



New South Wales

# Conveyancers Licensing Order 1999

under the

Conveyancers Licensing Act 1995

I, John Arthur Watkins, in pursuance with section 7 (1) (b) of the *Conveyancers Licensing Act 1995*, make the following Order.

Dated at Sydney, this 12th day of October 1999.

JOHN WATKINS, M.P.,

Minister for Fair Trading

## Conveyancers Licensing Order 1999

### 1 Name of Order

This Order is the *Conveyancers Licensing Order 1999*.

### 2 Revocation and repeal

- (1) The approval provided for by clause 4 (1) of Schedule 2 to the *Conveyancers Licensing Act 1995* is revoked.
- (2) The Order made under section 7 (1) (b) of the *Conveyancers Licensing Act 1995* published in Gazette No 51 of 26 April 1996 at page 1979 is repealed.
- (3) The Order made under section 7 (1) (b) of the *Conveyancers Licensing Act 1995* published in Gazette No 60 of 6 June 1997 at pages 4058 to 4062 is repealed.

### 3 Definitions

- (1) In this Order:

***full licence*** means a licence that is not a residential licence.

***residential licence*** means a licence subject to conditions that limit the licensee to carrying out conveyancing work in respect of property that is residential property for the purposes of Division 8 of Part 4 of the *Conveyancing Act 1919*.

***the Act*** means the *Conveyancers Licensing Act 1995*.

- (2) A reference in this Order to work on a full-time basis for a period of time includes a reference to work on some other basis for a different period of time that results in an equivalent amount of practical training and conveyancing experience being gained.

### 4 Approved qualifications, training and experience

- (1) For the purposes of section 7 (1) (b) of the Act:
  - (a) the educational qualifications set out in Column 2 of the Table to Part 1 of Schedule 1, and
  - (b) the practical training and conveyancing experience set out in Column 3 of that Table opposite the relevant matter in Column 2,

are approved as the educational qualifications, practical training and conveyancing experience that qualify a person to be granted a licence of the kind described in Column 1 opposite those qualifications, training and experience.

(2) For the purposes of section 7 (1) (b) of the Act:

- (a) the educational qualifications set out in Column 2 and, where applicable, the additional educational qualifications set out in Column 3 of the Table to Part 2 of Schedule 1, and
- (b) the practical training and conveyancing experience set out in Column 4 of that Table opposite the relevant matter in Columns 2 and 3,

are approved as the educational qualifications, practical training and conveyancing experience that qualify a person to be granted a licence of the kind described in Column 1 opposite those qualifications, training and experience.

(3) The periods of practical training and conveyancing experience set out in the Table to Part 1 and the Table to Part 2 of Schedule 1 may be reduced by the Director-General of the Department of Fair Trading in a particular case if the Director-General considers that the circumstances of the case warrant it.

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Schedule 1      Qualifications for licence

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**Schedule 1    Qualifications for licence**

(Clause 4)

**Part 1    Qualifications, training and experience for licence  
            for residential conveyancing work only**

**Table**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Practical training and conveyancing experience</b>
1    Residential licence	Conveyancing Law and Practice course conducted by Macquarie University and completed before December 1997	Practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years
2    Residential licence	Associate Diploma in Business (Conveyancing) or Advanced Diploma in Conveyancing conducted by the Sydney Institute of Technology and completed before February 1997	Practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years

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## Qualifications for licence

## Schedule 1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Practical training and conveyancing experience</b>
3 Residential licence	Associate Degree in Law (Para-Legal Studies) conducted by Southern Cross University, or any of the following degrees conducted by Southern Cross University, if the conveyancing option for that degree is completed: Bachelor of Arts Degree Bachelor of Business Degree Degree of Bachelor of Legal and Justice Studies The course must have been completed before February 1996	Practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years
4 Residential licence	Passing of an examination conducted by the Conveyancers Licensing Committee under clause 7 (2) of Schedule 3 to the <i>Conveyancers Licensing Act 1992</i>	Practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years

## Part 2 Qualifications, training and experience for licence for all conveyancing work

Table

Column 1 Licence	Column 2 Educational qualifications	Column 3 Additional qualifications	Column 4 Practical training and conveyancing experience
1 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Conveyancing Law and Practice course (amended course effective from August 1996) conducted by Macquarie University		One year's relevant practical training and conveyancing experience undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out
2 Full licence	Conveyancing Law and Practice course (amended course effective from August 1996) conducted by Macquarie University		Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor

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## Schedule 1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
3 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Conveyancing Law and Practice course conducted by Macquarie University and completed before December 1997	Completion of an approved bridging course specified in the Appendix to this Part	One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out
4 Full licence	Conveyancing Law and Practice course conducted by Macquarie University and completed before December 1997	Completion of an approved bridging course specified in the Appendix to this Part	Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor

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## Schedule 1

Qualifications for licence

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
5 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Advanced Diploma in Conveyancing (amended course effective from February 1997) conducted by the Sydney Institute of Technology		One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out
6 Full licence	Advanced Diploma in Conveyancing (amended course effective from February 1997) conducted by the Sydney Institute of Technology		Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor



