

Australian Capital Territory

Agents Amendment Regulation 2022 (No 1)

Subordinate Law SL2022-10

The Australian Capital Territory Executive makes the following regulation under the [Agents Act 2003](http://www.legislation.act.gov.au/a/2003-20).

Dated 28 June 2022.

Andrew Barr

Chief Minister

Shane Rattenbury

Minister



Australian Capital Territory

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made under the

[Agents Act 2003](http://www.legislation.act.gov.au/a/2003-20" \o "A2003-20)

1 Name of regulation

This regulation is the *Agents Amendment Regulation 2022 (No 1)*.

2 Commencement

This regulation commences on 1 July 2022.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Agents Regulation 2003](http://www.legislation.act.gov.au/sl/2003-38).

4 Section 5C

substitute

5C Entities to which Act does not apply—Act, s 6 (l)

(1) The following entities are prescribed:

(a) Community Housing Canberra Ltd ABN 46 081 354 752 when carrying on business as a real estate agent in relation to managing a community housing asset as a registered community housing provider;

(b) Havelock Housing Association Incorporated ABN 47 119 833 407;

(c) YWCA Canberra ABN 48 008 389 151;

(d) a person who provides a real estate agent service as an employee of an entity mentioned in—

(i) paragraph (a) to the extent that the person provides or offers to provide the service when managing a community housing asset; or

(ii) paragraph (b) or (c).

(2) In this section:

community housing asset—see the Community Housing Providers National Law (ACT), section 4 (1).

registered community housing provider—see the Community Housing Providers National Law (ACT), section 4 (1).

Note The [Community Housing Providers National Law (ACT) Act 2013](http://www.legislation.act.gov.au/a/2013-18), s 7 applies the Community Housing Providers National Law set out in the appendix to the [Community Housing Providers (Adoption of National Law) Act 2012](https://legislation.nsw.gov.au/view/html/inforce/current/act-2012-059) (NSW), as if it were a territory law referred to as the Community Housing Providers National Law (ACT).

5 Section 7A (1)

omit

guidelines under subsection (2)

substitute

guideline under subsection (2) that applies to the agent, within the period set out in the guideline

6 Section 10A (1)

omit

guidelines under subsection (2)

substitute

guideline under subsection (2) that applies to the person, within the period set out in the guideline

7 New section 10AA

insert

10AA Registration conditions—additional qualifications required after registration—Act, s 58 (1) (a)

(1) It is a condition of registration that a registered assistant property agent must—

(a) complete an additional qualification declared by the commissioner for fair trading, that applies to the agent, within the period set out in the declaration; or

(b) complete, or have completed, a qualification that the commissioner for fair trading is satisfied is higher than, equivalent to or substantially equivalent to the additional qualification declared under paragraph (a).

(2) A declaration is a disallowable instrument.

(3) In this section:

complete an additional qualification—a registered assistant property agent completes an additional qualification if a registered training organisation issues the agent with a statement of attainment or qualification, confirming that the agent has satisfied the requirements of the additional qualification.

Endnotes

1 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 29 June 2022.

2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au/).

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