



Australian Capital Territory

Property Developers Regulation 2025

SL2025-20

made under the

Property Developers Act 2024

Republication No 2

Effective: 5 November 2025

Republication date: 5 November 2025

Regulation not amended
(republishing for commenced provisions)

Not all provisions are in force: see last endnote

About this republication

The republished law

This is a republication of the *Property Developers Regulation 2025*, made under the *Property Developers Act 2024* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 5 November 2025. It also includes any commencement, repeal or expiry affecting this republished law to 5 November 2025.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



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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.

U 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)*.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Property Developers Regulation 2025 SL2025-20

notified LR 15 October 2025

s 1, s 2 commenced 15 October 2025 (LA s 75 (1))

pt 2 commenced 5 November 2025 (s 2 (2) and see [Property Developers Act 2024](#) A2024-36 s 2 (2) (b), [CN2025-6](#) and LA s 77 (3))

pt 6 awaiting commencement

remainder commenced 16 October 2025 (s 2 (1))

4 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 16 Oct 2025	16 Oct 2025– 4 Nov 2025	not amended	new regulation

5 Uncommenced provisions

Part 6 was uncommenced at the republication date but has been included in this republication with the symbol **U** immediately before the provision headings.

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