

Property, Stock and Business Agents (Qualifications) Order 2009

[2009-247]



New South Wales

Status Information

Currency of version

Repealed version for 8 September 2017 to 22 March 2020 (accessed 26 November 2024 at 16:48)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This Regulation was repealed by cl 7 of the [Property and Stock Agents \(Qualifications\) Order 2019 \(628\)](#) with effect from 23.3.2020.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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New South Wales

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Property, Stock and Business Agents (Qualifications) Order 2009



New South Wales

Part 1 Preliminary

1 Name of Order

This Order is the *Property, Stock and Business Agents (Qualifications) Order 2009*.

2 Commencement

This Order commences on the day on which it is published in the Gazette.

3 Definitions

In this Order:

registered training organisation has the same meaning as in the *Vocational Education and Training Act 2005*.

the Act means the *Property, Stock and Business Agents Act 2002*.

4 Approval of qualifications

For the purposes of section 15 (1) of the Act, the qualifications set out in this Order are approved as the qualifications required for the issue of a licence or certificate of registration of the category to which they relate.

5 Underpinning knowledge based on New South Wales law

The underpinning knowledge for a unit of competency from the Property Services Training Package (CPP07), or the Property Development and Management Training Package (PRD01), must be based on New South Wales law for the unit of competency to be included in a qualification approved by this Order.

6 Repeal

The *Property, Stock and Business Agents (Qualifications) Order 2003* is repealed.

Part 2 Qualifications for real estate agent's licence

7 Current qualifications for 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 the following units:

- (a) BSBLED401 or BSBLED401A—Develop teams and individuals,
- (b) BSBRKG304, BSBRKG304A or BSBRKG304B—Maintain business records,
- (c) BSBSMB406 or BSBSMB406A—Manage small business finances,
- (d) CPPDSM4003A—Appraise property,
- (e) CPPDSM4004A—Conduct auction or CPPDSM4020A—Present at tribunals,
- (f) CPPDSM4005A—Establish and build client-agency relationships,
- (g) CPPDSM4006A—Establish and manage agency trust accounts,
- (h) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,
- (i) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (j) CPPDSM4009—Interpret legislation to complete work in the property industry or CPPDSM4009A or CPPDSM4009B—Interpret legislation to complete agency work,
- (k) CPPDSM4010A—Lease property,
- (l) CPPDSM4011A—List property for lease,
- (m) CPPDSM4012A—List property for sale,
- (n) CPPDSM4013A—Market property for lease,
- (o) CPPDSM4014A—Market property for sale,
- (p) CPPDSM4015A or CPPDSM4015B—Minimise agency and consumer risk,
- (q) CPPDSM4016A—Monitor and manage lease or tenancy agreement,
- (r) CPPDSM4017A—Negotiate effectively in property transactions,
- (s) CPPDSM4019A—Prepare for auction and complete sale,
- (t) CPPDSM4022A—Sell and finalise the sale of property by private treaty,

- (u) CPPDSM4049—Implement maintenance program for managed properties or CPPDSM4049A—Implement maintenance plan for managed properties,
- (v) CPPDSM4056 or CPPDSM4056A—Manage conflict and disputes in the property industry,
- (w) CPPDSM4080A—Work in the real estate industry,
- (x) at least 1 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).

8 Recognition of past qualifications for real estate agent's licence

A person has the qualifications required for the issue of a real estate agent's licence if:

- (a) (Repealed)
- (b) the person holds a real estate agent's licence at the time of making an application for renewal of the licence, or
- (c) the person has held a real estate agent's licence in the 3 months preceding the making of an application for restoration of the licence, or
- (d) the person has held a real estate agent's licence in the 12 months preceding the making of an application for the equivalent licence.

Part 3 Qualifications for real estate agent's licence subject to the condition that the holder act only as a buyer's agent

9 Current qualifications for real estate agent's licence to act only as buyer's agent

- (1) 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 the following units:
 - (a) BSBLED401 or BSBLED401A—Develop teams and individuals,
 - (b) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
 - (c) CPPDSM4001A—Act as a buyer's agent,
 - (d) CPPDSM4003A—Appraise property,
 - (e) CPPDSM4005A—Establish and build client-agency relationships,

- (f) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (g) CPPDSM4015A or CPPDSM4015B—Minimise agency and consumer risk,
- (h) CPPDSM4022A—Sell and finalise the sale of property by private treaty,
- (i) CPPDSM4080A—Work in the real estate industry.

(2) A person is not required to have the qualifications referred to in clause 7 for a real estate agent's licence that is issued subject to the condition that the holder of the licence act only as a buyer's agent.

