

Why do I need a market operator's licence?

A licence is required for carrying on a private market by any person other than a local or public authority at which goods are offered by more than one seller for sale by retail to the public. The lodging of a temporary application does not allow a person to trade unless and until the licence is granted and issued. A temporary licence lasts for a maximum period of 6 weeks.

Exemptions

The following types of activity are specifically exempt and anyone carrying on such a business will NOT therefore require a market operator's licence.

- functions held by charitable, religious, youth, recreational, community, political or similar organisations (but please see note* below);
- markets held only for the sale of livestock, fodder or grain.

Note*- In relation to functions held by the organisations specified above, where commercial traders are involved, a licence may still be required. Advice should be sought in these circumstances from the Council's Civic Licensing Standards Officers.

Applications

The licence itself may be held in the name of a firm or company (i.e. non natural person) or in the name of an individual. Please ensure that you complete every part of the form. If a question is irrelevant please mark it "not applicable" unless otherwise stated.

Checks on Entitlement to Work

- For all applicants, evidence must be produced of entitlement to work in the United Kingdom, whether applying for a new licence or to renew an existing one. British citizens require to provide their current passport with the application. If an applicant does not have a current passport, then other documents must be provided as an alternative form of evidence. Information on alternative forms of evidence can be found on the Government website detailed below.
- For an EU national, the applicant's passport must be provided with the application.
- If neither a B ritish citizen nor an E U national, the applicant's passport and residence permit confirming an entitlement to work in the UK must be provided.
- Original documents require to be exhibited and will be copied and returned to applicants.
- The application may also be passed to the UK Border Agency in relation to any issues arising on the applicant's entitlement to work in the United Kingdom.

Please see www.gov.uk for a full list of alternative documents that prove an individual's right to work in the UK.

Checks on Previous Convictions

For applicants seeking a new licence, and who were born or have been resident outside the UK for 6 months or more, there must be produced with the application form documentation in relation to criminal record checks.

Applicants need to provide:

- If the applicant was born outwith the United Kingdom, a criminal record check must be provided from his or her country of origin. Applicants must also provide a criminal record check from any other country in which they have been resident for six months or more.
- If the applicant was born in the United Kingdom, but has lived in any other country or countries for six months or more, they must provide a criminal record check from those countries.
- In all cases, the criminal record checks provided must have been obtained within the six months prior to submitting the application and must be verified by the relevant UK based Embassy/High Commission where obtained from authorities outwith the United Kingdom.

We will not accept your application unless you can exhibit each of the above listed documents as appropriate. The documentation will be verified by a Customer Service Advisor.

Application Fees

Payment is due at the time of lodging. For application fees, please refer to the Civic Licensing Application Fees on our website at <u>www.renfrewshire.gov.uk</u>

No refund of application fees will be made for applications which are subsequently refused or withdrawn.

Display of Public Notice

It is our practice that a display notice requires to be completed and display at the location or premises to which the licence relates. This period will be determined by the legal officer and you will be advised of the period once the application has been lodged. The display period will not commence until the application has been received at the Licensing Section and accepted as a valid application.

Compliance Certificate

The enclosed certificate of compliance requires to be completed after the display period has lapsed and returned to the licensing office. The dates on this certificate must reflect the dates that the notice was displayed.

Both the display notice and the certificate of compliance must be produced at the licensing office once the display period is over.

Prior Refusal

If you have applied for and been refused an application for a market operator licence by Renfrewshire Council then, unless there has been a material change in circumstances, you cannot apply for the same kind of licence within one year of the date of refusal.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland, Scottish Fire & Rescue and various Council departments. They will carry out their own investigations and inspections and report back to the licensing office.

The legislation allows for consideration of the application within three months and a decision within nine months.

If an objection or representation is received in relation to your application, you will be sent a copy of the letter. Your application and the letter of objection or representation will then be referred to the Regulatory Functions Board meeting. You will be called to a hearing before the Board and given the opportunity of addressing the Board.

Detailed Plan

The application form must be accompanied by a detailed site plan drawn to a suitable scale (usually 1:100). This plan must show exactly where the proposed market is to take place by reference to street name(s) and location and must detail the layout of the stalls, etc.

