



Australian Capital Territory

# Property Developers Regulation 2025

## Subordinate Law SL2025-20

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The Australian Capital Territory Executive makes the following regulation under the *Property Developers Act 2024*.

Dated 2 October 2025.

ANDREW BARR  
Chief Minister

CHRIS STEEL  
Minister

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# Property Developers Regulation 2025

Subordinate Law SL2025-20

made under the

[Property Developers Act 2024](#)

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Property Developers Regulation 2025*.

### 2 Commencement

- (1) This regulation (other than parts 2 and 6) 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)).

- (2) Part 2 commences on the commencement of the [Act](#), section 11 (Applications for licence).
- (3) Part 6 commences on the commencement of the [Act](#), schedule 2, part 2.4.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘**registered community housing provider**—see the *Community Housing Providers National Law (ACT)*, section 4 (1).’ means that the term ‘**registered community housing provider**’ is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

**4 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

## Part 2                      Licensing of property developers

### 5                      Information to be included in licence application—Act, s 11 (2) (d)

- (1) The following information is prescribed:
  - (a) the information mentioned in the [Act](#), section 25 (2) (a), (b), (e) and (j);
  - (b) if the applicant is a corporation—
    - (i) the director identification number of any person who is a director or has been a director at any time since the relevant day; and
    - (ii) details about any entity that is an associated entity or has been an associated entity at any time since the relevant day; and
    - (iii) if a current or former associated entity of the applicant is a corporation—the director identification number of any person who is a director or has been a director at any time since the relevant day;
  - (c) if the applicant is a registered community housing provider—evidence of the applicant's registration.
- (2) For subsection (1) (a), a reference to a licensee in the [Act](#), section 25 (2) is taken to be a reference to an applicant.
- (3) In this section:

***director identification number*** means a director identification number under the [Corporations Act](#), section 9.

***relevant day*** means 1 October 2025.

## 6 Information to be included in licence renewal application—Act, s 13 (2) (e)

- (1) The following information is prescribed:
- (a) the information mentioned in the [Act](#), section 25 (2) (a), (b), (e) and (j);
  - (b) if the applicant is a corporation—
    - (i) the director identification number of any person who is a director or has been a director at any time since the relevant day; and
    - (ii) details about any entity that is an associated entity or has been an associated entity at any time since the relevant day; and
    - (iii) if a current or former associated entity of the applicant is a corporation—the director identification number of any person who is a director or has been a director at any time since the relevant day;
  - (c) if the applicant is a registered community housing provider—evidence of the applicant’s registration.
- (2) In this section:

***director identification number*** means a director identification number under the [Corporations Act](#), section 9.

***relevant day*** means 1 October 2025.



## Part 3                      Action against property    developers and directors

### 7                      Application—pt 3

This part applies in relation to a person after 10 July 2024.

### 8                      People excluded from def *property developer*—Act,    s 46 (2)

(1) The following people are excluded:

(a) a person who contracts or arranges for, or facilitates or otherwise causes the residential building work to be undertaken only because they—

(i) provide advice in relation to the building work in their capacity as a professional; or

**Example**

a consultant, employed in that capacity by a firm of consultants engaged by a property developer to provide advice in relation to the building work

(ii) provide an assessment or certification service in relation to the building work in accordance with the [Construction Occupations \(Licensing\) Act 2004](#) or an operational Act under that Act; or

(iii) provide a financial service in relation to the building work; or

(iv) act in their capacity as a person engaged to undertake a particular part of the building work, and are not engaged as the principal builder or to make decisions in relation to the building work more generally; or

**Example**

an electrician subcontracted by the principal builder to undertake electrical wiring work

- (v) act in their capacity as an employee or subcontractor of a person excluded under subparagraph (iv); or
- (vi) act in their capacity as an employee of a property developer for the building work; or
- (vii) act in their capacity as a registered liquidator of a property developer for the building work; or
- (viii) are a buyer under an off-the-plan contract, including a buyer who later sells their interest under the contract;
- (b) a person licensed to undertake the residential building work under the *Construction Occupations (Licensing) Act 2004* in the occupation class of owner-builder.

(2) In this section:

***assessment or certification service*** means any of the following services within the meaning of the *Construction Occupations (Licensing) Act 2004*:

- (a) a building assessment service;
- (b) a building certification service;
- (c) an exemption assessment service;
- (d) a plumbing plan certification service;
- (e) a works assessment service.

***electrical wiring work***—see the *Electricity Safety Act 1971*, dictionary.

***financial service***—see the *Corporations Act*, section 766A.

***off-the-plan contract***—see the *Civil Law (Sale of Residential Property) Act 2003*, section 19A (1).

***professional***—

- (a) means a person who provides professional advice to more than 1 client; but
- (b) does not include a person who provides professional advice to a client in their capacity as an employee of the client.

***registered liquidator***—see the [Corporations Act](#), schedule 2, section 5-5.

**9 Excluded directors—Act, s 52 (4) (b)**

The following people are excluded:

- (a) if the property developer is a registered community housing provider—a person who was a director of the registered community housing provider;
- (b) if the property developer is a wholly-owned subsidiary of a registered community housing provider—a person who was a director of the subsidiary.

## Part 4                      Regulated residential buildings and residential building work

### 10            Application—pt 4

This part applies in relation to a building or building work after 10 July 2024.

### 11            Excluded buildings—Act, dict, def *regulated residential building*, par (b)

- (1) A building used by an aged care provider as part of a retirement village is excluded.
- (2) In this section:

*aged care provider* means an aged care provider that is—

- (a) an approved provider under the *Aged Care Quality and Safety Commission Act 2018* (Cwlth); and
- (b) registered as a public benevolent institution under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth).

*retirement village*—see the *Retirement Villages Act 2012*, section 10.

### 12            Excluded building work—Act, dict, def *residential building work*, par (b)

Building work in relation to a building mentioned in section 11 is excluded.

## Part 5                      Miscellaneous

### **13                      People arranging residential building work must comply with code of practice—Act, s 117 (1) (b)**

A person who arranges for residential building work to be undertaken is prescribed.

## Part 6                      Delayed amendment

### **14            Legislation amended—pt 6**

This part amends this regulation.

### **15            Section 8 (2), definition of *off-the-plan contract***

*omit*

section 19A (1)

*substitute*

section 19AA (1)

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions relevant to this regulation. For example:

- Corporations Act
- in relation to
- under.

*Note 2* Terms used in this regulation have the same meaning that they have in the [Property Developers Act 2024](#). For example, the following terms are defined in the [Act](#), dict:

- associated entity (see s 8 (1))
- building work
- licence
- licence application (see s 11 (1))
- licensee
- property developer
- regulated residential building
- residential building work.

***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 [Community Housing Providers \(Adoption of National Law\) Act 2012](#) (NSW), appendix as if it were an ACT law called the *Community Housing Providers National Law (ACT)*.

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 15 October 2025.

### 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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