

Professional Standard 20

Regulatory Complaints & Notifications

Version 01 – May 2026

Auctioneers & Valuers Association of Australia
Reference: 4.27.2

Introduction

The Auctioneers and Valuers Association of Australia (AVAA) is committed to strengthening professionalism, integrity, and public confidence across the valuation and auction sectors. This *AVAA Professional Standard* forms part of a broader framework designed to support consistent practice, ethical conduct, and accountability across the diverse services provided by members.

Professional standards play an important role in defining expectations for those who hold themselves out as skilled practitioners. They establish clear principles for conduct, competence, and responsibility, helping practitioners, clients, and regulators understand the level of professionalism that should reasonably be expected in the marketplace.

Regulatory investigations, enforcement action, disciplinary proceedings, and government compliance obligations can have significant implications for valuers, auctioneers, clients, consumers, regulators, insurers, financiers, courts, and the broader reputation of the valuation and auction sectors. Professional valuation and auction practice therefore requires appropriate transparency and accountability where significant regulatory or government enforcement action arises in connection with the provision of professional services.

This Professional Standard establishes principles governing the notification of certain regulatory investigations, enforcement action, disciplinary proceedings, and adverse regulatory outcomes involving valuers, auctioneers, and corporate members.

This standard has been developed through consultation with practitioners and informed by regulatory frameworks, industry experience, and evolving client and government expectations. It is intended to provide practical guidance while reinforcing the importance of transparency, diligence, and professional judgement in everyday practice.

Those holding the AVAA Certified Valuer (CVAAU), the AVAA Certified Auctioneer (CAAU), plus AVAA Corporate Members apply this *AVAA Professional Standard* to demonstrate a commitment to continuous business improvement and professional accountability. In doing so, they contribute to a stronger and trusted sector where valuers are recognised not only for their expertise but also for the integrity and reliability of their work.

Troy R Williams FAIM MAICD
AVAA Chief Executive

May 2026



Professional Standard 20

Title —

AVAA Professional Standard 10 – Regulatory Complaints & Notifications

Purpose —

The purpose of this Professional Standard is to establish principles relating to the notification of regulatory investigations, enforcement action, disciplinary proceedings, and adverse regulatory outcomes involving valuers and auctioneers.

This Professional Standard promotes professional accountability, regulatory transparency, consumer confidence, and the integrity of the valuation and auction sectors by requiring members to notify the Auctioneers and Valuers Association of Australia (AVAA) of significant regulatory and government enforcement action connected with the provision of valuation and auction services..

Scope —

This Professional Standard applies to regulatory investigations, disciplinary proceedings, administrative penalties, enforcement action, court proceedings, and adverse findings arising from action commenced by Commonwealth, State, or Territory government authorities or regulators in connection with valuation and auction services.

Application —

This Professional Standard applies to all individuals holding the AVAA Certified Valuer (CVAU) credential, the AVAA Certified Auctioneer (CAAU) credential, and AVAA Corporate Members providing valuation and / or auction services.

Standard —

1. Principles Of Professional Accountability

- 1.1 Valuers and auctioneers are expected to conduct their professional activities lawfully, honestly, ethically, and in a manner consistent with maintaining public confidence in the profession.
- 1.2 Members should recognise that regulatory investigations, disciplinary proceedings, and government enforcement action may be relevant to professional standing, consumer confidence, and the integrity of the valuation and auction sectors.
- 1.3 Notification to AVAA under this Professional Standard does not, of itself, establish wrongdoing, negligence, misconduct, liability, or a breach of any AVAA Professional Standard.
- 1.4 Members remain entitled to procedural fairness, legal representation, and the presumption of innocence in relation to allegations, investigations, proceedings, and enforcement action.

2. Notification Obligations

- 2.1 A member must notify AVAA as soon as reasonably practicable where the member becomes subject to investigation, proceedings, disciplinary measures, enforcement action, or regulatory action commenced by:
 - a. a Commonwealth, State, or Territory government authority or regulator.

- b. a court or tribunal arising from proceedings commenced by such authority or regulator.
- 2.2 Notification obligations under this Professional Standard apply where the matter relates to:
- a. valuation services or auction services.
 - b. conduct associated with the provision of valuation or auction services.
 - c. alleged contraventions of the *Corporations Act 2001 (Cth)*.
 - d. alleged contraventions of the *Competition and Consumer Act 2010 (Cth)*.
 - e. consumer protection, licensing, regulatory compliance, or trust account obligations associated with valuation or auction services.
 - f. professional or business conduct reasonably capable of adversely affecting public confidence in the valuation or auction professions.
- 2.3 Notification obligations under this Professional Standard include:
- a. administrative penalties or infringement notices.
 - b. disciplinary proceedings or enforceable undertakings.
 - c. licence suspensions, restrictions, conditions, cancellations, or banning orders.
 - d. civil penalty proceedings or criminal proceedings brought by a government authority.
 - e. court orders restraining or compelling conduct arising from regulatory proceedings.
 - f. adverse findings by a regulator, tribunal, or court arising from government enforcement action.
- 2.4 A notification under clause 2.1 is an administrative mechanism to allow AVAA to monitor matters. A notification does not constitute a finding or admission of wrongdoing, and the member is entitled to the presumption of innocence unless and until determined otherwise by a competent authority.