Conditions of Licence

Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

Duration of Licence

A temporary licence can only be granted for a maximum period of 6 weeks.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the Civic Licensing Standards Officers by email at enforcement.licensing@renfrewshire.gov.uk for further information or advice.

Contact Details

Tel:0300 300 0300E-mail:customerservice.licensing@renfrewshire.gov.ukWebsite:www.renfrewshire.gov.uk



Civic Government (Scotland) Act 1982

Application for Market Operator Licence

TEMPORARY

NOTE: Applicants should refer to the Guidance Notes when completing this application form. Please ensure questions are completed accordingly and all documentation required is provided.

For Official Use Only			
Date			
Receipt			
28 Days			
Police Report			

1 (a) To be completed if	applicant is a na	tural person - Then complete 1(c)	For official use only
Full Name:			
Address:			The details on this application have been checked
Postcode:			against the original
Email Address:			documentation and verified correct.
Home Phone Number:		Mobile Number:	
Date of Birth:		Place of Birth:	
Details of Person or Com	ipany employing	you (or state if self-employed)	
Full Name:			
Address:			
Postcode:			
Email Address:			
Home Phone Number:		Mobile Number:	
Date of Birth:		Place of Birth:	-
New Grants Only		Criminal record check from Country Of Birth (other than UK) Dated within past 6 months	CSC Advisor
		Verified by the relevant United	
		Kingdom-based Embassy or High Commission	

1 (b) To be completed if applicant is not a natural person (e.g. Limited				
Company/Partnership/Sole Trader) - Then complete	e 1(c)			
Full Company Name:		For official use only		
Please tick as applicable		The details on this		
		application have		
Limited Company		been checked against the original		
Please complete Company Number:		documentation and		
Partnership		verified correct		
Tick to confirm a copy of your Partnership Ag	greement is enclosed			
	·			
Sole Trader	Other, please specify	CSC Advisor		
Name of individual:				
Trading As -				
Desistened / Company, Address				
Registered/ Company Address:				
Post Code:				
Contact Phone Number(s):				
Details of directors, partners or any other persons r	esponsible for its managem	nent		
(please continue on a paper apart if applicable)				
Full Name and Designation:				
Address:				
Postcode:				
Email Address:				
Home Phone Number:	Business/Mobile Number:			
Date of Birth:	Place of Birth:			
1. (c) Details of employee/agent carrying out day to	day management in relation	on to this		
application	, .			
Full Name and Designation:				
Address:				
Postcode:				
Email Address:				
Home Phone Number:	Business/Mobile Number:			
Date of Birth:	Place of Birth:			

2. Evidence	2. Evidence of entitlement to work in the United Kingdom (UK)			
		for full details of documents that prove a right to work in the UK	()	
a. British citizens	i	Current UK Passport	For official use only	
ii (either i OR ii)		An official letter or document from a Government Agency AND Full birth, adoption or naturalisation certificate	The details on this application have been checked against the original documentation and verified correct	
b. EU Nationals		Current passport		
c. All other applicants		Current passport AND Residence permit confirming an entitlement to work	CSC Advisor	
		in the UK		

3. Have you resided abroad for more than six months?	For official use only
Yes Complete below No	
List each country resided in for more than 6 months, and confirm that evidence of a criminal record check has been provided for each.	
Country:	The details on this application have
Criminal record check	been checked against the original documentation and
Dated within past 6 months	verified correct
Verified by the relevant UK based Embassy or High Commission	
Country:	
Criminal record check	CSC Advisor
Dated within past 6 months	
Verified by the relevant UK based Embassy or High Commission	
Additional Information:	

4.	Are you applying to renew an existing Renfrewshire	Council Market Operator Licence?
	Yes Licence Number : MO	No

5. Has any party named in Question 1(a) or 1(b) above previously held or currently hold a Market Operator's licence?
Yes No
If Yes , which authority granted the licence?
When was it granted?
When does it expire?

6.	Has any party named in Question 1(a) or 1(b) above ever applied for and been refused a
	Market Operator's Licence or had such licence suspended?
	Yes No
	If Yes , which authority refused the licence?
	When was it refused/suspended?

