

CHARTERED 
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

AUSTRALIA LAND AND PROPERTY CONTRACT LAWS

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By:**

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PROGRAM OVERVIEW



Australia's property market and its legal landscape are complex, influenced by various factors including diverse state-based laws and the rapid pace of market change. **The Australian Capital Territory's Land Titles Act alone consists of over 200 sections and several schedules, spanning more than 300 pages.** Therefore, understanding and complying with these intricate laws is pivotal not just for legal conformity, but also for maintaining the integrity and efficiency of real estate markets in Australia.

This comprehensive program offers an in-depth exploration of Australia's intricate land and property contract laws, providing participants with a solid understanding of the legal frameworks that govern this critical domain. The course delves into the **complexities of the Australian federal structure and the interplay between federal and state/territory legislation**, shedding light on the varying property laws across different jurisdictions. You will gain insights into the essential elements and formal requirements of land sale contracts, including exceptions and the impact of electronic contracting. The program also examines the principles and registration processes of the Torrens Title System, a cornerstone of Australian property law, along with its indefeasibility provisions and limitations.

ACCREDITATIONS



4.8



4.6



PROGRAM OVERVIEW



Additionally, it covers the legal framework governing **land mortgages, formal requirements for mortgage agreements, and the remedies available to lenders and borrowers in case of default**. You will explore the unique world of strata title schemes, including their structure, management of common property, governance, and dispute resolution mechanisms. Commercial and residential leases and tenancies are examined in detail, with a focus on key elements, negotiation strategies, rights and responsibilities of parties involved, and remedies for breaches. The program also delves into the **nuances of easements, including their creation, extinguishment, and the rights and obligations they entail**. You will gain insights into the formalities and remedies surrounding freehold covenants over land, a crucial aspect of property law.

Upon successful completion of the program, you will attain the **Certification in Australia Land and Property Contract Laws**. This distinguished certification will enhance your professional qualifications, demonstrating your expertise in developing a robust compliance framework aligned with Australia land and property contract legislation. Globally demanded and recognized, the certification holds lifelong validity and will underscore your expertise in the Australian Land and property law amplifying your professional credentials.

ACCREDITATIONS



4.8




4.6



KEY SKILLS YOU WILL GAIN

From This Program



**AUSTRALIA LAND AND PROPERTY LAW
CONVEYANCING
TORRENS TITLE SYSTEM
COMMERCIAL LEASES**

**RESIDENTIAL TENANCIES ACT
STRATA TITLE
MORTGAGE AND FINANCING LAWS
HERITAGE PROPERTY LAWS**

**REAL PROPERTY ACT
COMMERCIAL PROPERTY LAW
PLANNING AND ZONING
NATIVE TITLE RIGHTS**

**EASEMENTS AND COVENANTS
LEASE AGREEMENTS
PROPERTY DISPUTE RESOLUTION
PROPERTY LAW REFORMS
LAND TAX ACT**

**STAMP DUTY LEGISLATION
CONTRACT DRAFTING**

YOUR FACULTY DIRECTOR



Emeritus Professor Brendan Edgeworth

Award Winning Professor and Property Law Expert

Professor Brendan Edgeworth is a distinguished expert on Australian land and property contract laws. With **over four decades of experience**, he has made significant contributions through teaching, research, and publications, serving in key roles such as Director of Teaching, Associate Dean (Undergraduate), Head of School, and Director of Postgraduate Studies. **He was awarded the Vice-Chancellor's Award for Teaching Excellence at UNSW.**

A prolific author and scholar, Professor Edgeworth has contributed significantly to property law, housing law, legal theory, and history. **He has authored, co-authored, and edited 13 books and over 50 refereed journal articles.** His works, such as *Butt's Land Law* and *The Precarious Home*, are critical resources in Australian legal education. **His research has influenced housing and property law reform, including his service on the New South Wales Law Reform Commission and the Board of the Tenants' Union of New South Wales.**

Currently, as a Fellow of the Cambridge Centre for Property Law and Adjunct Professor of Law at the National University of Ireland, Galway, Professor Edgeworth continues to shape legal education and policy.

