

Agents (Qualifications and Experience for Licences) Declaration 2022 (No 1)

Disallowable instrument DI2022–149

made under the

Agents Act 2003, section 25 (Qualifications and experience for licences)

1 Name of instrument

This instrument is the *Agents (Qualifications and Experience for Licences) Declaration 2022 (No 1)*.

2 Commencement

This instrument commences on 1 July 2022.

3 Declaration for agents licences

I declare, for an agents licence mentioned in schedule 1, column 2, in relation to the class of agent mentioned in column 3 for an item—

- (a) the qualifications mentioned in column 4 for the item; and
- (b) the experience mentioned in column 5 for the item.

4 Declaration for renewal of agents licences

I declare, for renewal of an agents licence mentioned in schedule 1, column 2, in relation to the class of agent mentioned in column 3 for an item—

- (a) the qualifications mentioned in column 4 for the item; and
- (b) the experience mentioned in column 5 for the item.

Note The Act includes transitional provisions for a person who is a licensed agent on 1 July 2022 (see pt 22).

5 Requirements if more than 1 qualification declared

If 2 or more qualifications are declared under this instrument for a particular licence, or renewal of a particular licence, an applicant for the licence, or renewal of the licence, is only required to meet 1 of the declared qualifications for the licence.

6 Relevant law for qualifications

For a qualification mentioned in this instrument, the underpinning knowledge for a unit of competency mentioned must be based on the laws in force in the Territory.

7 Definitions

In this instrument:

complete a VET course unit of competency—a person **completes** a unit of competency if a registered training organisation issues the person with a VET statement of attainment or qualification, confirming that the person has satisfied the requirements of the unit of competency.

pre-amendment Act means the Act, as in force immediately before 1 July 2022.

registered training organisation—see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

VET course—see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

VET statement of attainment—see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

Derise Cubin
Commissioner for Fair Trading
30 June 2022

Schedule 1 Qualifications and experience for agents licence

(see s 3 and s 4)

column 1 item	column 2 kind of agents licence	column 3 class of property agent	column 4 qualifications	column 5 experience
1	business	class 1	CPP51122 or CPP51119 Diploma of Property (Agency Management)	experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 2 years in the 5 years before applying for the licence: (a) a licensed property agent under the Act; (b) a licensed business agent, real estate agent or stock and station agent under the pre-amendment Act
2	real estate			
3	real estate— conditional to only act as owners corporation managing agent			
4	stock and station			

column 1 item	column 2 kind of agents licence	column 3 class of property agent	column 4 qualifications	column 5 experience
5	business	class 2	<p><u>Qualification requirement 1</u> CPP41419 Certificate IV in Real Estate Practice, including completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) the 5 core units mentioned in schedule 2, table 2.1, items 1 to 5; (b) 13 elective units mentioned in schedule 2, table 2.2, consisting of units mentioned in— <ul style="list-style-type: none"> (i) item 7 (Group G—Commercial Sales and Leasing); and (ii) item 8 (Group H—Commercial and Property Management); and (iii) item 9 (Group I—Business Broking) <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 6, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> <p><u>Qualification requirement 3</u> holds the qualifications required under the <i>Agents Act 1968</i>, as in force immediately before its repeal, or is a prescribed person under that Act, section 20</p>	<p>experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 12 months in the 5 years before applying for a licence as a business agent:</p> <ul style="list-style-type: none"> (a) a registered assistant business agent under the Act; (b) a registered business salesperson under the pre-amendment Act

column 1 item	column 2 kind of agents licence	column 3 class of property agent	column 4 qualifications	column 5 experience
6	real estate	class 2	<p><u>Qualification requirement 1</u> CPP41419 Certificate IV in Real Estate Practice, including completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) the 5 core units mentioned in schedule 2, table 2.1, items 1 to 5; (b) 13 elective units mentioned in schedule 2, table 2.2, consisting of— <ul style="list-style-type: none"> (i) all units mentioned in item 1 (Group A—Residential Property Sales); and (ii) all units mentioned in item 2 (Group B—Residential Property Management); and (iii) additional units mentioned in items 3 to 13 <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 6, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> <p><u>Qualification requirement 3</u> holds the qualifications required under the <i>Agents Act 1968</i>, as in force immediately before its repeal, or is a prescribed person under that Act, section 20</p>	<p>experience as 1 or both of the following for continuous period of, or for periods that cumulatively total, at least 12 months in the 5 years before applying for a licence as a real estate agent:</p> <ul style="list-style-type: none"> (a) a registered assistant real estate agent under the Act; (b) a registered real estate salesperson under the pre-amendment Act

column 1 item	column 2 kind of agents licence	column 3 class of property agent	column 4 qualifications	column 5 experience
7	stock and station	class 2	<p><u>Qualification requirement 1</u> CPP41419 Certificate IV in Real Estate Practice, including completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) the 5 core units mentioned in schedule 2, table 2.1, items 1 to 5; (b) 13 elective units mentioned in schedule 2, table 2.2, consisting of— <ul style="list-style-type: none"> (i) all units mentioned in item 10 (Group J—Stock and Station, Stock); and (ii) all units mentioned in item 11 (Group K—Stock and Station, Station); and (iii) additional units mentioned in items 1 to 9, 12 and 13 <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 6, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> <p><u>Qualification requirement 3</u> holds the qualifications required under the <i>Agents Act 1968</i>, as in force immediately before its repeal, or is a prescribed person under that Act, section 20</p>	<p>experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 12 months in the 5 years before applying for a licence as a stock and station agent:</p> <ul style="list-style-type: none"> (a) a registered assistant stock and station agent under the Act; (b) a registered stock and station salesperson under the pre-amendment Act
8	real estate— conditional to only act as owners corporation managing agent	class 2	skills and knowledge appropriate for acting as an owners corporation managing agent	experience appropriate for acting as an owners corporation managing agent