10 Recognition of past qualifications for real estate agent's licence to act only as 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) (Repealed)
- (b) the person holds a real estate agent's licence subject to the condition that the holder of the licence act only as a buyer's agent, or a real estate agent's licence, at the time of making an application for renewal of the licence, or
- (c) the person has held a real estate agent's licence subject to the condition that the holder of the licence act only as a buyer's agent, or a real estate agent's licence, in the 3 months preceding the making of an application for restoration of the licence, or
- (d) the person has held a real estate agent's licence subject to the condition that the holder of the licence act only as a buyer's agent, or a real estate agent's licence, in the 12 months preceding the making of an application for the equivalent licence.

Part 4 Qualifications for stock and station agent's licence

11 Current qualifications for 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 the following units:

- (a) BSBLED401 or BSBLED401A—Develop teams and individuals,
- (b) BSBSMB406 or BSBSMB406A—Manage small business finances,
- (c) CPPDSM4005A—Establish and build client-agency relationships,
- (d) CPPDSM4006A—Establish and manage agency trust accounts,

- (e) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (f) CPPDSM4009—Interpret legislation to complete work in the property industry or CPPDSM4009A or CPPDSM4009B—Interpret legislation to complete agency work,
- (g) CPPDSM4015A or CPPDSM4015B—Minimise agency and consumer risk,
- (h) CPPDSM4021A—Sell and finalise sale of rural property by private treaty,
- (i) CPPDSM4024A—Advise clients on livestock sale and purchase options,
- (j) CPPDSM4030A—Appraise rural property,
- (k) CPPDSM4039A—Conduct livestock sale by auction,
- (l) CPPDSM4051A—Lease rural property,
- (m) CPPDSM4052A—List and market rural property for sale or lease,
- (n) CPPDSM4056 or CPPDSM4056A—Manage conflicts and disputes in the property industry,
- (o) CPPDSM4067A—Plan for and complete sale of rural property by auction,
- (p) CPPDSM4068A—Prepare livestock for sale at saleyards,
- (q) CPPDSM4073A—Provide rural property management services,
- (r) CPPDSM4075A—Select livestock for sale,
- (s) CPPDSM4077A—Sell livestock by private sale,
- (t) CPPDSM4081A—Work in the stock and station agency sector.

12 Recognition of past qualifications for 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) (Repealed)
- (b) the person holds a stock and station agent's licence at the time of making an application for renewal of the licence, or
- (c) the person has held a stock and station agent's licence in the 3 months preceding the making of the application for restoration of the licence, or
- (d) the person has held a stock and station agent's licence in the 12 months preceding the making of an application for the equivalent licence.

Part 5 Qualifications for business agent's licence

13 Current qualifications for 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 the following units:

- (a) BSBCUS401, BSBCUS401A or BSBCUS401B—Co-ordinate implementation of customer service strategies,
- (b) BSBLED401 or BSBLED401A—Develop teams and individuals,
- (c) BSBSMB406 or BSBSMB406A—Manage small business finances,
- (d) CPPDSM4006A—Establish and manage agency trust account,
- (e) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (f) CPPDSM4015A or CPPDSM4015B—Minimise agency and consumer risk,
- (g) CPPDSM4029A—Appraise business,
- (h) CPPDSM4053A—List business for sale,
- (i) CPPDSM4060A—Negotiate sale and manage sale to completion or settlement,
- (j) CPPDSM4061A—Obtain prospects for listing,
- (k) CPPDSM4069A—Promote and market listed business,
- (l) CPPDSM4079A—Work in the business broking sector.

14 Recognition of past qualifications for business agent's licence

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

- (a) (Repealed)
- (b) the person holds a business agent's licence at the time of making an application for renewal of the licence, or
- (c) the person has held a business agent's licence in the 3 months preceding the making of an application for restoration of the licence, or
- (d) the person has held a business agent's licence in the 12 months preceding the making of an application for the equivalent licence.

Part 6 Qualifications for strata managing agent's licence

15 Current qualifications for strata managing agent's licence

- (1) 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 specified in subclause (2) or (3).
- (2) 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 CPP40516 Certificate IV in Strata Community Management demonstrating competency in the following units:
 - (a) BSBFIA402—Report on financial activity,
 - (b) BSBLED401—Develop teams and individuals,
 - (c) BSBRKG304—Maintain business records,
 - (d) CPPCMN4008—Read plans, drawings and specifications for residential buildings,
 - (e) CPPDSM3016—Work in the property industry,
 - (f) CPPDSM3017—Work in the strata community management sector,
 - (g) CPPDSM3019—Communicate with clients in the property industry,
 - (h) CPPDSM4009—Interpret legislation to complete work in the property industry,
 - (i) CPPDSM4028—Identify and analyse risks and opportunities in the property industry,
 - (j) CPPDSM4034—Negotiate and implement strata community management agreement,
 - (k) CPPDSM4044—Coordinate maintenance and repair of properties and facilities,
 - (l) CPPDSM4045—Facilitate meetings in the property industry,
 - (m) CPPDSM4047—Implement and monitor procurement process,
 - (n) CPPDSM4048—Implement customer service strategies in the property industry,
 - (o) CPPDSM4056 or CPPDSM4056A—Manage conflict and disputes in the property industry,
 - (p) CPPDSM4057—Monitor a safe workplace in the property industry,
 - (q) CPPDSM4063—Participate in developing and establishing property or facility contracts,

