



Australian Capital Territory

Agents Amendment Regulation 2008 (No 1)

Subordinate Law SL2008-32

The Australian Capital Territory Executive makes the following regulation under the *Agents Act 2003*.

Dated 4 August 2008.

SIMON CORBELL
Minister

ANDREW BARR
Minister



Australian Capital Territory

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made under the

Agents Act 2003

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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1 Name of regulation

This regulation is the *Agents Amendment Regulation 2008 (No 1)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This regulation amends the *Agents Regulation 2003*.

4 Section 6 (1) to (3)

substitute

- (1) A person has the qualifications for a real estate agents licence, stock and station agents licence and business agents licence if the person has been issued with a statement of attainment, or qualification, issued by a registered training organisation certifying that the person has competency in—
 - (a) each of the units of the Property Development and Management Training Package (PRD01), approved by ANTA, mentioned in schedule 1 as in force immediately before the commencement of the *Agents Amendment Regulation 2008 (No 1)*; or
 - (b) the units of the approved Property Services Training Package (CPP07) required to be completed under subsection (1A).

Note **Approved**—see the dictionary.

- (1A) For subsection (1) (b), the units required to be completed are—
- (a) the units mentioned in schedule 1, part 1.1 (Core units); and
 - (b) at least 4 of the units mentioned in schedule 1, part 1.2 (Common units); and
 - (c) at least 8 of the units mentioned in schedule 1, part 1.3 (Elective units).
- (2) Also, a person has the qualifications for a real estate agents licence if, immediately before the repeal of the repealed Act, the person was eligible for the grant of a real estate agent’s licence under that Act.
- (3) A person has the qualifications for a real estate agents licence to only sell land by auction if the person has a statement of attainment, or qualification, issued by a registered training organisation certifying that the person has competency in—
- (a) the unit of competency PRDRE26A (Conduct property sale by auction) in the training package mentioned in subsection (1) (a); or
 - (b) the unit of competency CPPDSM4004A (Conduct auction) in the training package mentioned in subsection (1) (b).

5 Section 7

substitute

7 Relevant law for property training packages

For section 6, the underpinning knowledge for a unit of competency in a property training package mentioned in the section must be based on ACT law.

6 Section 8A (2) (b)

omit

2 years

substitute

1 year

7 Section 9

substitute

9 Qualifications for registration as salesperson—Act, s 50

A person has the qualifications for registration as a salesperson if the person has been issued with a statement of attainment, or qualification, issued by a registered training organisation certifying that the person has competency in—

- (a) each of the units of the Property Development and Management Training Package (PRD01), approved by ANTA, mentioned in schedule 2 as in force immediately before the commencement of the *Agents Amendment Regulation 2008 (No 1)*; or
- (b) the units of the approved Property Services Training Package (CPP07) mentioned in schedule 2.

Note **Approved**—see the dictionary.

8 New section 18A

insert

18A Disapplication of Legislation Act, s 47 (6)

The Legislation Act, section 47 (6) does not apply to the *Administrative Arrangements Order* (Cwlth).

Note The text of an applied, adopted or incorporated instrument applied as in force from time to time is taken to be a notifiable instrument if the operation of the Legislation Act, s 47 (6) is not disappplied (see s 47 (7)).

9 Schedule 1

substitute

Schedule 1 Licensing of real estate, stock and station, and business agents—units of competency in CPP07

(see s 6)

Part 1.1 Core units

column 1 item	column 2 unit no	column 3 unit title
1	CPPDSM4006A	Establish and manage agency trust accounts
2	CPPDSM4007A	Identify legal and ethical requirements of property management to complete agency work
3	CPPDSM4008A	Identify legal and ethical requirements of property sales to complete agency work

column 1 item	column 2 unit no	column 3 unit title
4	CPPDSM4009A	Interpret legislation to complete agency work
5	CPPDSM4015A	Minimise agency and consumer risk
6	CPPDSM4080A or CPPDSM4081A	Work in the real estate industry or Work in the stock and station agency sector

