

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1996, No.61\*

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Regulations under the *Agents Licensing Act*

I, KEITH JOHN AUSTIN ASCHE, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Agents Licensing Act*.

Dated 16 December 1996.

K.J.A. ASCHE  
Administrator

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AMENDMENTS OF AGENTS LICENSING REGULATIONS

1. PRINCIPAL REGULATIONS

The Agents Licensing Regulations are in these Regulations referred to as the Principal Regulations.

2. PRESCRIBED EDUCATIONAL QUALIFICATIONS FOR AGENTS

Regulation 9(1) of the Principal Regulations is omitted and the following substituted:

"(1) For the purposes of section 22(1)(c) of the Act, the prescribed educational qualification for a licence to carry on business as -

- (a) a real estate agent, is the completion of the units of study specified in Part 1 of Schedule 5; or
- (b) a business agent, is the completion of the units of study specified in Part 2 of Schedule 5."

3. NEW REGULATIONS

The Principal Regulations are amended by inserting after regulation 9 the following:

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\* Notified in the Northern Territory Government Gazette on 19 December 1996.

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### "9A. EXEMPTION FROM CERTAIN EDUCATIONAL QUALIFICATIONS FOR SALES AGENTS

"The Board may exempt under section 5A of the Act a person from section 22(1)(c) of the Act, insofar as the person is required under that section to hold the educational qualifications prescribed in regulation 9(1)(a), if -

- (a) it is satisfied that the person has completed the units of study specified in Part 1 of Schedule 6; and
- (b) it then authorises, under section 29 of the Act, the issue to the person of a restricted licence (a 'Sales Agent's Restricted licence') specifying -
  - (i) that the person may perform the functions of a real estate agent that are specified in section 5(2)(a) of the Act, other than -
    - (A) functions relating to the leasing or letting of land; or
    - (B) the functions of a corporation manager under the *Unit Titles Act*; and
  - (ii) the condition that the person not act as a branch manager except in relation to matters in respect of which he or she is permitted to perform functions under subparagraph (i).

### "9B. EXEMPTION FROM CERTAIN EDUCATIONAL QUALIFICATIONS FOR PROPERTY MANAGEMENT AGENTS

"The Board may exempt under section 5A of the Act a person from section 22(1)(c) of the Act, insofar as the person is required under that section to hold the educational qualifications prescribed in regulation 9(1)(a), if -

- (a) it is satisfied that the person has completed the units of study specified in Part 2 of Schedule 6; and

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- (b) it then authorises, under section 29 of the Act, the issue to the person of a restricted licence (a 'Property Management Agent's Restricted licence') specifying -
  - (i) that the person may perform the functions of a real estate agent that are specified in section 5(2)(a) of the Act, other than -
    - (A) functions relating to the sale, purchase or exchange of land; and
    - (B) the functions of a corporation manager under the *Unit Titles Act*; and
  - (ii) the condition that the person must not act as a branch manager except in relation to matters in respect of which he or she is permitted to perform functions under subparagraph (i).

### "9C. EXEMPTION FROM CERTAIN EDUCATIONAL QUALIFICATIONS FOR CORPORATION MANAGERS

"The Board may exempt under section 5A of the Act a person from compliance with section 22(1)(c) of the Act, insofar as the person is required under that section to hold the educational qualifications prescribed in regulation 9(1)(a), if -

- (a) it is satisfied that the person has completed the units of study specified in Part 3 of Schedule 6; and
- (b) it then authorises, under section 29 of the Act, the issue to the person of a restricted licence (a 'Body Corporate Manager's Restricted licence') specifying -
  - (i) that the person may only perform the functions of a corporation manager under the *Unit Titles Act*; and
  - (ii) the condition that the person must not act as a branch manager except in relation to matters in respect of which he or she is permitted to perform functions under subparagraph (i).

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4.    **PRESCRIBED       EDUCATIONAL       QUALIFICATIONS       FOR  
      REPRESENTATIVES**

Regulation 10 of the Principal Regulations is amended by omitting all words after "for registration as" and substituting "an agent's representative is completion of the units of study specified in Part 1 of Schedule 7."

5.    **NEW REGULATIONS**

The Principal Regulations are amended by inserting after regulation 10 the following:

**"10AA. EXEMPTION FROM QUALIFICATIONS WHERE RESTRICTED  
      REGISTRATION AS SALES REPRESENTATIVE**

"The Board may exempt under section 5A of the Act a person from compliance with section 39(1)(c) of the Act, insofar as the person is required under that section to hold the educational qualifications prescribed in regulation 10, if -

- (a) it is satisfied that the person has completed the units of study specified in Part 2 of Schedule 7; and
- (b) it then directs the Registrar -
  - (i) to register the person as an Agent's Representative (Sales); and
  - (ii) to issue to the person a certificate of restricted registration (an 'Agent's Representative (Sales) Restricted registration') specifying that the person may perform the functions of an agent's representative by negotiating, or holding himself out as being prepared to negotiate, a transaction of a description specified in section 5(2)(a) of the Act, other than a transaction relating to -
    - (A) the leasing or letting of land; or
    - (B) the functions of a corporation manager under the *Unit Titles Act*.

