



Australian Government

**Assessment Requirements for CPPREP4003
Access and interpret legislation in real
estate**

Release: 1

Assessment Requirements for CPPREP4003 Access and interpret legislation in real estate

Modification History

Release 1 This version first released with CPP Property Services Training Package Release 8.0.

Supersedes and is equivalent to CPPDSM4002A Apply knowledge of state or territory legislative and regulatory framework to complete agency work.

Updated to the Standards for Training Packages.

Performance Evidence

To demonstrate competency in this unit, a person must:

- access and analyse at least two pieces of legislation that apply to real estate in the state or territory of operation and provide a report to include:
 - full titles of legislation
 - the purpose of each of the pieces of chosen legislation
 - the key components of the pieces of chosen legislation
 - two breaches specified within the legislation and the penalties for each breach
 - how to identify the currency of the chosen legislation
- explain the process for addressing discrepancies in the application of legislation for personal or agency practice.

In doing this, the person must meet the performance criteria for this unit.

Knowledge Evidence

To be competent in this unit, a person must demonstrate knowledge of:

- sources of legislation applying to real estate operations in the state or territory of operation
- legal framework in Australia and the state or territory of operation:
 - common law
 - contract law
 - equity law
 - statute law
- key components of legislation:
 - Acts
 - regulations
 - amendments

- mandatory codes of practice
- schedules
- appendices
- structure of legislation:
 - long title
 - short title
 - commencement
 - application
 - contents
 - definitions
 - headings
 - parts
 - divisions and subdivisions
 - clauses and subclauses
 - schedules and appendices
- legislation relevant to real estate in the state or territory of operation and roles, including Commonwealth and state or territory legislation:
 - real estate agents, licensing and conduct
 - property sales and management
 - privacy
 - fair trading and consumer protection
 - anti-discrimination and equal opportunity
 - work health and safety/occupational health and safety
 - environmental (sustainability)
 - employment and industrial relations
 - planning and zoning
 - foreign investment
 - secret commissions
- interrelationship between pieces of legislation
- key principles for reading and interpreting legislation:
 - aids to interpret legislation:
 - external: interpretations of legislation, Acts, Hansard/parliamentary papers, legal dictionaries and previous judicial interpretations
 - internal: objectives, legislation to be accessed as a whole, definitions and interpretation sections in legislation, headings and margin notes
 - language conventions and expressions:
 - and/or
 - gender
 - hierarchy
 - includes

- may, should and must
- reading rules:
 - context
 - golden
 - literal
 - mischief
 - purposive
- express mention of one thing to the exclusion of another
- words interpreted through their connection with other words
- words with the same meaning
- regulators relevant to real estate in the state or territory of operation and their role
- breaches of legislation and penalties in the state or territory of operation
- value of penalty units in the state or territory of operation
- relationship between real estate codes of practice and codes of conduct and legislation applying to real estate operations
- responsibility of persons working in real estate to maintain current knowledge of legislation
- techniques to identify and track changes to legislation, including point-in-time versions and current versions
- sources of advice about legislation applying to real estate in the state or territory of operation
- processes to respond to concerns, conflicts and discrepancies relating to applying legislation to real estate activities in the state or territory of operation
- communication strategies for responding to client complaints.

Assessment Conditions

Assessors must satisfy the requirements for assessors listed in the Standards for Registered Training Organisations.

Assessment must be conducted in the workplace or in a simulated workplace environment.

Assessors are responsible for ensuring that the person demonstrating competency has access to:

- online databases for legislation relevant to real estate in the state or territory of operation
- websites and online databases for regulators relevant to real estate activities in the state or territory of operation

current legislation and legislation guidance material relevant to real estate in the state or territory of operation, including legislation for consumer protection.

Links

Companion volumes to this training package are available at the VETNet website - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcfl3d9b>

