Property Industry
Continuing Professional Development

Compulsory topic outline 2026/27

Topic: Marketing services, scope of practice and licensing obligations

This compulsory topic outline has been developed for approved training providers of NSW property continuing professional development (CPD).

Buyer's Agents operate in a high-trust role involving representation, advocacy, and negotiation on behalf of purchasers. Clear understanding of lawful scope of practice, licensing boundaries, and rules of conduct is essential to ensure marketing services are delivered transparently, ethically, and in compliance with statutory obligations.

This compulsory unit is applicable to:

- Buyers agents

Description

This topic examines Buyer's Agent marketing services, lawful scope of practice and licensing obligations under the *Property and Stock Agents Act 2002* and the rules of conduct as prescribed under Schedule 1 and Schedule 2, Division 3 of the Property and Stock Agents Regulation 2022.

Participants will explore professional duties relating to disclosure, conflicts of interest, inducements and client representation. The topic emphasises compliance with rules of conduct, acting within authority, and managing ethical and regulatory risk to ensure buyer's agents meet their statutory duties and deliver transparent, accountable professional services.

Delivery

This course must be delivered in:

- a face-to-face interactive training environment with a maximum of 40 attendees, or
- an interactive online webinar with a maximum of 25 attendees.

Delivery must allow for participant interaction and engagement.

Duration

Providers may deliver this training as a standalone subject or combined with other compulsory units.

It is the responsibility of the approved provider to determine the appropriate length of training required to meet the required learning outcomes.

Learning outcomes

Upon successful completion of this course, participants should be able to demonstrate the following knowledge and capabilities:

Module 1: Regulatory framework and licensing obligations

1.1 Identify the legislative framework governing Buyer's Agent practice in NSW, including:
   - 1.1.1. Part 3 of the *Property and Stock Agents Act 2002*, and
   - 1.1.2. licensing and supervision requirements under the Act.

1.2 Explain licence authority, and role limitations applicable to Buyers Agents under the Act.

1.3 Identify the rules of conduct applicable to Buyer's Agents under the Property and Stock Agents Regulation 2022, including:
   - 1.3.1. Schedule 1 (Rules of conduct), and
   - 1.3.2. Schedule 2, Division 3 (Buyer's agent rules of conduct) & Division 4 (Agents generally)

1.4 Identify the compliance, disciplinary, and enforcement consequences of operating outside licence authority or breaching rules of conduct, including action under Part 12 of the *Property and Stock Agents Act 2002*.

Module 2: Buyer's Agent marketing services and lawful scope of practice

2.1 Identify marketing and professional services that may be lawfully offered by Buyer's Agents, including buyer representation, property search, negotiation, and advocacy services.

2.2 Distinguish between permissible Buyer's Agent activities and those that fall outside lawful scope of practice under Section 3A of the *Property and Stock Agents Act 2002*.

2.3 Explain how agency agreements and written authority establish service scope, and client expectations, as required by the Act and Regulation.

2.4 Identify risks arising from unclear service scope, over-promising, role ambiguity, or misrepresentation of Buyer's Agent services that may breach statutory conduct obligations.

Module 3: Disclosure, conflicts of interest, and inducements

3.1 Explain disclosure obligations applicable to Buyer's Agents relating to disclosure of fees, commissions, benefits, and relationships under Schedule 1 and Schedule 2, Division 3 of the Property and Stock Agents Regulation 2022,

3.2 Describe actual, potential, and perceived conflicts of interest and obligations to disclose and manage conflicts in accordance with prescribed rules of conduct.

3.3 Describe restrictions on inducements, referral benefits, and third-party arrangements under the Rules of Conduct.

3.4 Apply ethical and statutory principles to act in the best interests of clients and maintain transparency and accountability.

Module 4: Acting within authority and managing regulatory risk

4.1 Explain obligations to act strictly within the scope of client authority and agency agreements, in accordance with Schedule 1, section 8 and section 9 of the Property and Stock Agents Regulation 2022.

4.2 Identify conduct that may breach rules of conduct, including misleading conduct, misuse of authority and non-compliance with instructions.

4.3 Describe how supervision, documentation, and record keeping support compliance with statutory obligations.

4.4 Apply practical risk-management strategies to ensure Buyer's Agent services are compliant, transparent, and defensible in the event of complaints or regulatory review.

Assessment

Overview of assessment

Completion of this course must be assessed through demonstration of knowledge of Buyer's Agent-specific licensing obligations, scope of practice, and conduct requirements under the *Property and Stock Agents Act 2002* and Property and Stock Agents Regulation 2022.

Interactive training must include a written or scenario-based assessment designed to test participants' understanding of the course content.

The assessment must require a sufficiently high pass mark to ensure that participants' knowledge and achievement of the learning outcomes are thoroughly tested. Participants who do not meet this standard will be required to complete the assessment again, with limited re-attempts.

Participants must be provided with evidence of successful completion, such as a certificate issued by the training provider.

Critical aspects for assessment

A participant who demonstrates competency in this course will have knowledge of:

- Buyer's Agent licensing and scope of practice obligations
- Rules of conduct under Schedule 1 and Schedule 2, Division 3 of the Regulation
- Disclosure, conflicts of interest, and inducement risks
- Authority, supervision, and record-keeping obligations
- Practical strategies for managing ethical and regulatory risk