

KitLegal.

New Designated Services

The first step is to work out if you will be providing designated services based on the new designated services that are coming into play on **31 March 2026**, including if you do any of the following:

- assist in the planning or execution of a transaction to sell, buy or transfer real estate
- assist in the planning or execution of a transaction to sell, buy or transfer a company (including shares in a company) or trust or other legal structure (including SMSF). This includes setting up a SMSF where you are doing more than just referring the client to a lawyer or accountant to set up the SMSF (i.e. where you are helping complete forms, giving them detailed guidance, providing documentation etc)
- receiving, holding, controlling or managing a person's property (including money) to help in the planning or execution of a transaction
- assisting in organising, planning, or executing a transaction for equity or debt financing relating to a company or trust
- selling or transferring a shelf company
- assisting in the planning or execution of the creation or restructuring a company or trust (including restructuring the trustee of a SMSF to corporate trustee for instance)
- acting, or arranging for someone to act on behalf of a person in particular positions in a company or trust (i.e. nominee director, trustee (except testamentary trusts), POA of a body corporate – director of a PAF)
- providing a registered office address or principal place of business address of a company or trust
- selling or transferring real estate in the course of carrying on a business selling real estate, where the sale or transfer is not brokered by an independent real estate agent (property developers)
- brokering the sale, purchase or transfer of real estate on behalf of a buyer, seller, transferee or transferor in the course of carrying on a business (buyers agents and real estate agents)

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November 2025

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