



Land Agents Act 1994

Guidelines for Applicants Sales Representative Registration

Licensing and Registration

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Who needs to be registered?

If you act as a sales representative for a registered land agent you must be registered. Sales representatives may be involved in the sale of land or businesses, and this includes the lease or letting of land. If you are only involved in the leasing of land that is not to be used for the purposes of a business, you do not need to be registered as a sales representative.

If you are registered as a land agent, you may act as a sales representative for another agent without needing separate registration as a sales representative.

Additionally, if you conduct an auction of land or a business for a land agent, you must be registered as an auctioneer. To apply for registration you will be required to meet the educational requirements (see below) and, in addition, be registered as a sales representative or land agent.

Eligibility for registration

You are eligible to be registered as a sales representative if you meet the following criteria:

- You have completed the approved qualifications
- You haven't been convicted of an indictable offence of dishonesty or convicted of a summary offence of dishonesty within the last 10 years
- You are not suspended or disqualified from practising or carrying on an occupation, trade or business under Australian law
- You are a fit and proper person to be registered as a sales representative.

How to apply for registration as a sales representative

To apply for a sales representative registration, please call our office or attend in person at our Adelaide office and we will ask you a series of questions and complete the application form for you. You can then check and lodge this form, along with the supporting documentation listed below.

For further information on your requirements to be registered or to commence the application process, please contact the Commercial Licensing Section on 131 882.

Information to be provided with your application

Fees

The total fee of \$435.00 must accompany your application. This includes your first year's annual fee of \$191.00 and an application fee of \$244.00 that is not refundable if the application is refused or withdrawn.

National Police Certificate

The National Police Certificate must be in your full and legal name and must be no more than three months old at the time of lodging your application. The National Police Certificate must be either an original document, or a copy certified by a Justice of the Peace or a Commissioner for

Taking Affidavits. To obtain this certificate, please apply directly to the South Australia Police or interstate police authority if you reside in another State.

Evidence you meet the qualification requirements

You must attach a copy of your qualifications. These must be either original documents, or copies certified by a Justice of the Peace or a Commissioner for Taking Affidavits. The approved qualifications for registration are listed below.

Proof of identity

After lodging this application, your photo will be taken for your registration card. You must provide 100 points of ID when having your photo taken. If lodging this application by post, you will be advised in writing of the full details of the identity check requirements. If you wish to apply in person at our Adelaide office, please contact the Commercial Licensing Section on 131 886 to obtain full details of the 100 point identity check requirement. Your photo can be taken at the time of lodgement at our Adelaide office, otherwise we will provide details of alternative locations throughout the State.

Qualifications (sales representative)

For unconditional registration as a sales representative, you must hold one of the qualifications listed below.

1. Held a registration as a sales representative under the repealed *Land Agents, Brokers and Valuers Act 1973* **immediately before** the commencement of the *Land Agents Act 1994* on 1 June 1995.
2. Held a registration as a manager under the repealed *Land Agents, Brokers and Valuers Act 1973* **immediately before** the commencement of the *Land Agents Act 1994* on 1 June 1995.
3. Held a licence as a land agent under the repealed *Land Agents, Brokers and Valuers Act 1973* **immediately before** the commencement of the *Land Agents Act 1994* on 1 June 1995.
4. A qualification entitling the person to be registered as an agent.
5. Satisfactory completion of the course of instruction approved by the Industrial and Commercial Training Commission in relation to the declared vocation "Customer Servicing (Real Estate Operations–Sales)" under the *Industrial and Commercial Training Act 1981*.
6. Satisfactory completion of a course accredited under the *Tertiary Education Act 1986* in relation to the Certificate in Real Estate Operations (Sales Consulting) (or some other academic award certified¹ by the Minister responsible for the administration of that Act to be an equivalent academic award).
7. A Statement of Attainment or a qualification showing satisfactory completion of, or status granted in, the following units of competency conferred by a Registered Training Organisation registered to deliver the units forming part of the CPP40307 Certificate IV in Property Services (Real Estate) from the CPP07 Property Services Training Package:
 - (1) CPPDSM4003A - Appraise property;
 - (2) CPPDSM4005A - Establish and build client-agency relationships;
 - (3) CPPDSM4007A - Identify legal and ethical requirements of property management to complete agency work;

¹ For the purposes of 'some other academic award' the Minister for Employment, Training and Further Education has certified the Certificate IV in Property (Real Estate) from the PRD01 Property Development and Management Training Package replaces and is equivalent to the Certificate in Real Estate Operations (Sales Consulting).

