

**AUSTRALIAN INSTITUTE OF CONVEYANCERS
SA DIVISION (AICSA)**

Certified Practising Conveyancer (CPC)

GUIDE

Contents

- 1. Introduction3
- 2. CPC - Why Implement it?.....3
- 3. The CPC Scheme details.....3
 - 3.1 CPC Annual Calendar3
 - 3.2 CPC Program requirements3
 - 3.3 Activities and points required.....4
 - 3.4 Compliance4
 - 3.5 Records and Evidence6
 - 3.6 Non-Compliance with CPC Requirements6
 - 3.7 Reviews and Appeals7
 - 3.8 Regulations and Regulators7
- 4. Glossary7

1. Introduction

Conveyancing is a profession and needs to be recognised as such for it to survive and grow. Other professions (including medicine, engineering, law, architecture and accounting) have recognised the importance of continuing professional development and made it mandatory for their members.

2. CPC - Why Implement it?

The knowledge and skills needed to practice conveyancing are dynamic. Both Federal and State Laws are constantly changing and conveyancers need to keep up with these changes.

It is essential for a professional conveyancer to ensure best practice by;

1. Keeping up with changes in the law,
2. Maintaining their current skills and knowledge,
3. Widen their knowledge in basic conveyancing practices
4. Increase their knowledge to expand their scope of work and/or offer specialised services and
5. Develop and refine their business skills and practices and procedures

3. The CPC Scheme details

The details of the program are set out below. It is intended to provide on-going and standardised continuing education for conveyancers.

3.1 CPC Annual Calendar

Date	Event
1 January	Start of CPC year
31 December (end of qualifying yr)	Notify AICSA of any additional training done with another organization to add to PD Tracker **
By 31 January	AICSA will send certificates to qualified persons
1 January	Non-qualified persons will cease to use CPC unless they lodge a ratification plan
By 28 January	Declaration of non compliance and ratification plan must be lodged with the Institute
31 March	Rectification must be completed
7 April	Declaration of completion of activities undertaken under the ratification plan must be lodged with the Institute
15 April	AICSA will send certificates to qualified persons
31 December	End of CPC year

**** The AICSA “My PD Tracker” (on website) will indicate the points received during the year. Members can add any additional training completed to this page which, when verified, will automatically be added to the points total.**

3.2 CPC Program requirements

To achieve CPC status a conveyancer must:

1. Meet the licensing requirements to be registered.

2. Must currently be practising as a conveyancer and have been working as a full time Conveyancer for a minimum 2 years (consideration may be given for some prior relevant work experience)
3. Be a fully paid up member of AICSA
4. Gain 100 points or equivalent to 10 hours training (points may be gained by other educational pursuits).
5. Physically attend a minimum of three seminar/webinar/workshops.
6. Must include a minimum of two topics on the practice of Conveyancing (topics of choice) and a compulsory Risk Management topic annually.
7. Comply with the AICSA code of conduct.

3.3 Activities and points required

The purpose of a CPC point is to increase and maintain knowledge about the practice of conveyancing and maintaining a best practice conveyancing business. Any CPC point gained must meet these criteria and points allocated are judged on these criteria. A CPC activity is an activity dedicated to professional development and not merely engaging in conveyancing.

A CPC activity is one which:

- has significant intellectual or practical content primarily related to the practice of conveyancing and managing a conveyancing practice;
- is conducted by persons qualified by practical or academic experience in the subject; and
- is relevant to the immediate or long-term professional development needs of the conveyancer undertaking it.

Generally, it is a matter for each conveyancer to choose the subject matter of each activity undertaken, as long as it qualifies as CPC activity with a few exceptions (refer to the table below).

Each **individual** conveyancer must attain 100 CPC points per CPC year and may include activities listed in the table below.

Activity	Points (time)	Minimum Required per CPC year	Max per CPC year
Attending a seminar, workshop, webinar (provided by AICSA or other approved organisation/topic). (Excludes recordings) Minimum requirement: 1. Risk Management topic and (15 points required per annum) 2. 2 topics on the practice of Conveyancing (30 points required per annum)	1hour = 10 points 3hours =20 Points	45 points (1.) 15 points (2.) 30 points	No max
Presenting a seminar, workshop, webinar (provided by AIC or other approved organisation/topic)	1hour = 10 points		50
Attending and participating in a group activity discussing Conveyancing practices and procedures and/or issues which is reasonably likely to assist the attendee's professional development (Best Practice Groups). These must be minuted (including start and finish time) and sent to the AICSA office	10 points per meeting. Only 4 meetings included per annum		40
Publishing an article on a Conveyancing topic (researching and writing) in a publication - a minimum of 1,000 words	15 points		50
Regular attendance at meetings (min 50%), and participation as a member, of a committee or other body undertaking work of substantial significance to the practice of conveyancing and which is reasonably likely to assist the attendee's professional development	10 points per committee per annum		30
In-house staff training. Formal training conducted by a knowledgeable presenter to other staff approved by AICSA	1hour = 5 points		20
Other activities approved by the AICSA that meet the criteria (RevNet, SAILIS or other	points upon application		50

3.4 Compliance

Compliance with the Scheme is determined by the Institute by reference to the substantive criteria listed at 3.2 and 3.3 above.