7.	Site/Premises Details in respect of Market Operator Licence applied for	r
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Name of Site/Premises (if applicable):

Address:

Postcode:

rosteoue.	
State number of stalls within market:	
Full Description of goods to be sold:	
Number and situation of all cellars, stores, closets and other places proposed to be used by the applicant during trading.	

8. Are you the ow	ner of the site/prer	nises?		
Yes Go	to Question 10	No	Go to Question 9	
		he owner of the site		
		requires to be subn	nitted with your appli	
Name of Site/Premis	ses Owner:			For official use only
Address:				
Postcode:				The details on this application have been checked against the original
Email address:				documentation and
Llama Talanhana.		Dusiness /Mabile T	alanhana.	verified correct
Home Telephone:		Business/Mobile T	elephone:	
Doos the letter state	concont given to t	 ha applicant to accu	nytha	-
Does the letter state site/premises?	e consent given to t	ne applicant to occu	pythe	
Yes		No 🛄		
How long is the appl	licant allowed to oc	-	Ses? (This should be the	CSC Advisor
same as what is on your co		oop,		
Details of any condit	tions/restrictions to	occupying the site/	premises? (If none,	
please write NONE)	,	1, 0 ,	, , , ,	
10. Are the premis	ses situated within	tenemental proper	ty?	
Yes		No		
11. State the date	(s), days of the wee	ek and the hours you	u propose to trade. If	you will trade on
different days on d	iffering weeks plea	se indicate this belo	w.	
Date(s) you wish				
to trade, if more				
than one please				
specify.				
Days			Hours	
Monday:				
Tuesday:				
Wednesday:				
Thursday:				
Friday:				
Saturday:				
Sunday:				

 Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party named at Question 1a or 1b above been convicted of <u>any crime or offence</u>. NOTE - All unspent crimes and offences must be declared. 					
If you ha	ve no convictions, pl	ease write "NONE			
Name of Person	Date of Conviction	Court of Conviction	Offence	Sentence/Disposal	
Person	Conviction	Conviction			
Statutory Not	ice				
*Delete (A) or (B	3) as appropriate. When	re declaration (A) is r	made there must be	e produced in due	
course a Certificate of Compliance					
*(A) I / We declare that I / We shall, display a notice as advised by the Licensing Section,					
at or near the premises so that it can conveniently be read by the public.					
OR					

*(B) I / We declare that I / We are unable to display a notice of this application at or near premises
 because I / We have no rights of access of other rights enabling me/us to do so, but I / We have taken the following steps to acquire the necessary rights, namely: (Please specify the steps taken)

but have been unable to acquire those rights.

Data Protection

We need your details to provide you with the licence you have applied for. They will be used for the purposes of the Council's public functions. This includes consulting on and determining your application for the above licence. We may check your details with other information held and may share these with other Council services, the police and fire authorities, HM Revenue and Customs, UK Borders Agency, the statutory consultees and other public bodies for the above purposes and in order to check the accuracy of the information, to prevent or detect fraud or crime or to protect public funds.

Any person who, in connection with the making of this application, makes any statement, which knows to be false or recklessly makes any statement which is false in a material particular, shall be guilty of an offence and liable on summary conviction, to a fine not exceeding level 4 on the standard scale.

The information you provide on your application form will also be publicly available on a statutory Public Register that has to be kept by the Council and made available for any member of the public to view. This may include your name and address, as well as other details relating to your licence. You should also be aware that this information may be more widely published on the internet in relation to licensing committee meetings within minutes and agendas relating to your licence application, changes to your licence and hearings in relation to your licence, More information on how the Council handles your personal information can be obtained from http://www.renfrewshire.gov.uk/article/2201/Privacy-policy.

