



Property, Stock and Business Agents (Qualifications) Amendment Order 2012

under the

Property, Stock and Business Agents Act 2002

I, Anthony Roberts, the Minister for Fair Trading, in pursuance of section 15 of the *Property, Stock and Business Agents Act 2002*, make the following Order.

Dated, this 4th day of February 2012.

ANTHONY ROBERTS, MP
Minister for Fair Trading

Explanatory note

The object of this Order is to change the qualifications required for the issue of certain classes of licences and certificates of registration under the *Property, Stock and Business Agents Act 2002*.

This Order is made under section 15 of the *Property, Stock and Business Agents Act 2002*.

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Clause 1

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**Property, Stock and Business Agents (Qualifications)
Amendment Order 2012**

under the

Property, Stock and Business Agents Act 2002

1 Name of Order

This Order is the *Property, Stock and Business Agents (Qualifications)
Amendment Order 2012*.

2 Commencement

This Order commences on the day on which it is published on the NSW
legislation website.

Schedule 1 **Amendment of Property, Stock and Business Agents (Qualifications) Order 2009**

[1] Clause 7

Omit the clause. Insert instead:

7 Current qualifications required for the issue of a real estate agent's licence

A person has the qualifications required for the issue of a real estate agent's licence if a registered training organisation has issued the person with a CPP40307 Certificate IV in Property Services (Real Estate) demonstrating competency in:

- (a) either of the following units of competency:
 - (i) CPPDSM4009A—Interpret legislation to complete agency work,
 - (ii) CPPDSM4009B—Interpret legislation to complete agency work, and
- (b) either of the following units of competency:
 - (i) CPPDSM4015A—Minimise agency and consumer risk,
 - (ii) CPPDSM4015B—Minimise agency and consumer risk, and
- (c) either of the following units of competency:
 - (i) CPPDSM4004A—Conduct auction,
 - (ii) CPPDSM4020A—Present at tribunals, and
- (d) all of the following units of competency:
 - (i) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,
 - (ii) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
 - (iii) CPPDSM4080A—Work in the real estate industry,
 - (iv) CPPDSM4003A—Appraise property,
 - (v) CPPDSM4005A—Establish and build client-agency relationships,
 - (vi) CPPDSM4006A—Establish and manage agency trust accounts,

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- (vii) CPPDSM4010A—Lease property,
 - (viii) CPPDSM4011A—List property for lease,
 - (ix) CPPDSM4012A—List property for sale,
 - (x) CPPDSM4013A—Market property for lease,
 - (xi) CPPDSM4014A—Market property for sale,
 - (xii) CPPDSM4016A—Monitor and manage lease or tenancy agreement,
 - (xiii) CPPDSM4017A—Negotiate effectively in property transactions,
 - (xiv) CPPDSM4019A—Prepare for auction and complete sale,
 - (xv) CPPDSM4022A—Sell and finalise the sale of property by private treaty,
 - (xvi) CPPDSM4049A—Implement maintenance plan for managed properties,
 - (xvii) CPPDSM4056A—Manage conflict and disputes in the property industry,
 - (xviii) BSBRKG304B—Maintain business records,
 - (xix) BSBMB406A—Manage small business finances,
 - (xx) BSBLED401A—Develop teams and individuals, and
- (e) at least one elective unit of competency of the candidate's own choice from the property sales and management, specialist or common units from CPP40307 Certificate IV in Property Services (Real Estate).

[2] Clause 9

Omit the clause. Insert instead:

9 Current qualifications required for the issue of a real estate agent's licence subject to the condition that the holder act only as a buyer's agent

A person has the qualifications required for the issue of a real estate agent's licence subject to the condition that the holder of the licence act only as a buyer's agent if a registered training organisation has issued the person with a statement of attainment or a qualification demonstrating competency in:

- (a) either of the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,

- (ii) CPPDSM3019B—Communicate with clients as part of property agency operations, and
- (b) either of the following units of competency:
 - (i) CPPDSM4015A—Minimise agency and consumer risk,
 - (ii) CPPDSM4015B—Minimise agency and consumer risk, and
- (c) all of the following units of competency:
 - (i) CPPDSM4001A—Act as a buyer’s agent,
 - (ii) CPPDSM4003A—Appraise property,
 - (iii) CPPDSM4005A—Establish and build client-agency relationships,
 - (iv) CPPDSM4022A—Sell and finalise the sale of property by private treaty,
 - (v) CPPDSM4080A—Work in the real estate industry,
 - (vi) BSBLED401A—Develop teams and individuals,
 - (vii) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work.