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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
7 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Advanced Diploma in Conveyancing conducted by the Sydney Institute of Technology and completed before February 1997	Completion of an approved bridging course specified in the Appendix to this Part	One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out
8 Full licence	Advanced Diploma in Conveyancing conducted by the Sydney Institute of Technology and completed before February 1997	Completion of an approved bridging course specified in the Appendix to this Part	Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor

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#### Schedule 1      Qualifications for licence

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Column 1 Licence	Column 2 Educational qualifications	Column 3 Additional qualifications	Column 4 Practical training and conveyancing experience
9    Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Associate Degree in Law (Para-Legal Studies) (amended course effective from February 1996) conducted by Southern Cross University, or any of the following degrees conducted by Southern Cross University, if the conveyancing option for that degree is completed: Bachelor of Arts Degree Bachelor of Business Degree Degree of Bachelor of Legal and Justice Studies		One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
10 Full licence	Associate Degree in Law (Para-Legal Studies) (amended course effective from February 1996) conducted by Southern Cross University, or any of the following degrees conducted by Southern Cross University, if the conveyancing option for that degree is completed: Bachelor of Arts Degree Bachelor of Business Degree Degree of Bachelor of Legal and Justice Studies		Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor

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#### Schedule 1      Qualifications for licence

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Column 1 Licence	Column 2 Educational qualifications	Column 3 Additional qualifications	Column 4 Practical training and conveyancing experience
11 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	Associate Degree in Law (Para-Legal Studies) conducted by Southern Cross University, or any of the following degrees conducted by Southern Cross University, if the conveyancing option for that degree is completed: Bachelor of Arts Degree Bachelor of Business Degree Degree of Bachelor of Legal and Justice Studies The course must have been completed before February 1996	Completion of an approved bridging course specified in the Appendix to this Part	One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
12 Full licence	Associate Degree in Law (Para-Legal Studies) conducted by Southern Cross University, or any of the following degrees conducted by Southern Cross University, if the conveyancing option for that degree is completed: Bachelor of Arts Degree Bachelor of Business Degree Degree of Bachelor of Legal and Justice Studies The course must have been completed before February 1996	Completion of an approved bridging course specified in the Appendix to this Part	Two years' relevant practical training and conveyancing experience; at least one year of this practical training and conveyancing experience must be while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer or a solicitor

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Column 1 Licence	Column 2 Educational qualifications	Column 3 Additional qualifications	Column 4 Practical training and conveyancing experience
13 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	(a) Law Degree conducted by a tertiary institution in Australia, or (b) Law Degree conducted by a tertiary institution outside Australia that the Director- General is satisfied is equivalent to a Law Degree referred to in paragraph (a)		One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
14 Full licence	(a) Law Degree conducted by a tertiary institution in Australia, or (b) Law Degree conducted by a tertiary institution outside Australia that the Director-General is satisfied is equivalent to a Law Degree referred to in paragraph (a)		Practical training and conveyancing experience that confers eligibility to receive a solicitor's practising certificate authorising practice as a solicitor without supervision OR relevant practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years

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Column 1 Licence	Column 2 Educational qualifications	Column 3 Additional qualifications	Column 4 Practical training and conveyancing experience
15 Full licence—subject to a condition that conveyancing work only be carried out under the supervision of a licensed conveyancer whose licence is not subject to such a condition, or a solicitor whose practising certificate is not subject to such a condition	(a) Law Diploma conducted by the Legal Practitioners Admission Board, or (b) a qualification obtained from another State or Territory of Australia that the Director-General is satisfied is equivalent to a Law Diploma referred to in paragraph (a)		One year's relevant practical training and conveyancing experience which may be undertaken in a licensed conveyancer's office, or a solicitor's office, or any business or government department where regular conveyancing work is carried out



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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Licence</b>	<b>Educational qualifications</b>	<b>Additional qualifications</b>	<b>Practical training and conveyancing experience</b>
16 Full licence	(a) Law Diploma conducted by the Legal Practitioners Admission Board, or (b) a qualification obtained from another State or Territory of Australia that the Director-General is satisfied is equivalent to a Law Diploma referred to in paragraph (a)		Practical training and conveyancing experience that confers eligibility to receive a solicitor's practising certificate authorising practice as a solicitor without supervision OR relevant practical training and conveyancing experience received while employed or otherwise engaged on a full-time basis under the supervision of a licensed conveyancer, or a solicitor, or as a partner in or principal of a conveyancing business, for a period of at least 2 years
17 Full licence	Licensed (at any time) under the <i>Conveyancers Licensing Act 1992</i>	Completion of an approved bridging course specified in the Appendix to this Part	

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**Appendix to Part 2      Approved bridging courses**

Conveyancers Licensing Bridging Course conducted by the University of Western Sydney—Centre for Agency Licensing Education

Conveyancing Law and Practice—Bridging Course for Conveyancers conducted by Macquarie University

Conveyancing Bridging Course conducted by the Sydney Institute of Technology

BY AUTHORITY