

Estate Agents (Education) Amendment Regulations 2025

S.R. No.

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STATUTORY RULES 2025

S.R. No.

Estate Agents Act 1980

**Estate Agents (Education) Amendment
Regulations 2025**

The Governor in Council makes the following Regulations:

Dated:

Responsible Minister:

NICK STAIKOS
Minister for Consumer Affairs

Clerk of the Executive Council

1 Objectives

The objectives of these Regulations are to amend the Estate Agents (Education) Regulations 2020—

- (a) to prescribe continuing professional development requirements for estate agents and registered agent's representatives for the purposes of section 37K(1) of the Estate Agents Act 1980; and
- (b) to prescribe records required to be kept under section 37K(2) of the Estate Agents Act 1980; and
- (c) to prescribe requirements for continuing professional development providers for the purposes of the continuing professional development requirements; and

- (d) to make minor amendments arising as a result of amendments made to the **Estate Agents Act 1980** by the **Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025**.

2 Authorising provision

These Regulations are made under section 99 of the **Estate Agents Act 1980**.

3 Commencement

These Regulations come into operation on 25 November 2026.

4 Principal Regulations

In these Regulations, the Estate Agents (Education) Regulations 2020¹ are called the Principal Regulations.

5 New Part 1 heading inserted

Insert the following heading before regulation 1 of the Principal Regulations—

"Part 1—Preliminary".

6 Objectives

In regulation 1(b) of the Principal Regulations, for "eligibility to be employed as an agent's representative under section 16(1)(b)" **substitute** "eligibility to be registered to be employed as an agent's representative under section 37(2)(b)".

7 Regulation 5 substituted

For regulation 5 of the Principal Regulations **substitute**—

"5 Definitions

continuing professional development activity means an education activity that is—

- (a) undertaken for the purpose of ongoing learning; and
- (b) delivered by a continuing professional development provider

to a licensed estate agent or
registered agent's representative;

continuing professional development

provider means a body corporate or
natural person who is—

- (a) a registered training organisation which is approved by the Australian Skills and Qualifications Authority or the Victorian Registration and Qualifications Authority to deliver in Victoria either, or both, of the following qualifications—
 - (i) CPP41419 Certificate IV in Real Estate Practice from the Property Services Training Package 14.0, or if superseded its equivalent, in Victoria;
 - (ii) CPP51122 Diploma of Property (Agency Management) from the National Property Training Package 16.1, or if superseded its equivalent; or
- (b) in Schedule 7; or
- (c) contracted by, or acts as an agent for, a person specified in paragraph (a) or (b) to provide continuing professional development activities;

registered training organisation means—

- (a) an RTO within the meaning of section 4.1.1(1) of the **Education and Training Reform Act 2006**; or
 - (b) a training organisation that is registered under a law of the Commonwealth or another State or a Territory by a body that is responsible for the registration under
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that law of training organisations that
provide vocational education and training;

the Act means the **Estate Agents Act
1980**".

8 New Part 2 heading inserted

Insert the following heading after regulation 5 of
the Principal Regulations—

**"Part 2—Initial education
requirements"**.

9 Prescribed course for agent's representative

- (1) In regulation 8(1) of the Principal Regulations,
for "section 16(1)(b)" **substitute** "section
37(2)(b)".
- (2) In regulation 8(2)(a) of the Principal Regulations,
for "starts work" **substitute** "applies to the
Authority to be registered to be employed".
- (3) In regulation 8(2)(b)(i) and (ii) of the Principal
Regulations, for "starts work" **substitute** "applies
to the Authority to be registered to be employed".

10 Exemptions from agent's representative course

In regulation 9 of the Principal Regulations—

- (a) for "16(1)(b)" **substitute** "37(2)(b)";
 - (b) in paragraph (a), for "starts work" **substitute**
"applies to the Authority to be registered to
be employed";
 - (c) in paragraph (b), for "starts work" **substitute**
"applies to the Authority to be registered to
be employed";
 - (d) in paragraph (c), for "starts work" **substitute**
"applies to the Authority to be registered to
be employed";
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- (e) in paragraph (d)(ii), for "starts work"
substitute "applies to the Authority to be
registered to be employed".

11 New Part 3 inserted

After regulation 9 of the Principal Regulations
insert—

**"Part 3—Continuing professional
development requirements**

**Division 1—Requirements for
licensed estate agents and
registered agents'
representatives**

**10 Minimum continuing professional
development activities for licensed estate
agent**

- (1) On and from 1 April 2027, a licensed estate agent must complete at least 5 continuing professional development activities in each 12-month period between 1 April in a calendar year and 31 March in the subsequent calendar year.
- (2) A continuing professional development activity which the Authority has determined does not comply with regulation 12(1) must not be included by a licensed estate agent for the purposes of meeting the requirements of this regulation.

**11 Minimum continuing professional
development activities for registered agent's
representative**

- (1) On and from 1 April 2027, a registered agent's representative must complete at least 5 continuing professional development activities in each 12-

month period between 1 April in a calendar year and 31 March in the subsequent calendar year.

- (2) A continuing professional development activity which the Authority has determined does not comply with regulation 12(1) must not be included by a registered agent's representative for the purposes of meeting the requirements of this regulation.

12 Content of continuing professional development activities

- (1) A continuing professional development activity must—
- (a) involve direct instruction, whether online or in person, from the continuing professional development provider to the person undertaking the activity; and
 - (b) involve at least one hour of instruction; and
 - (c) be relevant to a licensed estate agent's or agent's representative's occupation; and
 - (d) include, as a primary learning objective, the development of skills or knowledge that improve—
 - (i) outcomes for consumers; or
 - (ii) compliance with legislative or regulatory requirements.
- (2) At least 2 of the continuing professional development activities completed by a licenced estate agent for the purposes of regulation 10 must be mandatory activities in Schedule 5.
- (3) At least 2 of the continuing professional development activities completed by a
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registered agent's representative for the purposes of regulation 11 must be mandatory activities in Schedule 6.