3. Matters Not Generally Requiring Notification

- 3.1 This Professional Standard does not generally apply to private civil disputes, contractual disputes, debt recovery proceedings, commercial litigation between private parties, family law proceedings, probate or estate disputes, employment disputes not involving regulatory enforcement action, or negligence claims commenced solely by private litigants.
- 3.2 Clause 3.1 does not apply where the matter also involves regulatory investigations, government enforcement action, disciplinary proceedings by a statutory authority, or allegations of unlawful or improper conduct investigated by a regulator or government authority.

4. Negative Outcomes Requiring Notification

- 4.1 A member must notify AVAA where action brought by a government authority / regulator, court, or tribunal results in:
- a. fines, pecuniary penalties, criminal convictions, or administrative penalties.
 - b. disciplinary findings, enforceable undertakings, or banning orders.
 - c. licence suspensions, restrictions, conditions, or cancellations.
 - d. injunctions or court orders restraining or compelling conduct.
 - e. findings of misleading, deceptive, dishonest, fraudulent, or unethical conduct.
 - f. adverse findings relating to professional or business conduct associated with valuation or auction services.

- 4.2 Notification under clause 4.1 should occur regardless of whether appeal rights remain available or are being exercised.

5. Information To Be Provided

- 5.1 Notifications to AVAA should include the name of the member, the relevant regulator / authority, court, or tribunal, a general description of the proceedings or enforcement action, the nature of the allegations or findings, relevant dates, the status of the matter, and copies of relevant public findings, notices, orders, determinations, or enforceable undertakings where reasonably available.
- 5.2 Members are not required to disclose information where disclosure would contravene a lawful confidentiality obligation, contravene a court order, breach legal professional privilege, or prejudice ongoing criminal investigations where disclosure is prohibited by law.

6. Relationship With Insurance And Legal Obligations

- 6.1 Members should separately consider any obligations to notify insurers, regulators, licensing authorities, or other persons arising from the relevant circumstances.
- 6.2 Nothing in this Professional Standard limits a member's right to obtain legal advice, representation, or insurance advice.
- 6.3 Compliance with this Professional Standard does not replace obligations arising under legislation, court orders, insurance policies, licence conditions, or regulatory requirements.

7. AVAA Consideration Of Notifications

- 7.1 AVAA may consider notifications received under this Professional Standard for the purposes of professional standards compliance, membership eligibility, credential eligibility, risk management, disciplinary assessment, and protection of public confidence in the profession.
- 7.2 The making of a notification under this Professional Standard does not, of itself, constitute a breach of any Professional Standard, constitute professional misconduct or unprofessional conduct, establish wrongdoing, negligence, liability, or unethical conduct, or constitute a determination by AVAA that disciplinary action is warranted.
- 7.3 A notification received under this Professional Standard may give rise to further consideration, review, inquiry, or investigation by AVAA concerning possible breaches of Professional Standards, the *AVAA Code of Ethics for Individual Members*, the *AVAA Code of Practice for Corporate Members*, membership or credential eligibility, or matters capable of adversely affecting public confidence in the profession.
- 7.4 AVAA may determine that no further action is required following receipt of a notification.
- 7.5 AVAA retains discretion regarding whether any matter will be referred, investigated, deferred, monitored, or otherwise dealt with under the AVAA Constitution, the AVAA Code of Ethics for Individual Members, the AVAA Code of Practice for Corporate Members, applicable AVAA Professional Standards, or applicable AVAA disciplinary or professional conduct processes.

8. Confidentiality And Procedural Fairness

- 8.1 AVAA should handle notifications received under this Professional Standard with appropriate regard to confidentiality, privacy obligations, and procedural fairness.
- 8.2 AVAA should not publicly disclose notifications or allegations unless disclosure is authorised or required by law, reasonably necessary for disciplinary or regulatory purposes, or the information is otherwise publicly available.
- 8.3 Members remain entitled to procedural fairness in relation to any consideration or action undertaken by AVAA.

9. Failure To Notify

- 9.1 Failure to comply with this Professional Standard itself constitutes conduct capable of consideration under the *AVAA Code of Ethics for Individual Members*, the *AVAA Code of Practice for Corporate Members*.
- 9.2 In considering any failure to notify, relevant considerations may include the seriousness of the underlying matter, whether the failure was deliberate or inadvertent, the timing of any subsequent disclosure, and the extent of prejudice caused to AVAA, consumers, or the valuation and auction professions.

Status & Review —

AVAA Board Approval:	TBA (Draft)
Periodic Review Due:	5 Years after approval





The **Auctioneers and Valuers Association of Australia (AVAA)** is the leading national body representing professional auctioneers and valuers across a diverse range of specialties, including fine art, antiques, collectables, goods, vehicles, plant, and equipment.

Our Vision

As the peak body for auctioneers and valuers in Australia, AVAA upholds the highest professional and ethical standards through education, advocacy, and leadership.

Our Mission

To support and represent Australia's auctioneers and valuers through rigorous standards, ethical leadership, quality education, and credible advocacy, ensuring trust, professionalism, and future-readiness in a changing world.

AVAA National Office

e: national.office@avaa.com.au

AVAA Capital Territory

e: act@avaa.com.au

AVAA Northern Territory

e: nt@avaa.com.au

AVAA South Australia

e: sa@avaa.com.au

AVAA Victoria

e: vic@avaa.com.au

Nationwide Telephone

1300 928 165

AVAA New South Wales

e: nsw@avaa.com.au

AVAA Queensland

e: qld@avaa.com.au

AVAA Tasmania

e: tas@avaa.com.au

AVAA Western Australia

e: wa@avaa.com.au