3.4.1 Application Process

Within 28 days of the end of the CPC year (by 28 January), you will need to apply to the Institute for a certificate detailing how you have complied with the requirements of the Scheme in respect of the previous CPC year (unless the institute has already recorded your points and will automatically forward your CPC certificate).

A simple application form is available from the website (or AICSA office).

If you have not fully met the requirements by the end of the CPC year, you are required to lodge with the Institute by 28 January a declaration stating what CPC units you have completed and providing a rectification plan to complete any outstanding units by 31 March.

Where a rectification plan has been provided, you are required to provide a further declaration to the Institute by 7 April confirming that you have now complied with the Scheme in respect of the previous CPC year.

3.4.2 Where 2 years of practical experience falls part way through a CPC year

A Certificate may be granted, (at the discretion of AICSA) when 2 years practical experience has been completed provided that the 100 CPC points has been completed in the previous CPC year (Jan – Dec) and all other criteria met.

3.4.3 Surplus CPC points

If you have completed surplus points (excess of the requirements for the Scheme for that year) during the months of November or December you may carry over those points to the following year.

At the time of preparing your application for the CPC year, you may elect whether to include the activities for the current CPC year or the following CPC year.

3.4.4 Exemption from compliance in Defined Circumstances

No conveyancer is exempt from compliance to the Scheme to attain or retain CPC status regardless of age, position or experience.

In exceptional circumstances it is possible to seek consideration from the Institute as to the number of CPC points to be completed where you can demonstrate that due to Defined Circumstances you may be eligible to be exempted from compliance with the Scheme. Consideration will be given to a history of compliance to the Scheme.

To seek consideration for exemption from compliance, it is necessary to lodge with the Institute an application, as soon as practicable, but in any event by 31 January, setting out full details and exhibiting documentary evidence of the Defined Circumstances and the effect upon your ability to comply with the Scheme.

When lodging the application for exemption setting out the defined circumstance and the extent of non-compliance with the Scheme you must also enclose a rectification plan.

The Institute will, on the basis of the documentation provided, determine the extent, if any to which you may be reasonably exempted from compliance with the Scheme.

If you are dissatisfied with the decision of the Institute, you may seek a review from the Committee.

3.4.5 What are Defined Circumstances

Defined Circumstances may include:

- illness or disability;
- the location of the practitioner's practice;

- the absence of the practitioner from conveyancing; or
- hardship or other special circumstances.

3.5 Records and Evidence

3.5.1 AICSA

The Institute will:

- Must have a system of recording and monitoring records to ensure points are allocated correctly
- Publish their courses on the State and National website
- Deliver by webinar where possible to assist country conveyancers to achieve their points targets. (with strict controls in place to confirm attendance)
- Provide Non-Members and other member types (not “Ordinary” members), with an “Accreditation” certificate in recognition of PD training if they choose to complete the required number of points.

3.5.2 Individual Participants

Individuals must keep a record of the CPC activity completed, including date, provider, form of activity, and CPC points. It is recommended that they keep the record in the form of diary notes/receipts. They will need to produce this record upon request.

Individuals may self-assess their own compliance against the required criteria if they choose. They may log details of attendance in their “PD tracker” on the AICSA website detailing training completed with another organisation. The Institute will be required to approve this training and the applicant may be required to provide evidence of attendance/participation in stated activities.

Evidence of the nature of the activity must be kept. This might take the form of a paper handed out during the activity or retaining the brochure promoting the activity. This evidence may need producing in response to any query by the Institute as to the nature of the CPC activity which you undertook.

Records will need to be retained for at least 12 months after the end of the CPC year in question.

3.6 Non-Compliance with CPC Requirements

3.6.1 Process for Non- Compliance

If the requisite number of points and type of activity is not completed during the CPC year you must lodge a declaration with the Institute by 28 January setting out:

- the number of CPC units you have completed during the previous CPC year; and
- a plan of rectification showing the CPC activities and the CPC points which you intend to undertake by 31 March; to make up the shortfall.

You must lodge a further declaration of completion with the Institute by 31 March confirming that you have complied with your rectification plan. Once CPC has been attained by an individual conveyancer failure to comply with the CPC Scheme each successive year will disallow the conveyancer to;

- advertise or promote themselves in any way as a CPC; and
- Use the CPC as a post nominal

3.7 Reviews and Appeals

Conveyancers can request the Committee to review the papers on any decision made by the Institute in relation to the CPC. You must make your application for review within 7 days of notification of the Institute's decision, unless the Committee grants an extension of time.

3.8 Regulations and Regulators

The Scheme is regulated by the Australian Institute of Conveyancers State Divisions which receives the documentation from registered conveyancers and determines in the first instance compliance with the Scheme.

The State Division determinations whether a CPC certificate should be awarded, suspended or cancelled and as to whether any special conditions should be imposed by reason of non-compliance. The Committee reviews decisions made by the Institute on appeal; offers guidance to the Institute and monitors and reviews the operation and effectiveness of the Scheme generally.

4. Glossary

Committee – the AIC National Education Committee

CPC year – 1 January to the following 31 December

Defined Circumstances – Refer 3.4.5

Institute - AICSA

Conveyancer in these Rules is a person who holds or held at the material time a Registration (or Licence) certificate issued pursuant to the Act in the State in which they practice.

AIC – the Australian Institute of Conveyancers of the state Registration is held

Scheme – the CPC Scheme

Full time conveyancer – A person working for a minimum of 30 hours per week in the capacity of a conveyancer as defined in these rules.