate, any additional information, explanations and elaborations may be set out on the headed notepaper of the accountant and appended to the form. Where this occurs, reference should be made to the existence of the appended document in the form.
2. Blank copies of this form may be obtained from the Property Services Regulatory Authority (PSRA) website ([www.psr.ie](http://www.psr.ie)). The format of the form may be reproduced on the accountant’s headed notepaper. Where so reproduced, it must be reproduced without abbreviation in the format set out.
3. Items marked within brackets marked with “\*” are mutually exclusive options and the option which is not appropriate should be struck out or removed e.g. “In (my/our)\* opinion” is changed to “In my opinion” or “In our opinion” as appropriate.
4. Items in **UPPER CASE** within < > are to be replaced with the relevant information e.g. “<**name of person signing**>” is replaced with “Dara Murphy” where Dara Murphy is the person signing the applicant’s declaration.

**PSRA/S30 FORM A -2019**

TO ACCOMPANY AN APPLICATION FOR A LICENCE

BY

A PROPERTY SERVICES EMPLOYER OR AN INDEPENDENT CONTRACTOR

WHO MAINTAINS A CLIENT ACCOUNT

UNDER

THE PROPERTY SERVICES (REGULATION) ACT 2011

***PART I - APPLICANT’S DECLARATION***

1. <**FULL NAME OF PROPERTY SERVICES EMPLOYER OR INDEPENDENT CONTRACTOR**>

2. <**PRINCIPAL ADDRESS AT WHICH BUSINESS IS CARRIED ON**>

3. I, <**NAME OF PERSON SIGNING**>, (the applicant/a principal officer within the meaning of the Property Services (Regulation) Act 2011)\*, am aware that appropriate financial systems and controls are required to be in place for the protection of client moneys as prescribed by the Property Services (Regulation) Act 2011 (Client Moneys) Regulations 2012 (the Regulations).

I acknowledge -

(a) the requirement to keep client money in a client account in accordance with Regulation 4 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(b) the requirement to open a client account in accordance with Regulation 5 of the Regulations and have opened XX[[1]](#footnote-1) client account(s) [[2]](#footnote-2) as follows:

|  |  |
| --- | --- |
| **Name On Account****N.B. “CLIENT” and name of the applicant[[3]](#footnote-3) must appear in the title of the client account** |  |
| **Account Number** |  |
| **Financial Institution and Branch at which Account is Held**  |  |
| **Date Opened** |  |
| **Person(s) Named on Client Bank Mandate****(Authorised Signee on Client Account)** |  |
|  |
|  |
|  |

**PSRA/S30 Form A -2019**

<**FULL NAME OF PROPERTY SERVICES EMPLOYER OR INDEPENDENT CONTRACTOR**>

(c) the requirement to pay client moneys, without delay, into a client account in accordance with Regulation 6 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(d) the requirement to keep properly written up accounting records which show all of the dealings with each client in accordance with Regulation 5 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(e) the requirement to only use a client account for client moneys in accordance with Regulation 6 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(f) the circumstances under which money can be paid out/withdrawn from a client account in accordance with Regulation 6 of the Regulations and I have or intend to have procedures in place to comply with this regulation.

(g) the duty to furnish clients with a statement of fees and outlays in accordance with Regulation 8 of the Regulations and I have or intend to have procedures in place to comply with this duty.

(h) how an office account is to be maintained in accordance with Regulation 9 of the Regulations and I have or intend to have the books of account and procedures in place to comply with this requirement.

(i) the books of account to be maintained in accordance with Regulation 10 of the Regulations and I have or intend to have the books of account in place to comply with this requirement.

(j) the accounting records to be maintained in accordance with Regulation 11 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(k) the duty to furnish documents to an accountant in accordance with Regulation 13 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(l) of how interest accruing to client account is treated in accordance with Regulation 14 of the Regulations and I have or intend to have procedures in place to comply with this requirement.

(m) the requirement to make good any moneys, including the payment of interest, which have been withdrawn from the client account in contravention of the Regulations.

I hereby declare that appropriate financial systems and controls, as set out in matters (a) to (m) above, are or will be in place for the protection of client moneys before property services are provided by (me/the property services employer)\*.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_

 (Applicant/Principal Officer)\*

**PSRA/S30 Form A -2019**

 <**FULL NAME OF PROPERTY SERVICES EMPLOYER OR INDEPENDENT CONTRACTOR**>

***PART II - ACCOUNTANT’S DECLARATION***

***Section 1 – Opinion of Accountant***

1. <**NAMe of accountant or accountancy firm**>, an accountant within the meaning of the Property Services (Regulation) Act 2011 (Client Moneys) Regulations 2012 (the Regulations), has examined the above declaration and matters (a) to (m) above and supporting documentation in respect of matters (a) to (m).

