



Do you have the correct licence class and categories to be the Licensee-In- Charge?

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Do you have the correct licence class and categories to be the Licensee-In-Charge?

A Licensee-In-Charge of an agency is an individual who either:

- » carries on business under a Class 1 licence, or
- » is employed to be in charge of a business under section 31 of the Act.

A LIC is responsible for the proper supervision of the business of which they are in charge, and must hold a Class 1 licence in the category relevant to the business. For example, a LIC of a real

estate agency will need to hold a Class 1 real estate agent's licence. This means if your agency offers services in real estate (residential, commercial, industrial and retail property) and also in stock & station (rural land and livestock), then the LIC needs to hold both a Class 1 Real Estate licence and also a Class 1 Stock & Station licence. Naturally, this is the same if an agency is offering strata management services, the LIC needs to hold a Class 1 Strata Management licence.

Even if a licence holder who is employed or contracted to the agency holds a licence category that the LIC does not hold, that agency cannot offer those services unless the LIC holds those specific licence categories.

This transfers to the functions offered by



Assistant Agents. An Assistant Agent can only offer services in the same categories for which the LIC holds a Class 1 licence.

Corporations or individuals who wish to run a business and only hold a Class 2 licence, will need to employ a Class 1 licence holder to be the Licensee-In-Charge (LIC) of their business.

What if the LIC is absent from the office?

If the LIC has taken holidays or is absent due to illness, an alternate Class 1 licence holder needs to take on the functions of the LIC. Section 31 of the Act requires any individual or corporation who employs the holder of a Class 1 licence to be the LIC, to notify the Secretary of NSW Fair Trading of the licence details of the replacement LIC.

This notification to the Secretary must include the name and licence number of the person in charge and the address of each place of business for which the LIC will be in charge, or any changes to the person who is in charge of the business. The notification (via email to propertylicensing@customerservice.nsw.gov.au) must be received within 5 business days of the alternate licence holder assuming duties as a LIC. The email to NSW Fair Trading will detail the issue in relation to the absence of the LIC and identify the period of absence expected by the nominated LIC.

If a LIC is temporarily or permanently unable to carry out their duties due to illness, leave or any other reason, the

principal licensee must appoint another Class 1 licence holder as a replacement. It is essential that this replacement LIC holds the same categories of licence as does the nominated LIC who they are replacing. If they do not hold the same categories of licence, they will need to restrict the activities of the agency to the functions covered by their licence categories, for the period that they are the replacement LIC.

An agency must appoint a replacement LIC in the absence of the nominated LIC, in order for authority to be given for the disbursement of trust monies and also for the general supervision of the functions of the agency. In summary, the key requirements when appointing a LIC are:

- a LIC must hold a Class 1 Agent licence in a category relevant to the business of which they are in charge
- no part of the business can be left unsupervised by a LIC

- a LIC can be in charge of an entire business, or there may be several LICs in charge of different parts of the business
- there cannot be more than one LIC in charge of one part of the business, but one LIC can supervise multiple parts of the business
- only a LIC can authorise the withdrawal of funds from general trust accounts
- only one LIC can authorise the withdrawal of funds from each trust account
- if a nominated LIC is not available, NSW Fair Trading must be notified of the replacement LIC within 5 business days

Rosy Sullivan
Director | College Principal

UPCOMING CPD WEBINARS

3 HOUR COMPULSORY CPD

Strata Management	TUE 9TH MAR
Sales & Leasing	WED 17TH MAR
Strata Management	TUE 6TH APR
Sales & Leasing	TUE 20TH APR

3 HOUR ELECTIVE CPD

Strata Management	TUE 23RD FEB
Residential Property Management	TUE 2ND MAR
Property Sales	TUE 16TH MAR
Strata Management	THU 18TH MAR

Please note: All Webinars will be held via Zoom and run from 9am - 12pm unless stated otherwise.

UPCOMING CPD FACE TO FACE COURSES

COMPULSORY SALES & LEASING AND ELECTIVE CPD - NSW

Residential Prop Mgmt Terrigal	TUE 23RD FEB	Property Sales Dubbo	WED 10TH MAR
Property Sales Sydney CBD	FRI 26TH FEB	Property Sales Sydney CBD	WED 10TH MAR
Property Sales Tweed Heads	MON 1ST MAR	Stock & Station Mudgee	FRI 12TH MAR
On-site Property Mgmt Ballina	TUE 2ND MAR	Property Sales Port Macquarie	MON 15TH MAR
Residential Prop Mgmt Ballina	TUE ^{2ND} & WED ^{3RD} MAR	Residential Prop Mgmt Port Macquarie	MON 15TH & TUE 16TH MAR
Property Sales Sydney CBD	MON 8TH MAR	Comm Sales & Leasing Port Macquarie	MON 15TH & TUE 16TH MAR
Property Sales Orange	TUE 9TH MAR	Residential Prop Mgmt Sydney CBD	MON 15TH MAR