- (4) CPPDSM4008A - Identify legal and ethical requirements of property sales to complete agency work;
 - (5) CPPDSM4009A - Interpret legislation to complete agency work;
 - (6) CPPDSM4010A - Lease property;
 - (7) CPPDSM4012A - List property for sale;
 - (8) CPPDSM4014A - Market property for sale;
 - (9) CPPDSM4015A - Minimise agency and consumer risk;
 - (10) CPPDSM4017A - Negotiate effectively in property transactions;
 - (11) CPPDSM4018A - Prepare and present property reports;
 - (12) CPPDSM4019A - Prepare for auction and complete sale;
 - (13) CPPDSM4022A - Sell and finalise the sale of property by private treaty;
 - (14) CPPDSM4079A - Work in the business broking sector;
 - (15) CPPDSM4080A - Work in the real estate industry;
 - (16) CPPDSM5012A - Develop a strategic business plan in the real estate industry;
 - (17) CPPDSM5032A - Market the agency.
8. Satisfactory completion of the PRD40101 Certificate IV in Property (Real Estate) from the PRD01 Property Development and Management Training Package conferred by a Registered Training Organisation registered to deliver the qualification together with a Statement of Attainment showing satisfactory completion of, or status granted in, the following units of competency:
- (1) PRDRE10A Manage agency risk;
 - (2) PRDRE11A Provide property appraisal;
 - (3) PRDRE12A Establish and expand client base;
 - (4) PRDRE13A Obtain property listings;
 - (5) PRDRE14A Market property;
 - (6) PRDRE15A Undertake property sale by private treaty;
 - (7) PRDRE16A Monitor sales process;
 - (8) PRDRE18A Lease property;
 - (9) PRDRE22A Present and explain property reports;
 - (10) PRDRE26A Conduct property sale by auction;
 - (11) PRERE30A Implement personal marketing plan;
 - (12) PRDRE37A Perform and record property management activities and transactions;
 - (13) PRDRE39A Prepare and execute documentation;
 - (14) PRDPOD62A Clarify and confirm property information requirements.
9. Certificate IV in Business (Real Estate Sales) conferred by the Department of Education, Training and Employment (TAFE SA) or the former Department for Employment, Training and Further Education.
10. Certificate IV in Business (Real Estate Sales) conferred by the Real Estate Industry Training Centre (being a body registered under Part 3 of the *Vocational Education, Employment and Training Act 1994* as a provider of an accredited course for that certificate).
11. Certificate IV in Business (Real Estate Sales) conferred by Training Education Systems (SA) Pty Ltd trading as Training and Education Systems South Australia/The Real Estate Training College (being a body registered under Part 3 of the *Vocational Education, Employment and Training Act 1994* as a provider of an accredited course for that certificate).
12. Certificate in Real Estate Sales conferred by the Department of Education, Training and Employment (TAFE SA) or the former Department of Employment, Training and Further Education.

13. Satisfactory completion of, or status granted in, the following subjects offered by the University of South Australia as *part* of the course for the degree of Bachelor of Business (Property) or the degree of Bachelor of Business in Property:
- (i) One of: (A) Introduction to Law; or
(B) Property Law 1 and 2;
- AND
- (ii) One of: (A) Law of Property; or
(B) Property Law 3 and 4;
- AND
- (iii) One of: (A) Property Agency; or
(B) Real Estate Management and Agency Practice; or
(C) Property Studies 2 and 3 AND Property Fieldwork 1 and 2;
- AND
- (iv) One of: (A) Property Utilisation and Sustainability; or
(B) Physical Aspects of Real Estate,
If the date of completion or the granting of status in any of the subjects referred to in paragraphs (i) and (ii) above is on or after 1 January 1995;
- AND
- (v) One of: (A) Real Estate Documentation 1 (or Conveyancing 1),
If the date of completion or the granting of status in the subject 'Real Estate Management and Agency Practice' referred to in paragraph (iii) (B) above was on or after 1 January 1999 and on or before 31 December 2006 inclusive.
14. Satisfactory completion of, or status granted in, the following subjects offered by the University of South Australia as *part* of the course for the Graduate Diploma in Property or Master of Business (Property) or Mast of Business in Property:
- (i) One of: (A) Law of Property G; or
(B) Property Law 2M; or
(C) Property Law 1G and 2G;
- AND
- (ii) One of: (A) Property Agency G;
(B) if the date of completion or the granting of status is on or after 1 January 1999, one of
 - (a) Real Estate Management and Agency Practice G AND Real Estate Documentation G; or
 - (b) Real Estate Management and Agency Practice G AND Conveyancing 1 G; or
 - (C) if the date of completion or the granting status is before 1 January 1999, one of
 - (a) Real Estate Management and Agency Practice G AND Conveyancing 1G; or
 - (b) Real Estate Marketing AND Property Case Studies.

Trainees

If you are applying for a trainee sales representative registration you will be required to provide evidence of enrolment of one of the approved educational requirements. Your registration will be conditional upon you undertaking the approved training and also being under supervision. You should apply to remove the trainee condition as soon as you have successfully completed one of the approved courses.

Qualifications (auctioneer)

To qualify for registration as an auctioneer you must be registered as a land agent or sales representative and in addition hold the qualification listed below:

A Statement of Attainment showing satisfactory completion of, or status granted in, the following units of competency conferred by a Registered Training Organisation registered to deliver the units from the *CPP07 Property Services Training Package*:

- 1) CPPDSM4004A - Conduct auction; and
- 2) CPPDSM4019A - Prepare for auction and complete sale.

Or

A Statement of Attainment showing satisfactory completion of, or status granted in, the following units of competency conferred by a Registered Training Organisation registered to deliver the units from the *PRD01 Property Development and Management Training Package*:

PRDRE26A - Conduct property sale by auction

If you believe that you have other qualifications and/or experience equivalent to this unit of competency, you should discuss the recognition of prior learning process with a Registered Training Organisation.

You can apply for registration as an auctioneer at the same time as you apply for registration as a sales representative or you can apply at a later date if you do not yet hold the required qualification. You cannot act as an auctioneer after 28 February 2009 unless you are registered as an auctioneer.

Fees

Fees and charges effective 1 July 2011; they may change without notice.
No GST is applicable - our ABN is 15 088 976 178.

Application and pre-grant fees

	Application fee	Pre-grant fee	Total
Application for registration	\$244.00	\$191.00	\$435.00
Annual registration fee	\$191.00		

Other fees

Application to vary conditions on a registration	\$102.00
Default penalty for annual return	\$149.00
Replacement registration certificate fee	\$22.90

Cheques should be made payable to the Commissioner for Consumer Affairs.

Credit cards accepted are Visa and MasterCard.

Eftpos facilities are available at our Adelaide office.