- (r) CPPDSM4074—Select and appoint contractors in the property industry,
 - (s) CPPDSM4084—Administer insurance for strata communities,
 - (t) CPPDSM4085—Handle strata community funds held on trust.
- (3) 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 successful completion of:
- (a) a CPP40609 or CPP40611 Certificate IV in Property Services (Operations) demonstrating competency in the following units:
 - (i) BSBFIA402 or BSBFIA402A—Report on financial activity,
 - (ii) BSBREL401 or BSBREL401A—Establish networks,
 - (iii) BSBLED401 or BSBLED401A—Develop teams and individuals,
 - (iv) BSBRKG304, BSBRKG304A or BSBRKG304B—Maintain business records,
 - (v) BSBSMB402 or BSBSMB402A—Plan small business finances,
 - (vi) BSBSMB406 or BSBSMB406A—Manage small business finances,
 - (vii) CPPDSM4006A—Establish and manage agency trust accounts,
 - (viii) CPPDSM4028 or CPPDSM4028A—Identify and analyse risks and opportunities in the property industry,
 - (ix) CPPDSM4034—Negotiate and implement strata community management agreement or CPPDSM4034A—Assess and implement strata/community management agreement,
 - (x) CPPDSM4044 or CPPDSM4044A—Coordinate maintenance and repair of properties and facilities,
 - (xi) CPPDSM4045 or CPPDSM4045A—Facilitate meetings in the property industry,
 - (xii) CPPDSM4047 or CPPDSM4047A—Implement and monitor procurement process,
 - (xiii) CPPDSM4048, CPPDSM4048A or CPPDSM4048B—Implement customer service strategies in the property industry,
 - (xiv) CPPDSM4056 or CPPDSM4056A—Manage conflict and disputes in the property industry,
 - (xv) CPPDSM4057 or CPPDSM4057A—Monitor a safe workplace in the property industry,

- (xvi) CPPDSM4063 or CPPDSM4063A—Participate in developing and establishing property or facility contracts,
 - (xvii) CPPDSM4072 or CPPDSM4072A—Provide leadership in the property industry,
 - (xviii) CPPDSM4074 or CPPDSM4074A—Select and appoint contractors in the property industry, and
- (b) the following units:
- (i) CPPDSM3016 or CPPDSM3016A—Work in the property industry,
 - (ii) CPPDSM3017 or CPPDSM3017A—Work in the strata community management sector,
 - (iii) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations.

16 Recognition of past qualifications for strata managing agent's licence

A person has the qualifications required for the issue of a strata managing agent's licence if:

- (a) (Repealed)
- (b) the person holds a strata managing agent's licence at the time of making an application for renewal of the licence, or
- (c) the person has held a strata managing agent's licence in the 3 months preceding the making of an application for restoration of the licence, or
- (d) the person has held a strata managing agent's licence in the 12 months preceding the making of an application for the equivalent licence.

Part 7 Qualifications for on-site residential property manager's licence

17 Current qualifications for 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 the statement of attainment or a qualification demonstrating competency in the following units:

- (a) BSBLED401 or BSBLED401A—Develop teams and individuals,
- (b) BSBRKG304, BSBRKG304A or BSBRKG304B—Maintain business records,

- (c) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
- (d) CPPDSM4005A—Establish and build client-agency relationships,
- (e) CPPDSM4006A—Establish and manage agency trust accounts,
- (f) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,
- (g) CPPDSM4010A—Lease property,
- (h) CPPDSM4015A or CPPDSM4015B—Minimise agency and consumer risk,
- (i) CPPDSM4016A—Monitor and manage lease or tenancy agreement,
- (j) CPPDSM4080A—Work in the real estate industry.

18 Recognition of past qualifications for 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) (Repealed)
- (b) the person holds an on-site residential property manager's licence at the time of making an application for renewal of the licence, or
- (c) the person has held an on-site residential property manager's licence in the 3 months preceding the making of an application for restoration of the licence, or
- (d) the person has held an on-site residential property manager's licence in the 12 months preceding the making of an application for the equivalent licence.

Part 8 Qualifications for certificate of registration as a real estate salesperson

19 Current qualifications for certificate of registration as 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 the following units:

- (a) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
- (b) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,
- (c) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete

agency work,

(d) CPPDSM4080A—Work in the real estate industry.

