

Agents (Qualifications and Experience for Registration—Assistant Property Agents) Declaration 2022 (No 1)

Disallowable instrument DI2022–148

made under the

Agents Act 2003, section 50 (Qualifications and experience for registration) and Agents Regulation 2003, section 10AA (Registration conditions—additional qualifications required after registration—Act, s 58 (1) (a))

1 Name of instrument

This instrument is the *Agents (Qualifications and Experience for Registration—Assistant Property Agents) Declaration 2022 (No 1)*.

2 Commencement

This instrument commences on 1 July 2022.

3 Declaration for registration of assistant property agents

I declare, for the registration of an assistant property agent of the kind mentioned in schedule 1, column 2 for an item, the qualifications mentioned in column 3 for the item.

4 Declaration for renewal of registration of assistant property agents

I declare, for renewal of the registration of an assistant property agent of the kind mentioned in an item in schedule 2, column 2—

- (a) the qualifications mentioned in column 3 for the item; and
- (b) the experience mentioned in column 4 for the item.

Note The Act includes transitional provisions for a person who is, on 1 July 2022, a registered salesperson (see s 234) or unqualified real estate salesperson (see s 235).

5 Requirements if more than 1 qualification declared

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

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 Qualification requirements for registration etc of assistant property agents

(see s 3)

| column 1 item | column 2 kind of assistant property agent | column 3 qualifications |
|------------------|--|--|
| 1 | assistant business agent | <p>completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) before applying for registration as an assistant business agent—the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5; (b) within 12 months of first registration as an assistant business agent—5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2: <ul style="list-style-type: none"> (i) item 3 (Group G—Commercial Sales and Leasing); (ii) item 4 (Group H—Commercial and Property Management); (iii) item 5 (Group I—Business Broking) |
| 2 | assistant real estate agent | <p>completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) before applying for registration as an assistant real estate agent—the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5; (b) within 12 months of first registration as an assistant real estate agent—5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2: <ul style="list-style-type: none"> (i) item 1 (Group A—Residential Property Sales); (ii) item 2 (Group B—Residential Property Management) |

| column 1 item | column 2 kind of assistant property agent | column 3 qualifications |
|------------------|--|--|
| 3 | assistant stock and station agent | <p>completion of the following VET course units of competency:</p> <ul style="list-style-type: none"> (a) before applying for registration as an assistant stock and station agent—the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5; (b) within 12 months of first registration as an assistant stock and station agent—5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2: <ul style="list-style-type: none"> (i) item 6 (Group J—Stock and Station, Stock); (ii) item 7 (Group K—Stock and Station, Station) |

Schedule 2 Qualification and experience requirements for renewal of registration of assistant property agents

(see s 4)

| column 1 item | column 2 kind of assistant property agent | column 3 qualifications | column 4 experience |
|------------------|---|---|---|
| 1 | assistant business agent | <p><u>Qualification requirement 1</u> completion of the following VET course units of competency before applying for renewal of registration as an assistant business agent:</p> <p>(a) the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5;</p> <p>(b) 5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2:</p> <p>(i) item 3 (Group G—Commercial Sales and Leasing);</p> <p>(ii) item 4 (Group H—Commercial and Property Management);</p> <p>(iii) item 5 (Group I—Business Broking)</p> <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 9, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> | <p>experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 6 months in the 3 years before applying for renewal of registration as an assistant business agent:</p> <p>(a) a registered assistant business agent under the Act;</p> <p>(b) a registered business salesperson under the pre-amendment Act</p> |

| column 1 item | column 2 kind of assistant property agent | column 3 qualifications | column 4 experience |
|------------------|---|--|---|
| 2 | assistant real estate agent | <p><u>Qualification requirement 1</u> completion of the following VET course units of competency before applying for renewal of registration as an assistant real estate agent:</p> <ul style="list-style-type: none"> (a) the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5; (b) 5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2: <ul style="list-style-type: none"> (i) item 1 (Group A— Residential Property Sales); (ii) item 2 (Group B— Residential Property Management) <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 9, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> | <p>experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 6 months in the 3 years before applying for renewal of registration as an assistant 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 assistant property agent | column 3 qualifications | column 4 experience |
|------------------|---|---|---|
| 3 | assistant stock and station agent | <p><u>Qualification requirement 1</u> completion of the following VET course units of competency before applying for renewal of registration as an assistant stock and station agent:</p> <ul style="list-style-type: none"> (a) the 5 core units from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.1, items 1 to 5; (b) 5 elective units from any of the following groups from CPP41419 Certificate IV in Real Estate Practice mentioned in schedule 3, table 3.2: <ul style="list-style-type: none"> (i) item 6 (Group J—Stock and Station, Stock); (ii) item 7 (Group K—Stock and Station, Station) <p><u>Qualification requirement 2</u> completion of either of the qualifications mentioned in the <i>Agents Regulation 2003</i>, section 9, as in force immediately before the commencement of the <i>Fair Trading and Other Justice Legislation Amendment Act 2022</i>, part 2</p> | <p>experience as 1 or both of the following for a continuous period of, or for periods that cumulatively total, at least 6 months in the 3 years before applying for renewal of registration as an assistant 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 |

Schedule 3 Units of competency from CPP41419 Certificate IV in Real Estate Practice

(see sch 1 and sch 2)

Table 3.1 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 3.2 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 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 |

| column 1 item | column 2 group | column 3 unit code | column 4 elective unit title |
|--------------------------|--|-------------------------------|---|
| 4 | 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 |
| 5 | 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 |
| 6 | 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 |
| 7 | 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 |