[3] Clause 11

Omit the clause. Insert instead:

11 Current qualifications required for the issue of a stock and station agent’s licence

A person has the qualifications required for the issue of a stock and station agent’s licence if a registered training organisation has issued the person with a CPP40407 Certificate IV in Property Services (Stock and Station Agency) demonstrating competency in:

- (a) either of the following units of competency:
 - (i) CPPDSM4009A—Interpret legislation to complete agency work,
 - (ii) CPPDSM4009B—Interpret legislation to complete agency work, and
- (b) either of the following units of competency:
 - (i) CPPDSM4015A—Minimise agency and consumer risk,
 - (ii) CPPDSM4015B—Minimise agency and consumer risk, and

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- (c) all of the following units of competency:
- (i) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
 - (ii) CPPDSM4024A—Advise clients on livestock sale and purchase options,
 - (iii) CPPDSM4039A—Conduct livestock sale by auction,
 - (iv) CPPDSM4068A—Prepare livestock for sale at saleyards,
 - (v) CPPDSM4075A—Select livestock for sale,
 - (vi) CPPDSM4077A—Sell livestock by private sale,
 - (vii) CPPDSM4081A—Work in the stock and station agency sector,
 - (viii) CPPDSM4021A—Sell and finalise sale of rural property by private treaty,
 - (ix) CPPDSM4067A—Plan for and complete sale of rural property by auction,
 - (x) CPPDSM4052A—List and market rural property for sale or lease,
 - (xi) CPPDSM4030A—Appraise rural property,
 - (xii) CPPDSM4005A—Establish and build client-agency relationships,
 - (xiii) CPPDSM4006A—Establish and manage agency trust accounts,
 - (xiv) CPPDSM4051A—Lease rural property,
 - (xv) CPPDSM4073A—Provide rural property management services,
 - (xvi) BSBSMB406A—Manage small business finances,
 - (xvii) BSBLED401A—Develop teams and individuals,
 - (xviii) CPPDSM4056A—Manage conflicts and disputes in the property industry.

[4] Clause 13

Omit the clause. Insert instead:

13 Current qualifications required for the issue of a business agent's licence

A person has the qualifications required for the issue of a business agent's licence if a registered training organisation has

issued the person with a CPP40507 Certificate IV in Property Services (Business Broking) demonstrating competency in:

- (a) either of the following units of competency:
 - (i) CPPDSM4015A—Minimise agency and consumer risk,
 - (ii) CPPDSM4015B—Minimise agency and consumer risk, and
- (b) all of the following units of competency:
 - (i) CPPDSM4006A—Establish and manage agency trust account,
 - (ii) CPPDSM4029A—Appraise business,
 - (iii) CPPDSM4053A—List business for sale,
 - (iv) CPPDSM4060A—Negotiate sale and manage sale to completion or settlement,
 - (v) CPPDSM4061A—Obtain prospects for listing,
 - (vi) CPPDSM4069A—Promote and market listed business,
 - (vii) CPPDSM4079A—Work in the business broking sector,
 - (viii) BSBLED401A—Develop teams and individuals,
 - (ix) BSBCUS401A—Co-ordinate implementation of customer service strategies,
 - (x) BSBSMB406A—Manage small business finances,
 - (xi) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work.

[5] Clause 15

Omit the clause. Insert instead:

15 Current qualifications required for the issue of a strata managing agent's licence

A person has the qualifications required for the issue of a strata managing agent's licence if a registered training organisation has issued the person with a qualification demonstrating:

- (a) successful completion of either a CPP40609 Certificate IV in Property Services (Operations), or a CPP40611 Certificate IV in Property Services (Operations), demonstrating competency in:

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- (i) either of the following units of competency:
 - (A) CPPDSM4048A—Implement customer service strategies in the property industry,
 - (B) CPPDSM4048B—Implement customer service strategies in the property industry, and
- (ii) all of the following units of competency:
 - (A) BSBREL401A—Establish networks,
 - (B) CPPDSM4028A—Identify and analyse risks and opportunities in the property industry,
 - (C) CPPDSM4044A—Coordinate maintenance and repair of properties and facilities,
 - (D) CPPDSM4047A—Implement and monitor procurement process,
 - (E) CPPDSM4057A—Monitor a safe workplace in the property industry,
 - (F) CPPDSM4063A—Participate in developing and establishing property or facilities contracts,
 - (G) CPPDSM4072A—Provide leadership in the property industry,
 - (H) BSBLED401A—Develop teams and individuals,
 - (I) BSBFIA402A—Report on financial activity,
 - (J) BSBRKG304B—Maintain business records,
 - (K) BSBSMB402A—Plan small business finances,
 - (L) BSBSMB406A—Manage small business finances,
 - (M) CPPDSM4006A—Establish and manage agency trust accounts,
 - (N) CPPDSM4034A—Assess and implement strata/community management agreement,
 - (O) CPPDSM4045A—Facilitate meetings in the property industry,
 - (P) CPPDSM4056A—Manage conflict and disputes in the property industry,
 - (Q) CPPDSM4074A—Select and appoint contractors in the property industry, and