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Signature	Date	
Print Signature		
For CSC official use only:		
The details on this application form have been checked against the original documentation required and verified as correct on the date this application was accepted at the Customer Service Centre.		
Signed: Dat	e:	
CSC Advisor		
Complete applications should be emailed in to the Customer Service Team for verification in the first instance at:		
customerservice.licensing@renfrewshire.gov.uk	For Official Use Only	

HE

For Official Use Only	<u>/</u>	
GRANTED UNDER DELEGATED POWERS		
AD OF CORPORATE GOVERNANCE	DATE	

- 1. The use of the premises is restricted to the following kind(s) of market: Market Type
- 2. The premises may be open for the purposes of the market only as follows: **Date and Times**
- 3. The operator shall comply with any order or instruction given by any constable for the prevention of annoyance to the public or to the occupiers of any premises or in connection with any emergency or disturbance (including an order or instruction to close the premises for a limited period) or on any occasion when such constable in his direction may consider it necessary in the public interest to give such order or instruction
- 4. The operator shall not in any way alter, erase or deface his licence.
- 5. The operator shall collect and remove any paper, garbage or other refuse which may be produced or may accumulate in the course of the market.
- 6. The operator shall comply with or ensure compliance with such recommendations as may be made by the fire authority and where the premises include catering facilities, the food hygiene regulations.
- 7. The operator shall comply with the Health and Safety at Work etc. Act 1974 and all other legislation.
- 8. The operator shall provide at all times suitable and sufficient toilet and sanitary accommodation which shall be kept in good condition to the satisfaction of the Director of Environmental Health.
- 9. The operator shall ensure that no noise nuisance is caused in terms of the Control of Pollution Act 1974, and in particular, that any music, amplified music and speech are properly controlled so as not to give rise to nuisance.
- 10. The operator shall ensure that there shall always be a sufficient number of competent attendants or stewards on duty on the premises when the premises are open to the public.
- 11. The operator shall permit free access to the whole of the premises at any time to any fire officer, police constable or other officer authorised by the licensing authority.
- 12. The operator shall maintain a register with individually numbered pages and entries showing each time a market is held, the date, the name, address, telephone number and place of business of each stall holder or retailer, the nature of the goods sold and the vehicle registration mark if any. The register shall be available for inspection by any police constable when the market is open for business and shall be retained by the operator for a minimum period of two years.
- 13. The operator shall not :-
 - (a) at any time use for the purpose of advertising his presence, trade or business any loudspeaker, horn, whistle or other device as to give reasonable cause for annoyance to persons in the vicinity, and
 - (b) between the hours of seven in the evening and nine in the morning of the next day use for the purpose of advertising his presence, trade or business any loudspeaker, horn, whistle or other device.
- 14. The operator shall comply with the conditions contained in the attached documents entitled "Renfrewshire Council Conditions required by Environmental Services Department for all stall holders attending the Farmers Market", and shall also ensure that all stall holders comply with these conditions.



Conditions required by Environmental Services Department for all stall holders attending the Farmers Market

1. General Food Safety Requirements

• Training of Food Handlers

Food Handlers at stalls handling high risk open foods should be trained to at least the REHIS elementary food hygiene certificate level, or equivalent.

Registration of Food Businesses

All businesses operating stalls should be registered as a food business with the Local Authority for the area in which they are based.

• Personal Hygiene

A high degree of personal hygiene must be maintained by all food handlers.

Stall holders selling open food must wear food trade coats and hats.

A No Smoking policy must be adhered to by all food handlers.

An adequately stocked first aid box which includes supplies of waterproof coloured dressings should be provided at each stall.

Labelling of Products

The name of any food sold loose must be displayed clearly. All other foods sold which are pre-packed at premises other than the final seller will require to be labelled with:

- a. Name of the food.
- b. List of Ingredients.
- c. An appropriate "use by" or "best before" declaration.
- d. Any special storage conditions or conditions of use.
- e. Name of the manufacturer or packer.

There are also special requirements for meat products relating to percentage of meat etc. which stall holders should be aware of.

• Produce at Stalls

No food must be placed on the ground.

2. Specific Food Safety Requirements

These additional requirements have been separated into four categories to reflect the risks associated with the different foods being sold and the degree of on site preparation:

- 1. Low Risk Pre-packed
- 2. Low Risk Sold Loose With Handling/Sorting
- 3. High Risk Pre-packed With No Preparation On Site
- 4. High Risk with On Site Preparation

1. Low Risk Pre-Packed

(Examples : Fruit and vegetables already made up in tagged quantities, i.e. no open handling at Stall. Fruit jam and honey jars, prepared bakery products in sealed containers)

Requirements:

- All displayed food should be covered or wrapped.
- Suitable facilities for the disposal of waste and waste water are required.