20 Recognition of past qualifications for certificate of registration as real estate salesperson

A person has the qualifications required for the issue of a certificate of registration as a real estate salesperson if:

- (a) (Repealed)
- (b) the person holds a certificate of registration as a real estate salesperson at the time of making the application for renewal of the certificate of registration, or
- (c) the person has held a certificate of registration as a real estate salesperson in the 3 months preceding the making of an application for restoration of the certificate of registration, or
- (d) the person has held a certificate of registration as a real estate salesperson in the 12 months preceding the making of an application for the equivalent certificate of registration, or
- (e) the person has the qualifications required by clause 7 or 8 for the issue of a real estate agent's licence.

Part 9 Qualifications for certificate of registration as a stock and station salesperson

21 Current qualifications for certificate of registration as 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 a qualification demonstrating competency in the following units:

- (a) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
- (b) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (c) CPPDSM4081A—Work in the stock and station agency sector.

22 Recognition of past qualifications for certificate of registration as 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) (Repealed)
- (b) the person holds a certificate of registration as a stock and station salesperson at the time of making an application for renewal of the certificate of registration, or
- (c) the person has held a certificate of registration as a stock and station salesperson in the 3 months preceding the making of an application for restoration of the certificate of registration, or
- (d) the person has held a certificate of registration as a stock and station salesperson in the 12 months preceding the making of an application for the equivalent certificate of registration, or
- (e) the person has the qualifications required by clause 11 or 12 for the issue of a stock and station agent's licence.

Part 10 Qualifications for certificate of registration as a business salesperson

23 Current qualifications for certificate of registration as 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 the following units:

- (a) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
- (b) CPPDSM4008A—Identify legal and ethical requirements of property sales to complete agency work,
- (c) CPPDSM4079A—Work in the business broking sector.

24 Recognition of past qualifications for certificate of registration as business salesperson

A person has the qualifications required for the issue of a certificate of registration as a business salesperson if:

- (a) (Repealed)
- (b) the person holds a certificate of registration as a business salesperson at the time of making an application for renewal of the certificate of registration, or
- (c) the person held a certificate of registration as a business salesperson in the 3 months preceding the making of an application for restoration of the certificate of registration, or
- (d) the person held a certificate of registration as a business salesperson in the 12

months preceding the making of an application for the equivalent certificate of registration, or

- (e) the person has the qualifications required by clause 13 or 14 for the issue of a business agent's licence.

Part 11 Qualifications for certificate of registration as a registered strata manager or registered community manager

25 Current qualifications for certificate of registration as 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 registered community manager if a registered training organisation has issued the person with a statement of attainment or a qualification demonstrating competency in the following units:

- (a) CPPDSM3016 or CPPDSM3016A—Work in the property industry,
- (b) CPPDSM3017 or CPPDSM3017A—Work in the strata community management sector,
- (c) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations.

26 Recognition of past qualifications for certificate of registration as 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 registered community manager if:

- (a) (Repealed)
- (b) the person holds a certificate of registration as a registered strata manager or registered community manager at the time of making an application for renewal of the certificate of registration, or
- (c) the person has held a certificate of registration as a registered strata manager or registered community manager in the 3 months preceding the making of an application for restoration of the certificate of registration, or
- (d) the person held a certificate of registration as a registered strata manager or registered community manager in the 12 months preceding the making of an application for the equivalent certificate of registration, or
- (e) the person has the qualifications required by clause 15 or 16 for the issue of a strata managing agent's licence.

Part 12 Qualifications for certificate of registration as a registered on-

site residential property manager

27 Current qualifications for certificate of registration as 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 a qualification demonstrating competency in the following units:

- (a) CPPDSM3019—Communicate with clients in the property industry or CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,
- (b) CPPDSM4007A—Identify legal and ethical requirements of property management to complete agency work,
- (c) CPPDSM4080A—Work in the real estate industry.

28 Recognition of past qualifications for certificate of registration as registered strata manager or registered community 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) (Repealed)
- (b) the person holds a certificate of registration as a registered on-site residential property manager at the time of making an application for renewal of the certificate of registration, or
- (c) the person held a certificate of registration as a registered on-site residential property manager in the 3 months preceding the making of an application for restoration of the certificate of registration, or
- (d) the person held a certificate of registration as a registered on-site residential property manager in the 12 months preceding the making of an application for the equivalent certificate of registration, or
- (e) the person has the qualifications required by clause 17 or 18 for the issue of an on-site residential property manager's licence, or
- (f) a registered training organisation has issued the person with a statement of attainment or a qualification demonstrating competency in the following units:
 - (i) CPPDSM3016A—Work in the property industry,
 - (ii) CPPDSM3019A or CPPDSM3019B—Communicate with clients as part of agency operations,

(iii) CPPDSM4080A—Work in the real estate industry.