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PROGRAM AGENDA



MODULE 1 - BASIC LEGAL FRAMEWORK OF AUSTRALIAN PROPERTY LAW AND CONTRACT, FEDERAL STRUCTURE, ROLE OF STATES

- Lesson 1 - Overview of the Australian Constitution and Property Law
- Lesson 2 - The Federal System and its Impact on Property Law
- Lesson 3 - Role and Powers of State and Territory Governments in Property Legislation
- Lesson 4 - Comparative Analysis of Property Laws Across Different States

MODULE 2 - CONTRACTS FOR LAND SALES: FORMAL REQUIREMENTS, EXCEPTIONS

- Lesson 1 - Essential Elements of Land Sale Contracts
- Lesson 2 - Statutory Formalities for Land Contracts
- Lesson 3 - Notable Exceptions to Formal Requirements
- Lesson 4 - Impact of Electronic Contracting on Land Sales

MODULE 3 - TORRENS SYSTEM: REGISTRATION REQUIREMENTS, EXCEPTIONS

- Lesson 1 - Principles and Origins of the Torrens Title System

- Lesson 2 - Registration Process and its Significance in the Torrens System
- Lesson 3 - Indefeasibility of Title Under the Torrens System
- Lesson 4 - Exceptions and Limitations of the Torrens System

MODULE 4 - MORTGAGES OF LAND: FORMAL REQUIREMENTS, REMEDIES

- Lesson 1 - Legal Framework Governing Land Mortgages
- Lesson 2 - Formal Requirements for Mortgage Agreements
- Lesson 3 - Remedies Available to Lenders in Case of Default
- Lesson 4 - Rights and Protections for Borrowers Under Australian Law

MODULE 5 - STRATA TITLE: BASIC STRUCTURE, COMMON PROPERTY

- Lesson 1 - Introduction to Strata Title and its Development in Australia
- Lesson 2 - The Structure of Strata Schemes and Lot Ownership
- Lesson 3 - Management and Use of Common Property
- Lesson 4 - Governance and Regulation of Strata Schemes

PROGRAM AGENDA



MODULE 6 - STRATA TITLE CONTINUED: DISPUTES, REMEDIES, OWNERS CORPORATION

- Lesson 1 - Resolving Disputes in Strata Schemes
- Lesson 2 - Remedies Available for Breach of Strata Rules
- Lesson 3 - Role and Responsibilities of the Owners Corporation
- Lesson 4 - Governance Challenges in Strata Management

MODULE 7 - LEASES AND TENANCIES: COMMERCIAL DIMENSIONS, REMEDIES

- Lesson 1 - Key Elements of Commercial Leases and Tenancies
- Lesson 2 - Negotiating Terms and Conditions in Commercial Leases
- Lesson 3 - Remedies for Breach of Lease Agreements
- Lesson 4 - Renewal and Termination of Commercial Leases

MODULE 8 - RESIDENTIAL TENANCIES: TENANTS/LANDLORDS RESPONSIBILITIES, REMEDIES

- Lesson 1 - Rights and Responsibilities of Tenants and Landlords
- Lesson 2 - Security of Tenure and Rent Regulation

- Lesson 3 - Handling Disputes Between Tenants and Landlords
- Lesson 4 - Termination and Eviction Processes in Residential Tenancies

MODULE 9 - EASEMENTS: MODE OF CREATION, EXTINGUISHMENT

- Lesson 1 - Definition and Types of Easements
- Lesson 2 - Legal Procedures for Creating Easements
- Lesson 3 - Rights and Obligations Arising from Easements
- Lesson 4 - Methods of Extinguishing Easements

MODULE 10 - FREEHOLD COVENANTS OVER LAND: FORMALITIES, REMEDIES

- Lesson 1 - Understanding Freehold Covenants and Their Purpose
- Lesson 2 - Legal Formalities for Creating and Registering Covenants
- Lesson 3 - Enforcing and Challenging Freehold Covenants
- Lesson 4 - Remedies Available for Breach of Covenant

YOUR CHARTER DESIGNATION



Upon successfully attending this program, you will be awarded with the **Certification in Australia Land and Property Contract Laws** that can be used in your resume, CV and other professional credentials. This certification is industry-recognized with lifelong validity.

Globally demanded and recognized, this certification will amplify your professional qualifications and demonstrate your expertise in navigating the intricacies involved in Australia's land and property contract laws regulation and compliance. Developed by **Chartered Institute of Professional Certifications**, the content of this program has been independently accredited by **CPD Certification Service** as adhering to the highest standards of continuing professional principles.

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CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

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