2. Low Risk Sold Loose

(Examples : Fruit and vegetables weighed to the desired quantity at stall)

Requirements:

- Customers should be discouraged from handling food themselves.
- Suitable facilities for the disposal of waste and waste water are required.
- A wash hand basin with hot and cold or warm water together with supplies of soap and disposable paper towels must be available in close proximity to the stall. (This can be a shared facility with neighbouring stalls).
- Work surfaces must be kept clean and will require regular cleaning throughout the day.

3. High Risk Pre-Packed With No Preparation On Site

(Examples : Selling vacuum packed cooked meat, wrapped cream cakes, packaged seafoods, wrapped sandwiches, eggs and cheese)

Requirements:

- All displayed food should be covered or wrapped and transported under hygienic conditions.
- Suitable facilities for the disposal of waste and waste water are required.
- A wash hand basin with hot and cold or warm water together with supplies of soap and disposable paper towels must be available in close proximity to the stall. (This can be a shared facility with neighbouring stalls)
- Works surfaces must be kept clean and be constructed in such a way that they are smooth, impervious to moisture and capable of being easily cleaned.
- High risk foods should be delivered and stored on site under refrigeration at below 5°C.
- A probe thermometer for monitoring the temperature together with disposable sterile wipes must be available.

4. High Risk with preparation on site

(Examples : Cutting, portioning or preparing of raw or cooked meat products)

Requirements:

- Separate utensils and equipment must be used for raw and cooked foods.
- All displayed food should be covered or wrapped and transported under hygienic conditions.
- Customers should be discouraged from handling food themselves.
- Suitable facilities for the disposal of waste and waste water are required.
- A wash hand basin with hot and cold or warm water together with supplies of soap and disposable paper towels must be available at the stall, for the exclusive use of the business.
- A sink with hot and cold water supply for the cleaning of equipment and utensils must be provided for the use of the business. It is recommended that the supply be piped to the sink.
- Works surfaces must be kept clean and be constructed in such a way that they are smooth, impervious to moisture and capable of being easily cleaned.
- High risk food should be delivered and stored on site under refrigeration at below 5°C.
- If food is required to be reheated prior to service, equipment to carry out this must be capable of reheating the food to a temperature of not less than 82°C.
- If food is being held hot, it must be held at a temperature of not less 63°C.
- A probe thermometer for monitoring the temperature together with disposable sterile wipes must be available.

Health & Safety at Work

- The Health & Safety at Work etc. Act 1974 and the appropriate regulations must be adhered to at all times.
- Adequate precautions must be taken to reduce the possibility of customers tripping or falling at the stepped sections which surround the raised area where the stalls are to be positioned.
- Cables to and from stalls must be arranged in such a manner that they do not cause a trip hazard.
- All electrical plugs and connections must comply with British Standard BS/EN 60309-2:1999
- A test certificate for all portable electrical appliances must be available.
- If Liquified Petroleum Gas (LPG) is used as a fuel, the following precautions have to be taken due to the explosive nature of the of the gas if a leakage occurs:
 - -The cylinders must be stored upright with the valve securely fixed and accessible.
 - -The length of any flexible tubing should not exceed 0.5 meters.

-A dry powder fire extinguisher and fire blanket must be available at the stall.

Refuse Disposal

- All litter and refuse generated must be cleared from the market area and the surrounding environment on a regular basis during the trading hours.
- Adequate litter bins must be provided.

Noise

- Use of loudspeakers will not be permitted for advertising or promotion.
- There should be no increase in the existing background noise level at the nearest dwelling(s) due to noise generated from any fixed plant and equipment associated with the market.

Application Form for Stalls

• All businesses wishing to operate a stall at the market should complete the application form overleaf and return it to the Environmental Services Department at least 7 days prior to the date of the market.

For further information on these conditions please contact Alistair Trainor, Team Leader, Business Services Division on 0141 840 3160.

Please see pages 5 and 6 for application form:-

APPLICATION FORM

Company Name	
Address	
	Postcode
Tel. No.	
Company Branding	
Contact Name	

Registration

You will only be accepted for the market if you have previously sent to your Local Authority a completed registration form in terms of the Food Premises (Registration) Regulations 1991.