COMPULSORY & ELECTIVE STRATA CPD - NSW

Strata Management Sydney CBD	FRI 17TH MAR	Strata Management Sydney CBD	FRI 23RD APR
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Two 3-hour sessions. 9am - 12pm then 1pm - 4pm unless stated otherwise. If you have already completed one CPD course and only need to attend either the Compulsory OR Elective component, please contact the College on 1300 88 48 10

UPCOMING CERTIFICATE OF REGISTRATION FACE TO FACE COURSES

ASSISTANT AGENT - CERTIFICATE OF REGISTRATION

Real Estate and Stock & Station Sydney CBD	1ST - 4TH MARCH
Real Estate and Stock & Station Sydney CBD	6TH - 9TH APRIL

Units taken from nationally accredited training qualifications from the CPP41419 Certificate IV in Real Estate Practice.

Strata Management Sydney CBD	19TH - 22ND APRIL
Strata Management Sydney CBD	21ST - 24TH JUNE

Units taken from nationally accredited training qualifications from the CPP40516 Certificate IV in Strata Community Management.



From the office

It's been another busy fortnight at the College where it seems that so many people are completing their CPD requirements prior to the deadline of 22nd March, so only a few weeks to go.

This has meant that in addition to our usual property licensing courses, entry level real estate and strata management courses, mortgage broking programs and leadership programs, we are conducting CPD classes face-to-face and via interactive webinars on a daily basis. Our trainers are travelling far and wide throughout the State to assist agents in completing their training. We always knew that there'd be a rush – we didn't anticipate quite so much.

The trainers are all extra busy, on top of their training load at the moment, with the development and writing of new training materials for the new CPD topics that will commence in the new CPD year after 23rd March. The discussions

around the office are intense to say the least, as they examine cases and talk about implications for agencies and how best to present this in training. It certainly is an interesting environment on a daily basis. Bring on the new CPD is what we're all saying.

So it's been quite the cake week here at ACOP – no surprises really. A cake for the shared date of work anniversaries - Linh's 18th with ACOP and Ryan's 1st, followed by a cake a few days later to farewell Lucas, our marketing man as he moves to larger marketing pastures, and on the same day, a little cake for Tilly's 1st anniversary with ACOP. Then just this last week, another cake to celebrate Valentine's Day (yes a heart shaped lamington cake with fizzy heart lollies, and then another cake the day after to celebrate our wonderful trainer George's birthday. What a fortnight of sugar feasting nom nom nom. During this time we have also welcomed Phoebe into the marketing role with ACOP and she comes to the College with a breadth of experience and having just completed her marketing and communication degree. Welcome Phoebe.

UPCOMING LICENCE FACE TO FACE COURSES

PROPERTY LICENSING

Commercial Sales & Leasing SYDNEY CBD	11 TH - 12 TH MAR
Property Sales SYDNEY CBD	30 TH MAR - 1 ST APR
Stock & Station Agency Practices SYDNEY CBD	8 TH - 10 TH MAR
Strata Management Agency Practices SYDNEY CBD	27 TH - 29 TH APR
Auctioneering SYDNEY CBD	15 TH - 16 TH APR
Property Mgmt Business Development & NCAT SYDNEY CBD	18 TH - 19 TH MAR

PROPERTY LICENSING

Financial Management (Strata) SYDNEY CBD	11 TH - 12 TH MAR
Trust Accounting + Insurance SYDNEY CBD	FRI 26 TH FEB
Trust Accounting SYDNEY CBD	22 ND - 23 RD MAR
Property Management SYDNEY CBD	24 TH - 26 TH MAR
Business Broking SYDNEY CBD	10 TH - 11 TH MAY

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

UPCOMING FINANCE & MORTGAGE BROKING FACE TO FACE COURSES

Certificate IV in Finance & Mortgage Broking SYDNEY CBD	17 TH - 19 TH MAY
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Diploma of Finance & Mortgage Broking Management <i>(Upgrade Program - Must hold Certificate IV in Finance & Mortgage Broking)</i> SYDNEY CBD	20 TH - 21 ST MAY
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Units taken from nationally accredited training qualifications from the FNS Financial Services Training Package.

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