column 1 item	column 2 kind of agents licence	column 3 class of property agent	column 4 qualifications	column 5 experience
9	land auctioneer	-	<p><u>Qualification 1</u></p> <p>(a) satisfy the qualifications required for a class 1 or class 2 property agent licence, as mentioned in items 1 to 7 above; and</p> <p>(b) completion of the 3 elective VET course units of competency from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 2, table 2.2, item 4 (Group D—Auctioneering)</p> <p><u>Qualification 2</u></p> <p>completion of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 6 (4), as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p>	<p>satisfy the experience required for a class 1 or class 2 property agent licence, as mentioned in items 1 to 7 above</p> <p><u>or</u></p> <p>experience as a real estate agent licenced to sell land only by auction under the pre-amendment Act for a continuous period of, or for periods that cumulatively total, at least 12 months in the 5 years before applying for renewal of a licence as a land auctioneer.</p>

Schedule 2 Units of competency from CPP41419 Certificate IV in Real Estate Practice

(see sch 1)

Table 2.1 Core units

column 1 item	column 2 unit code	column 3 core unit title
1	CPPREP4001	Prepare for professional practice in real estate
2	CPPREP4002	Access and interpret ethical practice in real estate
3	CPPREP4003	Access and interpret legislation in real estate
4	CPPREP4004	Establish marketing and communication profiles in real estate
5	CPPREP4005	Prepare to work with real estate trust accounts

Table 2.2 Elective units

column 1 item	column 2 group	column 3 unit code	column 4 elective unit title
1	Group A— Residential Property Sales	CPPREP4101	Appraise property for sale or lease
		CPPREP4102	Market property
		CPPREP4103	Establish vendor relationships
		CPPREP4104	Establish buyer relationships
		CPPREP4105	Sell property
2	Group B— Residential Property Management	CPPREP4101	Appraise property for sale or lease
		CPPREP4102	Market property
		CPPREP4121	Establish landlord relationships
		CPPREP4122	Manage tenant relationships
		CPPREP4123	Manage tenancy
		CPPREP4124	End tenancy
3	Group C— Property Management Business Development	CPPREP4101	Appraise property for sale or lease
		CPPREP4141	Establish and maintain property management portfolio
		CPPREP4142	Promote property management products and services
4	Group D— Auctioneering	CPPREP4161	Undertake pre-auction processes
		CPPREP4162	Conduct and complete sale by auction
		CPPREP4163	Complete post-auction process and contract execution
5	Group E—Buyer's Agent	CPPREP4101	Appraise property for sale or lease
		CPPREP4171	Represent buyer in sales process
		CPPREP4172	Develop and promote property industry knowledge—buyer's agent

column 1 item	column 2 group	column 3 unit code	column 4 elective unit title
		CPPREP4173	Complete purchase of property as buyer's agent
6	Group F—Onsite Property Manager	CPPREP4181	Manage onsite residential property
7	Group G—Commercial Sales and Leasing	CPPREP4102	Market property
		CPPREP4201	Appraise commercial property
		CPPREP4202	Establish and maintain vendor and lessor relationships and networks
		CPPREP4203	Complete commercial property sale
		CPPREP4204	Establish commercial property lease
		CPPREP5201	Develop and maintain commercial property market intelligence
8	Group H—Commercial and Property Management	CPPREP4231	Manage commercial property maintenance
		CPPREP4232	Manage commercial property financial reports
		CPPREP4233	Manage lessee relationships—commercial
		CPPREP4234	Manage lessor relationships—commercial
		CPPREP4235	End commercial property lease
9	Group I—Business Broking	CPPREP4261	Appraise business for sale
		CPPREP4262	Establish vendor relationships in business broking
		CPPREP4263	Manage buyer relationships in business broking
		CPPREP4264	Manage buyer relationships in business broking
10	Group J—Stock and Station, Stock	CPPREP4301	Confirm and market livestock for sale
		CPPREP4302	Prepare livestock for sale
		CPPREP4303	Establish vendor and buyer relationships in livestock sale
		CPPREP4304	Complete the sales process—livestock
11	Group K—Stock and Station, Station	CPPREP4101	Appraise property for sale or lease
		CPPREP4102	Market property
		CPPREP4103	Establish vendor relationships
		CPPREP4104	Establish buyer relationships
		CPPREP4105	Sell property
		CPPREP4123	Manage tenancy
		CPPREP4125	Transact in trust accounts
		CPPREP5311	Develop and maintain rural property market knowledge and intelligence

column 1 item	column 2 group	column 3 unit code	column 4 elective unit title
12	Group L— Administrative Management/ Office Support	BSBHRM415	Coordinate recruitment and onboarding
		SIRXMGT001	Supervise and support frontline team members
13	General Elective Units	BSBTWK301	Use of inclusive work practices
		CPPREP4501	Prepare to complete the sales process—off the plan properties
		CPPREP4502	Support providers of social and community housing
		CPPREP4503	Present at hearings in real estate
		CPPREP4504	Deliver presentations to clients in real estate
		CPPREP4505	Value goods, chattels, plant and equipment
		CPPREP4506	Manage offsite and lone worker safety in real estate
		CPPREP4507	Provide property sustainability information in real estate
		CPPREP4508	Conduct livestock auctions
		CPPREP4509	Auction goods, chattels and equipment
CPPREP4510	Manage short-term or holiday letting		