



Australian Capital Territory

# Agents Amendment Regulation 2022 (No 1)

Subordinate Law SL2022-10

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The Australian Capital Territory Executive makes the following regulation under the [Agents Act 2003](#).

Dated 28 June 2022.

ANDREW BARR  
Chief Minister

SHANE RATTENBURY  
Minister

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# Agents Amendment Regulation 2022 (No 1)

Subordinate Law SL2022-10

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[Agents Act 2003](#)

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## 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](#), s 75 (1)).

## 3 Legislation amended

This regulation amends the *Agents Regulation 2003*.

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J2022-538

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**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](#), 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](#) (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.

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## Endnotes

**1 Notification**

Notified under the [Legislation Act](#) 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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