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### "10AB. EXEMPTION FROM QUALIFICATIONS WHERE RESTRICTED REGISTRATION AS PROPERTY MANAGEMENT REPRESENTATIVE

"The Board may exempt under section 5A of the Act a person from compliance with section 39(1)(c) of the Act, insofar as the person is required under that section to hold the educational qualifications prescribed in regulation 10, if -

- (a) it is satisfied that the person has completed the units of study specified in Part 3 of Schedule 7; and
- (b) it then directs the Registrar -
  - (i) to register the person as an Agent's Representative (Property Management); and
  - (ii) to issue to the person a certificate of restricted registration (an 'Agent's Representative (Property Management) Restricted registration') specifying that the person may carry out the business of an agent's representative by negotiating, or holding himself out as being prepared to negotiate, a transaction of a description referred to in section 5(2)(a) of the Act, other than a transaction relating to -
    - (A) the sale, purchase or exchange of land;
    - (B) the sale of a business; or
    - (C) the management of a body corporate.

### "10AC. RECOGNITION OF PRIOR LEARNING

"In these Regulations, a reference to a person having completed a unit of study includes a reference to a person who has been granted a credit in the unit of study in recognition of prior learning, in accordance with the National Framework of Recognition of Training, by an educational or training establishment approved by the Northern Territory Employment and Training Authority established under the *Northern Territory Employment and Training Authority Act*."

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### 6. NEW SCHEDULES

The Principal Regulations are amended by inserting after Schedule 4 the following:

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#### "SCHEDULE 5

Regulation 9

#### EDUCATIONAL QUALIFICATIONS FOR AGENTS' LICENCES

##### PART 1

##### REAL ESTATE AGENT'S LICENCE

- ABH500 - real estate industry overview
- ABH501 - introduction to sales
- ABH502 - introduction to property management
- ABH503 - real estate computing
- ABH504 - real estate accounting
- ABH505 - real estate computer accounting
- ABH507 - property research and analysis
- ABH508 - real estate consumer protection
- ABH509 - property advertising and promotion
- ABH510 - contract law
- ABH511 - property law
- ABH512 - residential tenancies
- ABH513 - common building styles &c.
- ABH514 - property management listings
- ABH515 - renting residential properties
- ABH516 - servicing managed properties
- ABH517 - introduction to specialised property management
- ABH518 - body corporate legal requirements
- ABH519 - body corporate management ABH522 - contracts for the sale of land
- ABH521 - introduction to specialised body corporate management
- ABH523 - methods of sale
- ABH524 - property appraisal
- ABH525 - listings
- ABH526 - property selling
- ABH527 - selling by auction
- ABH528 - introduction to specialised property sales
- ABH530 - selling businesses
- ABH533 - real estate office operations
- NAP750 - general commercial law principles
- NCS009 - negotiation skills
- NCS011 - client interaction
- NOS015 - presenting reports
- NOS143 - computer operations - fundamentals
- NOS215 - data base fundamentals

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## PART 2

### BUSINESS AGENT'S LICENCE

- ABH500 - real estate industry overview
  - ABH501 - introduction to sales
  - ABH502 - introduction to property management
  - ABH503 - real estate computing
  - ABH504 - real estate accounting
  - ABH505 - real estate computer accounting
  - ABH507 - property research and analysis
  - ABH508 - real estate consumer protection
  - ABH509 - property advertising and promotion
  - ABH510 - contract law
  - ABH511 - property law
  - ABH514 - property management listings
  - ABH516 - servicing managed properties
  - ABH523 - methods of sale
  - ABH524 - property appraisal
  - ABH525 - listings
  - ABH526 - property selling
  - ABH527 - selling by auction
  - ABH529 - selling commercial and industrial property
  - ABH530 - selling businesses
  - ABH533 - real estate office operations
  - NAP750 - general commercial law principles
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NOS143 - computer operations - fundamentals
  - NOS215 - data base fundamentals
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## SCHEDULE 6

Regulations 9A, 9B and 9C

### EDUCATIONAL QUALIFICATIONS FOR AGENT'S RESTRICTED LICENCES

## PART 1

### SALES AGENT'S RESTRICTED LICENCE

- ABH500 - real estate industry overview
- ABH501 - introduction to sales
- ABH502 - introduction to property management
- ABH503 - real estate computing
- ABH504 - real estate accounting
- ABH505 - real estate computer accounting
- ABH507 - property research and analysis
- ABH508 - real estate consumer protection
- ABH509 - property advertising and promotion
- ABH510 - contract law
- ABH511 - property law
- ABH512 - residential tenancies
- ABH513 - common building styles &c.
- ABH514 - property management listings

