



New South Wales

# Conveyancers Licensing Amendment (Fees) Regulation 2020

under the

Conveyancers Licensing Act 2003

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancers Licensing Act 2003*.

KEVIN ANDERSON, MP  
Minister for Better Regulation and Innovation

## Explanatory note

The object of this Regulation is to amend the *Conveyancers Licensing Regulation 2015* to—

- (a) provide for the partial refund of certain application fees payable for licences under the *Conveyancers Licensing Act 2003* in particular circumstances, and
- (b) prescribe the fees payable for the grant, renewal, restoration and replacement of a licence issued under the *Conveyancers Licensing Act 2003*.

This Regulation is made under the *Conveyancers Licensing Act 2003*, including sections 11(5), 12, 18(4)(b) and 172 (the general regulation-making power).

## **Conveyancers Licensing Amendment (Fees) Regulation 2020**

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Conveyancers Licensing Act 2003

### **1 Name of Regulation**

This Regulation is the *Conveyancers Licensing Amendment (Fees) Regulation 2020*.

### **2 Commencement**

This Regulation commences on 1 July 2020 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Conveyancers Licensing Regulation 2015

**[1] Clause 5 Fees for licence**

Omit “Certain of the” from clause 5(1). Insert instead “The application”.

**[2] Clause 5(2)**

Omit the subclause.

**[3] Clause 5(4)–(6)**

Insert after clause 5(3)—

(4) The total application fee is set out in Column 4 of Part 1 of Schedule 2.

(5) In addition to the total application fee, an applicant for a licence is liable to pay the contribution to, and any levy for, the Compensation Fund required under section 168 or 169 of the *Property and Stock Agents Act 2002*.

**Note.** See section 89 of the *Conveyancers Licensing Act 2003*.

(6) An applicant for a licence under the Act is liable to pay the same contribution to the Compensation Fund as an applicant for a class 1 licence under the *Property and Stock Agents Act 2002*.

**[4] Clauses 9, 34(1)(l) and 35(d)**

Omit “*Property, Stock and Business Agents Act 2002*” wherever occurring.

Insert instead “*Property and Stock Agents Act 2002*”.

**[5] Clause 37B**

Insert after clause 37A—

**37B Partial refund of application fees for certain licences**

(1) This clause applies to an application fee for a licence with a term of 3 years or 5 years, paid by or on behalf of a person who—

(a) has requested the licence be cancelled under the Act, or

(b) if the fee was paid by or on behalf of an individual—has died.

(2) A person may apply to the Secretary for a refund of the application fee if the person—

(a) paid the application fee, or

(b) is applying for or on behalf of the person who paid the application fee, or

(c) is the legal representative of a deceased individual who paid the application fee.

(3) A person is not entitled to make an application under this clause if the licence was suspended or cancelled as a result of disciplinary action.

(4) A person who makes an application under subclause (2) is—

(a) for a licence with a term of 3 years—entitled to a refund of one-third of the fixed component of the application fee paid for each complete year remaining for the licence, or

- (b) for a licence with a term of 5 years—entitled to a refund of one-fifth of the fixed component of the application fee paid for each complete year remaining for the licence.
- (5) In this clause—  
**application fee** means the following—  
 (a) an application fee for the grant of a licence,  
 (b) an application fee for the renewal of a licence,  
 (c) an application fee for the restoration of a licence.  
**fixed component**, of an application fee, is the amount set out in Column 2 of Part 1 of Schedule 2 in relation to the fee.

**[6] Schedule 2 Fees**

Omit Part 1. Insert instead—

**Part 1 Fees payable**

Item	Column 1	Column 2	Column 3	Column 4
	Type of fee	Fixed component (in fee units)	Processing component (in fee units)	Total (in fee units)
1	Application for grant of licence—			
	(a) for 1 year	2.33	2.13	4.46
	(b) for 3 years	6.99	2.13	9.12
	(c) for 5 years	11.65	2.13	13.78
2	Application for renewal of licence—			
	(a) for 1 year	2.33	0.69	3.02
	(b) for 3 years	6.99	0.69	7.68
	(c) for 5 years	11.65	0.69	12.34
3	Application for restoration of licence—			
	(a) for 1 year	2.33	1.42	3.75
	(b) for 3 years	6.99	1.42	8.41
	(c) for 5 years	11.65	1.42	13.07
4	Application for replacement of licence	Nil	0.46	0.46

**Note.** In addition to the application fee prescribed by this Regulation, section 89 of the *Conveyancers Licensing Act 2003* provides that an applicant for a licence is liable to pay the contribution to, and any levy for, the Compensation Fund required under section 168 or 169 of the *Property and Stock Agents Act 2002*. See clause 5(5) and (6) of this Regulation for the contribution to, and any levy for, the Compensation Fund payable by an applicant for a licence.