2. The applicant is responsible for making an application that is correct in all material particulars. The applicant is also responsible for operating effective and appropriate financial systems and controls for the protection of client moneys. An appropriate system of financial systems and controls provides reasonable, but not absolute, assurance that client moneys are protected.

3. (My/Our)\* responsibility is to examine the declaration and express an opinion as to whether the applicant has or intends to have in place appropriate financial systems and controls as set out in matters (a) to (m) in the above declaration.

4. In (my/our)\* opinion, based on (my/our)\* examination, the applicant, on the basis of representations made to (me/us)\* by the applicant, is intending to have in place appropriate financial systems and controls, as set out in (a) to (m) above for the protection of client moneys, from the beginning of their providing property services.

5.(I/we)\* confirm that the applicant has provided (me/us)\* with evidence that the applicant has opened XX client account(s) as shown at section 3(b) in Part I – Applicant’s Declaration:

6.1 Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_

 **Accountant**

6.2 **<ACCOUNTANT’S FORENAME AND SURNAME IN BLOCK CAPITALS>**

6.3 (for and on behalf of <**NAME OF ACCOUNTING FIRM>**)[[4]](#footnote-4)

***Section 2 - Particulars of Accountant***

7.1 (Firm’s)4 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7.2 (Firm’s)4 Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7.3 Accountancy body of which a member: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Privacy Notice**

1. The data you provide in this form is collected by the Property Services Regulatory Authority (PSRA).

The Data Controller for the information you provide is the Property Services Regulatory Authority and can be contacted at:

Property Services Regulatory Authority

Abbey Buildings

Abbey Road

Navan

Co. Meath.

2. We may use the personal data you provide in this form for the purpose of processing a licence application and any other functions as set out under the Property Services (Regulation) Act 2011 and its prescribed Regulations.

3. Our legal basis for collecting and processing this data is under the Property Services (Regulation) Act 2011 and its prescribed Regulations.

4. The personal data provided here will be stored securely on Dept. of Justice IT servers. It may be shared, where appropriate, with other approved organisations including; government departments, other state agencies, legal and financial advisors.

(On an ongoing basis, the PSRA puts in place appropriate contracts / memoranda of understanding / bilateral agreements with third parties with which personal data is shared.)

5. This data will be stored in accordance with specified PSRA retention schedules.

6. You can request a copy of the personal data that we hold on you. You can do this by completing a Subject Access Request form (available on the PSRA website at http://psr.ie/en/PSRA/Pages/Data\_Protection) and forwarding it to info@psr.ie or by post to the PSRA Data Protection Officer at the address below. You will be required to verify your identity before the data can be forwarded to you

7. You have the right to rectify any inaccuracies in your data. To do this you should write to the PSRA documenting the inaccuracies which need to be rectified.

8. You have the right, where appropriate, to obtain erasure of your data and/or a restriction on processing of your data as well as the right to object to the processing of your data. In addition you have the right to lodge a complaint with the Data Protection Commission

9. Further details in relation to your data protection rights can be found in the Property Services

Regulatory Authority Data Protection Policy available on the PSRA website at http://psr.ie/en/PSRA/Pages/Data\_Protection

You can contact the Data Protection Officer for the PSRA with any queries in relation to this form or any other data protection issues:

Data Protection Officer Phone: 046-9033800

Property Services Regulatory Authority Email: info@psr.ie

Abbey Buildings

Abbey Road

Navan

Co. Meath.

1. Evidence of all client accounts opened must be provided to the accountant. Evidence could consist of bank statements, a letter from the bank to the applicant confirming the opening of the account, or similar. [↑](#footnote-ref-1)
2. Where more than one client account is held, a copy of the table above to record information on each client account should be submitted on the applicant’s headed paper. [↑](#footnote-ref-2)
3. The name of the applicant must be the name in which the licence application has been made e.g. company, partnership, property services employer or independent contractor name. [↑](#footnote-ref-3)
4. Delete 6.3 and the brackets and text within brackets in 7.1 and 7.2 where the form is not being made “for and on behalf of” a firm of accountants [↑](#footnote-ref-4)