- (b) successful completion of either of the following units of competency from the Certificate III in Property Services (Operations):
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of agency operations, and
- (c) successful completion of each of the following units of competency from the Certificate III in Property Services (Operations):
 - (i) CPPDSM3016A—Work in the property industry,
 - (ii) CPPDSM3017A—Work in the strata/community management sector.

[6] Clause 17

Omit the clause. Insert instead:

17 Current qualifications required for the issue of an on-site residential property manager's licence

A person has the qualifications required for the issue of an on-site residential property manager's licence if a registered training organisation has issued the person with a statement of attainment or a qualification demonstrating competency in:

- (a) either the following units of competency
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of property agency operations, and
- (b) either of the following units of competency:
 - (i) CPPDSM4015A—Minimise agency and consumer risk,
 - (ii) CPPDSM4015B—Minimise agency and consumer risk, and
- (c) all of the following units of competency:
 - (i) CPPDSM4005A—Establish and build client-agency relationships,
 - (ii) CPPDSM4006A—Establish and manage agency trust accounts,
 - (iii) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,

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- (iv) CPPDSM4010A—Lease property,
- (v) CPPDSM4016A—Monitor and manage lease or tenancy agreement,
- (vi) CPPDSM4080A—Work in the real estate industry,
- (vii) BSBRKG304B—Maintain business records,
- (viii) BSBLED401A—Develop teams and individuals.

[7] **Clause 19**

Omit the clause. Insert instead:

19 Current qualifications required for the issue of a certificate of registration as a real estate salesperson

A person has the qualifications required for the issue of a certificate of registration as a real estate salesperson if a registered training organisation has issued the person with a statement of attainment demonstrating competency in:

- (a) either the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of agency operations, and
- (b) all of the following units of competency:
 - (i) CPPDSM4080A—Work in the real estate industry,
 - (ii) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
 - (iii) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work.

[8] **Clause 21**

Omit the clause. Insert instead:

21 Current qualifications required for the issue of a certificate of registration as a stock and station salesperson

A person has the qualifications required for the issue of a certificate of registration as a stock and station salesperson if a registered training organisation has issued the person with a statement of attainment or qualification demonstrating competency in:

- (a) either the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of agency operations, and
- (b) all of the following units of competency:
 - (i) CPPDSM4081A—Work in the stock and station agency sector,
 - (ii) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work.

[9] Clause 23

Omit the clause. Insert instead:

23 Current qualifications required for the issue of a certificate of registration as a business salesperson

A person has the qualifications required for the issue of a certificate of registration as a business salesperson if a registered training organisation has issued the person with a statement of attainment or a qualification demonstrating competency in:

- (a) either of the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of property agency operations, and
- (b) all of the following units of competency:
 - (i) CPPDSM4079A—Work in the business broking sector,
 - (ii) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work.

[10] Clause 25

Omit the clause. Insert instead:

25 Current qualifications required for the issue of a certificate of registration as a registered strata manager or registered community manager

A person has the qualifications required for the issue of a certificate of registration as a registered strata manager or

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registered community manager if a registered training organisation has issued the person with statement of attainment or a qualification demonstrating that the person has successfully completed:

- (a) either the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of agency operations, and
- (b) all of the following units of competency:
 - (i) CPPDSM3017A—Work in the strata/community management sector,
 - (ii) CPPDSM3016A—Work in the property industry.

[11] Clause 27

Omit the clause. Insert instead:

27 Current qualifications required for the issue of a certificate of registration as a registered on-site residential property manager

A person has the qualifications required for the issue of a certificate of registration as a registered on-site residential property manager if a registered training organisation has issued the person with a statement of attainment or qualification demonstrating competency in:

- (a) either the following units of competency:
 - (i) CPPDSM3019A—Communicate with clients as part of agency operations,
 - (ii) CPPDSM3019B—Communicate with clients as part of property agency operations, and
- (b) all of the following units of competency:
 - (i) CPPDSM4080A—Work in the real estate industry,
 - (ii) CPPDSM3016A—Work in the property industry.