
Supervision requirements for Conveyancers

Discussion Paper



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Executive summary

The South Australian Government is considering changes to the *Conveyancers Act 1994* (SA) to introduce a period of mandatory supervision requirements for persons wishing to register as a conveyancer.

In response to concerns about an ageing conveyancing workforce resulting in the loss of essential experience within industry, it is proposed that a combination of mandatory qualifications under the Act, as well as a period of supervised practice, would be required before a person is eligible for an unrestricted registration as a conveyancer in South Australia.

These changes are intended to offer flexible experience, training and supervision to support newly registered conveyancers navigating the industry upon gaining their registration in a structured approach that is more consistent with other jurisdictions.

This will also assist in future-proofing the profession to ensure conveyancing practitioners remain updated with legal, practical and technological changes to benefit the industry and South Australians.

Feedback is sought from conveyancers, new graduates of conveyancing, legal professionals, industry bodies, educators, consumers and interested members of the public.

Discussion Questions

- Q1: Should a period of supervised practice be mandated by law in South Australia? If so, why? and for how long?
- Q2: What alternative work experience, training or supervision requirements should be considered, and why? (e.g. tiered/conditional registration?)
- Q3: What supervision transitional provisions may be required? And why?
- Q4: Are there any other elements relevant to the scope of this paper that CBS should consider?

Reading and responding to this paper

The model and the questions posed in this paper are a guide only. You do not need to respond to every question. You can make comment about any related topic where no question is provided. Where possible, submissions should provide reasoning for the position that is suggested and examples or evidence that supports this position. If responding to a particular question, please include the question or section reference.

Feedback can be provided via email to: CBSReforms@sa.gov.au

Or via YourSAy at: <https://yoursay.sa.gov.au/conveyancer-supervision>

Submissions are due by **30 January 2026**.

Your submission or its contents may be made publicly available. Submissions may be subject to Freedom of Information and other laws. If you would like your submission to remain confidential, please clearly state this in the submission and provide your reasoning.

Terminology and references

Term	Definition
(the) Act	<i>Conveyancers Act 1994 (SA)</i>
AICSA	Australian Institute of Conveyancers (SA Division)
CBS	Consumer and Business Services
Commissioner	The legislative role of the Commissioner for Consumer Affairs, also referred to as the Commissioner for Consumer and Business Services.

Introduction

Conveyancers perform a critical role as licensed professionals in handling the legal transfer of property ownership for persons wishing to transfer real estate and must follow legal procedures when preparing and processing documents for the transfer of property from one person to another.¹

The *Conveyancers Act 1994* (the Act) and supporting regulations set requirements for conveyancers to be registered while aiming to protect South Australians who use conveyancing services. To register as a conveyancer, a person must have the appropriate qualifications.²

The Act does not currently require any practical experience or supervision for professionals to be eligible for registration. This presents a degree of risk for those who engage conveyancers, as well as conveyancers themselves. Informally, some highly experienced conveyancing practitioners may choose to guide less experienced practitioners.

CBS is aware of concerns within industry that an ageing conveyancing workforce will result in fewer experienced conveyancers able to offer informal support and advice to new conveyancing professionals. Additionally, there is concern that newly qualified conveyancing students may not be equipped or experienced enough to manage complex or high-value transactions.

The absence of minimum experience requirements may serve to increase the risk of consumer harm, regulatory non-compliance and reputational damage to the industry if industry standards are perceived to be inconsistent and/or inadequate.

As such, stakeholder feedback is sought in relation to changes that would make it mandatory for minimum supervision requirements prior to unrestricted registration.

Exploring these options would likely offer flexible experience, training and supervision to support newly registered conveyancers navigating the industry whilst simultaneously future proofing the profession to ensure practitioners remain updated with legal, practical and technological changes for the benefit of the industry and South Australians.

¹ <https://www.sa.gov.au/topics/business-and-trade/running-a-business/conveyancers-responsibilities>

² <https://www.cbs.sa.gov.au/documents/conveyancers-qualification-guidelines.pdf>

Supervision requirements

South Australia

Section 7(1) of the Act provides that a person is entitled to be registered as a conveyancer if the person has –

- i. the qualifications required by regulation; or
- ii. subject to the regulations, the qualifications that the Commissioner considers appropriate.

There are several pathways to enter the conveyancing profession. Presently, students wishing to register and practice as a conveyancer in South Australia must have legal qualifications or complete a Bachelor of Business (Property) with the University of South Australia, or the Advanced Diploma of Conveyancing, which is a nationally accredited qualification delivered by training organisations registered with the Australian Skills Quality Authority, including TAFE SA.

Conveyancing is also included on the Trainee Apprenticeships Pathway Schedule via the South Australian Skills Commission.³

A full list of qualifications for registration as a conveyancer that have been approved by the Commissioner is available on the CBS website.⁴

As previously stated, there are currently no work experience training or supervision training that is mandated by the legislation in South Australia. It has been evidenced by regulation of other industries that, where these type of entry requirements are required, this leads to increased consumer protections. It further ensures that consistent standards are met across industry and the promotion of accountability and consistency across workplaces. This leads to confidence in practitioners and industry and ultimately benefits the people they serve.