13 Continuing professional development records to be kept

On and from 1 April 2027, for the purposes of section 37K(2) of the Act, the prescribed record is a certificate for each continuing professional development activity that specifies the following—

- (a) the title of the activity;
- (b) the name of the licensed estate agent or agent's representative;
- (c) the name of the continuing professional development provider;
- (d) the date or dates on which the activity was undertaken;
- (e) certification from the continuing professional development provider that the certificate is genuine.

Division 2—Requirements for continuing professional development providers

14 Continuing professional development provider to give certain notices to the Authority

- (1) On and from 1 April 2027, for the purposes of regulations 10 and 11, a continuing professional development provider, as soon as practicable before offering a continuing professional development activity, must give written

notice to the Authority that contains the following information—

- (a) the continuing professional development provider's trading name;
- (b) if applicable, evidence of approval from the Australian Skills and Qualifications Authority or the Victorian Registration and Qualifications Authority to deliver in Victoria the either (or both) of the following qualifications—
 - (i) CPP41419 Certificate IV in Real Estate Practice from the Property Services Training Package 14.0, or if superseded its equivalent, in Victoria;
 - (ii) CPP51122 Diploma of Property (Agency Management) from the National Property Training Package 16.1, or if superseded its equivalent;
- (c) the title of the continuing professional development activity or activities that the continuing professional development provider intends to deliver;
- (d) a course outline for each continuing professional development activity that the continuing professional

development provider will deliver;

- (e) the date or dates on which the continuing professional development provider will begin delivering the activity or activities.
- (2) On and from 1 April 2027, for the purposes of regulation 10 and 11, a continuing professional development provider must give written notice to the Authority if it ceases to offer a continuing professional development activity as soon as practicable after the continuing professional development provider ceases to offer the activity.
- (3) On and from 1 April 2027, for the purposes of regulations 10 and 11, if a continuing professional development provider varies the course outline for a continuing professional development activity, the continuing professional development provider, as soon as practicable after varying the course outline, must give written notice to the Authority of the varied course outline.
- (4) On and from 1 April 2027, for the purposes of regulations 10 and 11, a continuing professional development provider must give written notice to the Authority of any change to the continuing professional development provider's—
- (a) trading name; or
 - (b) registration or approval status with the Australian Skills and
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Qualifications Authority or the
Victorian Registration and
Qualifications Authority—

as soon as practicable after the change.

**15 The Authority may publish information
given by continuing professional
development provider**

For the purposes of regulations 10 and
11, the Authority may publish any
information provided to the Authority by
a continuing professional development
provider under regulation 14 on the
Internet site of the Director.

**16 The Authority may determine that
continuing professional development
activity does not comply with content
requirements**

- (1) For the purposes of regulations 10 and
11, the Authority may determine in
writing that a continuing professional
development activity does not comply
with regulation 12(1).
- (2) The Authority must publish notice of a
determination under subregulation (1) on
the Internet site of the Director.
- (3) The Authority, as soon as practicable
after making a determination under
subregulation (1), must give written
notice of the determination to—
 - (a) each continuing professional
development provider who
provides the continuing
professional development activity;
and
 - (b) all licensed estate agents; and

(c) all registered agents' representatives.

(4) A determination made under this regulation takes effect on a day specified in the written determination."

12 Schedules 5 to 7 inserted

After Schedule 4 to the Principal Regulations,
insert—

"Schedule 5

Regulation 12(2)

A mandatory activity for a licensed estate agent is a continuing professional development activity that is related to one of the following topics—

- 1 Legislative and regulatory requirements in residential real estate
 - 2 Legislative and regulatory requirements in commercial real estate
 - 3 Legislative and regulatory requirements in property management
 - 4 Legislative and regulatory requirements as a stock and station agent
 - 5 Legislative and regulatory requirements in business brokering
 - 6 Legislative and regulatory requirements as a buyers' agent
 - 7 Ethical practice as an estate agent or agent's representative
 - 8 Real estate trust accounts
 - 9 Manage compliance as an estate agent
 - 10 Manage ethical practice as an estate agent
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Schedule 6

Regulation 12(3)

A mandatory activity for a registered agent's representative is a continuing professional development activity that is related to one of the following topics—

- 1 Legislative and regulatory requirements in residential real estate
 - 2 Legislative and regulatory requirements in commercial real estate
 - 3 Legislative and regulatory requirements in property management
 - 4 Legislative and regulatory requirements as a stock and station agent
 - 5 Legislative and regulatory requirements in business brokering
 - 6 Legislative and regulatory requirements as a buyers' agent
 - 7 Legislative and regulatory requirements in auctioneering
 - 8 Ethical practice as an estate agent or agent's representative
 - 9 Real estate trust accounts
 - 10 Responding to the occurrence or an allegation of family violence in a residential tenancy
 - 11 Discrimination in a residential tenancy
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Schedule 7

Regulation 5

Organisations approved to deliver continuing professional development activities to estate agents and agent's representatives

- 1 The Real Estate Institute of Victoria Limited
- 2 Australian Livestock & Property Agents Association
Limited
- 3 Real Estate Buyers Agents Association Incorporated
- 4 Australian Institute of Business Brokers Limited
- 5 Tenants Victoria Ltd".

Endnotes

¹ Reg. 3: S.R. No. 114/2020.