



When do your staff need a Certificate of Registration or not

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Newsletter

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Australian College
of Professionals

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When do your staff need a Certificate of Registrationor not

Something that has caused a great deal of confusion amongst agents in the last two years has been who in our offices do and who do not require an Assistant Agents Certificate and subsequently a licence.

NSW Fair Trading have provided some insight on their website to assist in working out where we each sit.

“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”.

However, the law does not specifically mention all of these functions as it is primarily concerned with the functions that are regulated under the Act.

The examples provided by NSW Fair Trading allow for some clarification to agents as follows:

1. An agent who hires someone to provide administrative support or to work as a receptionist completing tasks such as:

- sending work orders to contractors and
- providing details of tenants/owners to engaged contractors to assist the agency manage its portfolio.

The employees do not need to hold a certificate of registration or licence to do these tasks, However, authorisation to carry out a work order must be provided by a licence or certificate of registration holder.

2. A receptionist in an agency who completes the following tasks

- responding to customer enquiries,
- issuing keys or access devices to tenants who are already under a residential tenancy agreement,
- receipting rent money from existing tenants under the instructions of the property manager and
- co-ordinating appointments for agents.

also does not require an Assistant Agent’s Certificate or licence.

NSW Fair Trading also provide that a receptionist or staff member can assist with setting up at an open home without requiring an Assistant Agents Certificate or License, however they must not engage in the work of the agent at the open home. As such they should not be providing advice



to potential purchasers or the vendors and should not be doing anything that could be considered inducing a person to purchase the property. They should be there for logistical support only.

At the point that someone is considered to be undertaking the role of the agent, inducing a person to buy or rent a property, they should immediately complete their Certificate of Registration training course and then apply for their Assistant Agents authority through NSW Fair Trading, and follow the steps to ultimately obtaining their licence.

[Rosy Sullivan](#)
[Director | College Principal](#)

From the office

This past fortnight has been filled with great training events, including a Certificate of Registration course in Castle Hill where we welcomed some super keen new recruits to the property industry.

We also had mortgage broking courses which demonstrates that the property industry and the financial sector are certainly active, with so many new people entering the industry and also consolidating their educational development through the completion of the Diploma program for

mortgage brokers. And then there's the regular property licensing classes of Trust Accounting, Property Management and Commercial Sales and Leasing that has kept our trainers and our students busy this past fortnight. And then there's CPD.....and it is fabulous to see so many agents getting their CPD completed early in the year. Just this last week, in addition to our webinars and online programs, our trainers have been to Orange and Dubbo conducting classes for the Compulsory session, electives in sales, property management and livestock sales, and the new Business Skills topics have been extremely well-received. Mind you, we do not think Dubbo will ever be quite the same after the visit from our trainers, Michael and Andy.

We had a lovely surprise in the office this week, with the delivery of a magnificent bunch of flowers from an appreciative client. Our College Principal Rosy, had conducted an information session for a large strata agency in relation to their requirements under the Supervision Guidelines, and the flowers were a beautiful thank you for her time and assistance. They have certainly brightened up our office this past week.

Whilst there have been no cakes consumed at ACOP this past fortnight, it is national burger day, and we all believed that it would be wrong not to participate. We hope you checked our socials for evidence that we did our bit for the special occasion.

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