Interstate arrangements

The following table outlines the legislated practical experience requirements in addition to the qualification requirements for conveyancers (non-lawyer) for registration as a conveyancer in Australia.

Jurisdiction	Requirement
Queensland	Nil specified.
Australian Capital Territory	Nil specified.
New South Wales ⁵	At least two years' practical experience in conveyancing work, of which at least one year must be full-time while under the supervision of either: • a licensed conveyancer holding an unrestricted licence; or • an Australian legal practitioner with an unrestricted practising certificate.

³ <https://skillscommission.sa.gov.au/traineeship-and-apprenticeship-tap-schedule>

⁴ <https://www.cbs.sa.gov.au/documents/conveyancers-qualification-guidelines.pdf>

⁵ *Conveyancers Licensing Act 2003* (NSW), *Conveyancers Licensing (Qualifications) Order 2006* (NSW).

Jurisdiction	Requirement
Victoria⁶	Completion of the equivalent of 12-months' full-time experience, which needs to be gained during the five years immediately preceding the application for a conveyancer licence. The experience must also be carried out under the supervision of a: • fully licensed conveyancer in Victoria; or • an Australian legal practitioner who holds an unrestricted practising certificate.
Western Australia⁷	At least two years of full-time, or equivalent, practice experience performing conveyancing and settlement duties immediately prior to the application for a conveyancer licence. The experience must be under a: • fully licensed settlement agent; or • qualified legal practitioner who is eligible to supervise.
Tasmania⁸	Two years' full-time practical conveyancing work experience, or the part-time equivalent, which needs to be gained within the three years immediately preceding the application for a conveyancer licence. The experience may be gained in one or more of: • a licensed conveyancer's office; • a law practice under the Legal Profession Act 2007; or • any business or government department where conveyancing work is regularly undertaken.
Northern Territory⁹	A least two years' full-time, or equivalent in part-time work, practical experience in conveyancing work. The experience must be gained in one or more of: • a licensed conveyancer's office: or • a legal practitioner's office: or • any business or government department where conveyancing work is regularly carried out.

Supervision requirements

Consideration is being given to introducing a minimum period of two years' full-time equivalent work experience before a person is eligible to have an unrestricted registration as a conveyancer. Introducing such a requirement would bring South Australia into alignment with most other Australian jurisdictions.

A requirement of two years' supervised experience also aligns with the requirement for newly admitted legal practitioners within South Australia, who must gain two years' full-time experience under the supervision of an experienced legal practitioner before they can open their own legal practice.

A supervised period of practice may require evidence of the practitioner being involved in a minimum number of settled transactions across different types of property, which could be documented via a logbook or certification process like other regulated professions.

⁶ *Conveyancers Act 2006 (VIC), Conveyancers (Qualifications and Experience) Regulations 2018 (VIC).*

⁷ *Settlement Agents Act 1981 (WA), Settlement Agents Regulations 1982 (WA).*

⁸ *Conveyancing Act 2006 (TAS), Conveyancing Regulations 2025 (TAS).*

⁹ *Agents Licensing Act 1979 (NT), Agents Licensing Regulations (NT).*

Registration options

Tiered registration

There are several ways that required work experience or supervision could be prescribed. An example provided is tiered registration, which could involve a provisional registration for new conveyancing practitioners for a certain period while being supervised by an experienced practitioner.

Once the experience threshold and competency requirements have been met, the practitioner would then be eligible to apply for a full and unrestricted registration.

The benefits of a tiered registration may include setting very clear roles and responsibilities and experience requirements, improved safety and regulatory oversight of the conveyancing industry. The drawbacks may include further complexity or costs, potential for service gaps and limited choice for consumers.

Conditional registration

Similarly, a conditional registration scheme is also being considered. Amendments could be made to the Act to allow the Commissioner to place conditions on conveyancing practitioners' registration.

In practice, this would mean a newly registered conveyancer may have conditions added to their registration by the Commissioner of Consumer and Business Services that could include they work under supervision for a period of time, or they complete specific practical experience requirements before being eligible to apply to have the condition removed.

A tiered or conditional registration approach may serve to balance workforce entry opportunities with consumer protection.

Q1: Should a period of supervised practice requirements be mandated by law in South Australia? If so, why? and for how long?

Q2: What alternative work experience, training or supervision requirements should be considered, and why? (e.g. tiered/conditional registration?)

Transitional provisions

As South Australia doesn't currently mandate for a period of supervised practice requirements, some conveyancers may experience issues in meeting the new obligations immediately after the commencement of any legislative amendment.

Q3: What transitional provisions may be required? And why?

Q4: Are there any other elements relevant to the scope of this paper that CBS should consider?