Which Local Authority are you registered with ?.....

Food Hygiene Training

Are high risk open foods handled at the stall? Yes/No If Yes, Details are required of all food handlers attending the Farmers Market and the food hygiene training they have received

Name(s)	Date of Training	Training Centre

Products available for sale from stall:

Product	Loose or pre packed	Place of I	Production including Local Authority
Will you be do	bing cookery demonstrations	/tastings?	Yes/No
Will you be us	sing Liquefied Petroleum Ga	s (LPG)?	Yes/No

Producers of Meat/Game/Chicken

Where will your animals be slaughtered	?
Contact phone number for above	
Where will your product be packed?	
Contact phone number for above	
How will the product be transported to the Farmers Market?	
Is the transport refrigerated?	Yes /No

I have read the conditions of the Environmental Services Department and will comply with them in all respects.

Name	
Signed	
Date	

Please complete and return this form at least 7 days prior to the date of the market.

Please return to:-

Renfrewshire Council Environmental Services Dept. Business Services Division South Building Cotton St Paisley PA1 1BR

or fax 0141 842 1179



Display Notice for applications under the Civic Government (Scotland) Act 1982

TEMPORARY LICENCE

Type of Licence applied for:		
Applicant Name and address:	Name	
anu auuress.		
	Town	Postcode
Address of Premises to be licensed:		
	Town	Postcode
Proposed Days & Times you will be operating:		
Nature of Business: (please describe the details of the licensable activities you will be carrying out or the goods you are selling)		
Name and	Name	
address of Day to day manager or agent		
	Town	Postcode
Date application lo	odged	/ /
Last date for repre (Please insert the date email sent to you by t		/ /

Representations / objections should be sent to: <u>licensingadmin.cs@renfrewshire.gov.uk</u> or by post to: Renfrewshire Council, Licensing Section, Renfrewshire House, Cotton Street, Paisley, PA1 1TT



www.renfrewshire.gov.uk

<u>Important</u> - Please see additional information below in relation to the format for representations or objections for the public and information for the applicant regarding this notice

Representations/Objections

Representations/objections about the application may be made by any member of the public.

Representations / objections must:

- be in writing
- specify the grounds of the objection, or as the case may be, the nature of the representation
- set out the name and address of the person making it
- must be signed (including electronically) by the person, or on their behalf; and
- be made by the date stated in the Page 1 of this notice

Copies of any representations or objections will be given to the applicant.

If a representation or objection is made to the Licensing Authority after this date but before a final decision is taken on the application, then the Licensing Authority may consider the late representation or objection if it is satisfied that there is sufficient reason for the representation or objection to have been made after the deadline.

Representations / objections should be sent to: licensingadmin.cs@renfrewshire.gov.uk or by post to: Renfrewshire Council, Licensing Section, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Display information for applicant

- Both pages of this notice MUST be clearly displayed
- This notice must be displayed on or near the premises to be licensed in a position where it can be easily read by the public.
- The last date for representations/objections is as advised to you in the email sent by the Licensing Team and must be marked in the relevant box on Page 1 of this Notice.
- This notice must be displayed to the end of the objection period stated on Page 1 of this Notice as advised to you in the email sent by the Licensing Team.
- At the end of the objection period a completed certificate of compliance and the notice displayed at the premises must both returned to the Licensing Authority at the address above. Alternatively, confirmation of display can be submitted in writing and signed, together with full applicant and premises details.



www.renfrewshire.gov.uk

Certificate of Compliance

Confirmation of display of public notice

Civic Government (Scotland) Act 1982

Confirmation of display of notice

This section must be completed by the applicant and the whole notice returned to the Licensing Authority at the end of the requested display period.

Your confirmation should be sent to:

licensingadmin.cs@renfrewshire.gov.uk or by post to:

Renfrewshire Council Licensing Section Renfrewshire House Cotton Street Paisley

Alternatively, please provide confirmation of display in writing with signature, along with full applicant and property details.

*Where the said Notice was removed, obscured or defaced during the abovementioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances below)

I (Full name of applicant)			
Applicant for a (insert type of			
licence)			
Certify that the notice of application has been displayed as prescribed above			
from	_ending on		
Applicant's signature		Date	



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