Part 1.2 Common units

column 1 item	column 2 unit no	column 3 unit title
1	BSBFIM501A	Manage budgets and financial plans
2	BSBHRM402A	Recruit, select and induct staff
3	BSBMGT502B	Manage people performance
4	BSBMGT515A	Manage operational plan
5	BSBMGT605B	Provide leadership across the organisation
6	CPPDSM4005A	Establish and build client-agency relationships
7	CPPDSM5009A	Coordinate risk management system in the property industry
8	CPPDSM5012A	Develop a strategic business plan in the real estate industry
9	CPPDSM5018A	Ensure a safe workplace in the property industry
10	CPPDSM5020A	Manage and monitor effective client service in the real estate industry

column 1 item	column 2 unit no	column 3 unit title
11	CPPDSM5030A	Manage projects in the property industry
12	CPPDSM5032A	Market the agency
13	CPPDSM5036A	Prepare tender documentation in the property industry

Part 1.3 Elective units

column 1 item	column 2 unit no	column 3 unit title
1	CPPDSM3008A	Maintain and protect condition of managed properties
2	CPPDSM4001A	Act as a buyer's agent
3	CPPDSM4002A	Apply knowledge of state or territory legislative and regulatory framework to complete agency work
4	CPPDSM4003A	Appraise property
5	CPPDSM4004A	Conduct auction
6	CPPDSM4005A	Establish and build client–agency relationships
7	CPPDSM4010A	Lease property
8	CPPDSM4011A	List property for lease
9	CPPDSM4012A	List property for sale
10	CPPDSM4013A	Market property for lease
11	CPPDSM4014A	Market property for sale

column 1 item	column 2 unit no	column 3 unit title
12	CPPDSM4016A	Monitor and manage lease or tenancy agreement
13	CPPDSM4017A	Negotiate effectively in property transactions
14	CPPDSM4018A	Prepare and present property reports
15	CPPDSM4019A	Prepare for auction and complete sale
16	CPPDSM4020A	Present at tribunals
17	CPPDSM4022A	Sell and finalise the sale of property by private treaty
18	CPPDSM4046A	Manage tenancy disputes
19	CPPDSM4049A	Implement maintenance plan for managed properties
20	CPPDSM3017A	Work in the strata/community management sector
21	CPPDSM4021A	Sell and finalise sale of rural property by private treaty
22	CPPDSM4023A	Act as a tenant's agent
23	CPPDSM4029A	Appraise business
24	CPPDSM4030A	Appraise rural property
25	CPPDSM4033A	Assess and value goods, chattels, plant and equipment
26	CPPDSM4034A	Assess and implement strata/community management agreement
27	CPPDSM4036A	Broker sale of industrial, commercial and retail property

column 1 item	column 2 unit no	column 3 unit title
28	CPPDSM4038A	Conduct goods, chattels or equipment clearing sale or auction
29	CPPDSM4040A	Contribute to life cycle maintenance strategy
30	CPPDSM4041A	Contribute to development of a tenancy mix strategy
31	CPPDSM4043A	Coordinate fit-out of property and facilities
32	CPPDSM4050A	Lease industrial, commercial and retail property
33	CPPDSM4051A	Lease rural property
34	CPPDSM4053A	List business for sale
35	CPPDSM4058A	Monitor service requirements in the property industry
36	CPPDSM4059A	Monitor space use in the property industry
37	CPPDSM4060A	Negotiate sale and manage sale to completion or settlement
38	CPPDSM4061A	Obtain prospects for listing
39	CPPDSM4062A	Occupy space
40	CPPDSM4069A	Promote and market listed business
41	CPPDSM4074A	Select and appoint contractors in the property industry
42	CPPDSM4078A	Sell rural property by tender
43	CPPDSM4079A	Work in the business broking sector

10 Schedule 2*substitute***Schedule 2 Registration of salespeople—
units of competency in CPP07**

(see s 9)

column 1 item	column 2 unit no	column 3 unit title
1	CPPDSM4007A	Identify legal and ethical requirements of property management to complete agency work
2	CPPDSM4008A	Identify legal and ethical requirements of property sales to complete agency work
3	CPPDSM4009A	Interpret legislation to complete agency work
4	CPPDSM4015A	Minimise agency and consumer risk
5	CPPDSM4080A	Work in the real estate industry

11 Dictionary, new definition of *approved**insert*

approved, for the Property Services Training Package (CPP07), means approved by the Commonwealth Department of State responsible for training under the *Administrative Arrangements Order* (Cwlth), as in force from time to time.

Endnotes

1 Notification

Notified under the Legislation Act on 5 August 2008.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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