



Our ref: AG/11/02661, FTP-00789

Office of the  
**Deputy Premier and Attorney General  
Minister for Local Government  
and Special Minister of State**

**28 JUL 2011**

Mr Anthony Quintner  
Ray White Paddington  
181 Given Terrace  
PADDINGTON QLD 4064

Dear Mr Quintner

Thank you for your letter of 23 June 2011 to the Honourable Paul Lucas MP, Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State, about the deregulation of real estate commission rates. The Deputy Premier and Attorney-General has asked that I respond on his behalf.

The deregulation of commission rates will bring Queensland into line with all other Australian jurisdictions in relation to commissions.

While it is the Government's intention to ensure consumer interests are protected, that refers particularly to excessive, exorbitant or unfair commissions and there will be a number of mechanisms put in place to ensure the process of charging and obtaining commissions remains just for all parties, including real estate agents and their employees.

The Deputy Premier and Attorney-General is concerned that agents may be reading more into the proposed deregulation than has been proposed. Those agents, who operate competitively, fairly and treat their clients justly in accordance with prevailing market forces, will have no concerns about the proposed deregulation. Indeed, it should free up the industry to offer better and more innovative services to clients.

While the detailed legislation has yet to be developed, there will be several layers of checks and balances, which may include initial referral of the matter back to the agent concerned, mediation or arbitration and finally, if no satisfactory resolution, referral to the Queensland Civil and Administrative Tribunal for determination. It should be noted that the determination of unjust commissions will not lead to no commission being paid. Rather, it would merely be adjusted to reflect market forces and community expectations.

Consultation with the Property Sales Association of Queensland has been conducted in relation to all previous proposals to amend the *Property Agents and Motor Dealers Act 2000* and, as a key stakeholder, the association will be consulted on this and all future proposals concerning that Act or its successor.

I trust this information is of assistance. If you require any further information, please contact Mr Chris Irons, Director, Office of Regulatory Policy, Department of Justice and Attorney-General on telephone number 3898 0172 who will be pleased to assist.

Thank you for writing about this matter.

Yours sincerely



**Tess Bishop**  
**Acting Principal Advisor**