



When a Licence or Certificate of Registration is NOT required

College Chronicle
Newsletter

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Australian College
of Professionals

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When a Licence or Certificate of Registration is NOT required

Almost on a daily basis, we here at ACOP receive a question from agents in relation to the roles that can be undertaken within an agency that do not require the person to hold a Certificate of Registration or a full licence.

Let's look first at the definition of an agent:

“a person who induces another to buy, sell or lease property on behalf of another for reward”

This definition varies slightly for Stock & Station agents and for Strata Managers, but the core feature is inducing people to participate in the property process. Anyone who is involved in such inducement of others, must hold a licence or a Certificate of Registration.

That being said, there are a range of different roles within an agency business that may not require a licence or Certificate of Registration under the Property and Stock Agents Act 2002 (the Act).

For example, a person who does purely administrative work that



supports the work of a licensed agent or certificate holder is unlikely to require a licence or certificate under the Act.

The law however does not specifically mention all of these functions as it is primarily concerned with the functions that are regulated under the Act. For this reason, an exhaustive list of functions that do not require a licence or Certificate of Registration will not be provided by NSW Fair Trading. However, Fair Trading have provided a number of case study examples designed to assist property professionals to understand the scope of their

functions, and some activities that may be undertaken without a licence or Certificate of Registration.

One of these case studies refers to an agency that has several employees who do not hold a licence or certificate but assist with administrative support in the agency on an ad hoc basis. The administrative support consists of sending work orders to contractors and providing details of tenants/owners to engaged contractors to assist the agency manage its portfolio. It is noted that these

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employees **DO NOT** need to hold a Certificate of Registration or licence to do these tasks. However, it is noted that authorisation to carry out a work order must be provided by a licence or Certificate of Registration holder.

The other case studies provided are worth reading on the Fair Trading website, as they give further evidence as to the administrative functions within real estate, stock & station and strata management agencies and the need for a licence or Certificate of Registration. Make

sure you go to the NSW Fair Trading website and access this information. The link is - <https://www.fairtrading.nsw.gov.au/housing-and-property/property-professionals/licensing,-certification-and-qualification/when-a-licence-is-not-required>

'Til next time, wishing you every success in your business ventures,

Rosy Sullivan
Director | College Principal

UPCOMING WEBINARS

3 HOUR COMPULSORY CPD

Sales & Leasing	TUE 1 ST SEP
Strata Management	TUE 15 TH SEP
Sales & Leasing	TUE 29 TH SEP

3 HOUR ELECTIVE CPD

Strata Management	TUE 11 TH AUG
Residential Property Management	TUE 25 TH AUG
Property Sales	TUE 8 TH SEP

DIPLOMA OF LEADERSHIP & MANAGEMENT - EVENING WEBINARS

Manage operational plan	TUE 18 TH AUG	Manage budgets and financial plans	TUE 15 TH SEP
Manage Meetings	TUE 1 ST SEP	Support the recruitment, selection and induction of staff	TUE 29 TH SEP

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UPCOMING FACE TO FACE COURSES

COMBINED CPD (COMPULSORY & ELECTIVE) - REGIONAL NSW

Property Sales Gosford	THU 13TH AUG	Stock & Station Dubbo	TUE 18TH AUG
Property Sales Dubbo	TUE 18TH AUG	Property Sales Mudgee	THU 20TH AUG
Residential Prop Mgmt Dubbo	TUE 18TH AUG	Residential Prop Mgmt Mudgee (9am - 12pm)	20 TH - 21 ST AUG

Two 3-hour sessions. 9am - 4pm unless stated otherwise

3 HOUR COMPULSORY CPD

Sales & Leasing	FRI 21ST AUG
Strata Management	FRI 11TH SEP
Sales & Leasing	FRI 25TH SEP

3 HOUR ELECTIVE CPD

Property Sales	FRI 21ST AUG
Strata Management	FRI 11TH SEP
Residential Property Management	FRI 25TH SEP

ASSISTANT AGENT - CERTIFICATE OF REGISTRATION

Real Estate and Stock & Station	7TH - 10TH SEPTEMBER
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Units taken from nationally accredited training qualifications from the CPP41419 Certificate IV in Real Estate Practice.

Strata Management	21ST - 24TH SEPTEMBER
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Units taken from nationally accredited training qualifications from the CPP40516 Certificate IV in Strata Community Management.

Please note: All face to face courses will be held at our Town Hall premises in the Sydney CBD with the exception of combined regional CPD



From the office

So another fortnight of hand washing, sanitising, disinfectant, face masks and social distancing. I think we're all pretty good at this, and for now – it's all we've got.

Our trainers have travelled a little this past fortnight, with small classes on the south coast, Castle Hill, Edgecliff and naturally in the Sydney CBD at our College premises. Our Certificate of Registration program this past week saw another group of eager new recruits to the property industry. They understand that the property market is a changing marketplace and they want to be ready for the next boom in our industry. The ages of people joining the real estate industry is so varied, from our young 16 year olds and school leavers to those who are older and are looking for their "next" career move. Our CPD classes – face-to-face, webinars and online are all progressing and students say that they are enjoying the choice of training options that they have.

It was a sad day when our Training Consultant Elise said farewell to the team

– well from an administrative perspective anyway. She is going to spend some time focusing on her next 'family' move – no prizes for guessing what that is :) There were tears, there was laughter, and most importantly – there was soooooo much food, with fancy doughnuts, cakes, chicken wings, cheeses, sandwiches and so much more. It was a true ACOP send-off. However, after a couple of days out of the office, Elise is already planning her return visits and attending social events with the team.

On a truly sad note this past week, our Chief Operating Officer, Michelle who has been with the College for over 10 years, lost her mother after a long battle with cancer. We have closed ranks in our support for Michelle whilst she, her husband and three beautiful daughters grieve their Nonna. All our love to them in this difficult time. It reminds us all how truly important our mothers are in our lives. For those of you lucky enough to still have your mother with you – call her, hug her and tell her how much she means to you. Kindness is what makes our world a better place.

UPCOMING FACE TO FACE COURSES

PROPERTY LICENSING

Commercial Sales & Leasing SYDNEY CBD	1 ST - 2 ND OCT
Property Sales SYDNEY CBD	28 TH - 30 TH SEP
Stock & Station Agency Practices SYDNEY CBD	24 TH - 26 TH AUG
Strata Management Agency Practices SYDNEY CBD	17 TH - 19 TH AUG
Auctioneering SYDNEY CBD	29 TH - 30 TH OCT
Property Mgmt Business Development & NCAT SYDNEY CBD	27 TH - 28 TH AUG

PROPERTY LICENSING

Financial Management SYDNEY CBD	31 ST AUG - 1 ST SEP
Trust Accounting + Insurance SYDNEY CBD	THU 20 TH AUG
Trust Accounting SYDNEY CBD	14 TH - 15 TH SEP
Property Management SYDNEY CBD	16 TH - 18 TH SEP
Business Broking Agency Practices SYDNEY CBD	3 RD - 4 TH SEP

Units taken from nationally accredited training qualifications from the CPP41419 Certificate IV Real Estate Practice and CPP40516 Certificate IV in Strata Community Management.

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