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- ABH515 - renting residential properties
  - ABH516 - servicing managed properties
  - ABH522 - contracts for the sale of land
  - ABH523 - methods of sale
  - ABH524 - property appraisal
  - ABH525 - listings
  - ABH526 - property selling
  - ABH527 - selling by auction
  - ABH533 - real estate office operations
  - NAP750 - general commercial law principles
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NCS015 - presenting reports
  - NOS143 - computer operations - fundamentals
  - NOS215 - data base fundamentals
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### PART 2

#### PROPERTY MANAGEMENT AGENT'S RESTRICTED LICENCE

- ABH500 - real estate industry overview
  - ABH501 - introduction to sales
  - ABH502 - introduction to property management
  - ABH503 - real estate computing
  - ABH504 - real estate accounting
  - ABH505 - real estate computer accounting
  - ABH507 - property research and analysis
  - ABH508 - real estate consumer protection
  - ABH509 - property advertising and promotion
  - ABH510 - contract law
  - ABH511 - property law
  - ABH512 - residential tenancies
  - ABH513 - common building styles &c.
  - ABH514 - property management listings
  - ABH515 - renting residential properties
  - ABH516 - servicing managed properties
  - ABH521 - introduction to specialised body  
corporate management
  - ABH522 - contracts for the sale of land
  - ABH523 - methods of sale
  - ABH524 - property appraisal
  - ABH525 - listings
  - ABH526 - property selling
  - ABH527 - selling by auction
  - ABH533 - real estate office operations
  - NAP750 - general commercial law principles
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NCS015 - presenting reports
  - NOS143 - computer operations - fundamentals
  - NOS215 - data base fundamentals
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### PART 3

#### BODY CORPORATE MANAGER'S RESTRICTED LICENCE

- ABH500 - real estate industry overview
  - ABH501 - introduction to sales
  - ABH502 - introduction to property management
  - ABH503 - real estate computing
  - ABH504 - real estate accounting
  - ABH505 - real estate computer accounting
  - ABH508 - real estate consumer protection
  - ABH509 - property advertising and promotion
  - ABH510 - contract law
  - ABH511 - property law
  - ABH512 - residential tenancies
  - ABH513 - common building styles &c.
  - ABH514 - property management listings
  - ABH515 - renting residential properties
  - ABH516 - servicing managed properties
  - ABH517 - introduction to specialised property management
  - ABH518 - body corporate legal requirements
  - ABH519 - body corporate management
  - ABH533 - real estate office operations
  - NAP750 - general commercial law principles
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NOS143 - computer operations - fundamentals
  - NOS215 - data base fundamentals
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### SCHEDULE 7

Regulations 10AA and 10AB

#### EDUCATIONAL QUALIFICATIONS - AGENT'S REPRESENTATIVES

##### PART 1

##### AGENT'S REPRESENTATIVE

- ABH500 - real estate industry overview
- ABH501 - introduction to sales
- ABH502 - introduction to property management
- ABH508 - real estate consumer protection
- ABH510 - contract law
- ABH511 - property law
- ABH512 - residential tenancies
- ABH513 - common building styles &c.
- ABH514 - property management listings
- ABH515 - renting residential properties
- ABH516 - servicing managed properties
- ABH521 - introduction to specialised body corporate management
- ABH522 - contracts for the sale of land
- ABH523 - methods of sale

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- ABH524 - property appraisal
  - ABH525 - listings
  - ABH530 - selling businesses
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NOS215 - data base fundamentals
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**PART 2**

**AGENT'S REPRESENTATIVE (SALES)  
RESTRICTED REGISTRATION**

- ABH500 - real estate industry overview
  - ABH501 - introduction to sales
  - ABH502 - introduction to property management
  - ABH508 - consumer protection
  - ABH510 - contract law
  - ABH511 - property law
  - ABH513 - common building styles &c.
  - ABH521 - introduction to specialised body  
corporate management
  - ABH522 - contracts for the sale of land
  - ABH523 - methods of sale
  - ABH524 - property appraisal
  - ABH525 - listings
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NOS215 - data base fundamentals
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**PART 3**

**AGENT'S REPRESENTATIVE (PROPERTY  
MANAGEMENT) RESTRICTED REGISTRATION**

- ABH500 - real estate industry overview
  - ABH501 - introduction to sales
  - ABH502 - introduction to property management
  - ABH508 - consumer protection
  - ABH510 - contract law
  - ABH511 - property law
  - ABH512 - residential tenancies
  - ABH513 - common building styles &c.
  - ABH514 - property management listings
  - ABH515 - renting residential properties
  - ABH516 - servicing managed properties
  - ABH521 - introduction to specialised body  
corporate management
  - NCS009 - negotiation skills
  - NCS011 - client interaction
  - NOS215 - data base fundamentals
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