

A Bidder's Guide for residential property in Queensland

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This guide seeks to de-mystify and simplify the auction process and provide clarification on the roles and responsibilities of auctioneers and bidders.

New legislation that came into effect on 21 August 2006, requires that all people bidding at an auction must provide their names, addresses and proof of identity to the Auctioneer prior to the auction in order for their bids to be accepted.

How to register

- You can register at any time prior to the auction. This can be at an open for inspection, or when visiting the listing agency prior to the auction. **Registering early will save you the trouble of registering on auction day.**
- You will need to provide the Auctioneer with your name and address and some photo identification – e.g. drivers licence or passport.
- The Auctioneer will record these details in a Bidders Register and provide you with a Bidder number. This number must be displayed by you when making a bid during the course of the auction.
- If you register prior to auction day, you may not receive your number. When you arrive at the auction, you will need to see the Auctioneer or their representative, provide them proof of your identity, and receive your number or bidder card at that time.
- Auctioneers are not permitted to provide your information to any other person other than an inspector or the court. However, the auctioneer may disclose to the seller of the property the identity of a bidder if it is necessary for negotiating the sale of the property after the auction.

Remember: You do not have to bid just because you have registered, but you must be registered if you intend to bid.

How to bid

- Make sure that the Auctioneer can see you. Ideally you should hold up your bidder number and call out your bid in a clear audible voice.
- You can call out an exact amount – e.g. \$260,000 or indicate the amount you wish to increase the previous bid by the increment suggested by the Auctioneer – e.g. "Another \$10,000".
- If the Auctioneer calls the incorrect amount or misinterprets your bid – call out to the auctioneer and clarify the bid with them immediately.

Important points to remember when bidding at an auction

- Make sure you are familiar with the Conditions of Sale prior to bidding at the auction. Auctioneers will have these displayed at the auction for inspection by bidders prior to the auction commencing. Some Auctioneers will read some or all of these out at the start of the auction.
- If you propose to bid on behalf of another person, you must have a letter of authority and provide the name and address details of that person to the Auctioneer in order to register them as bidders in the bidder register.

- When bidding at an auction, remember that if you are the successful bidder you will be required to sign the contract of sale and pay a deposit on the spot.
- There is no cooling off period when you buy at an auction.
- The auctioneer's decision is final. In the event of a dispute arising, the auctioneer has the right to resubmit the property afresh or with a vendor's bid in the event that the dispute arose before the reserve price was reached.
- Prior to the commencement of an auction, Auctioneers are unable by law to provide advice to potential purchasers on whether a reserve price has been set, or what that reserve price is.
- At the commencement of the auction, the Auctioneer shall announce if the property is to be sold with or without a reserve price.

REMEMBER TO HAND IN YOUR BIDDER NUMBER AT THE END OF THE AUCTION!

Need more information?

The Office of Fair Trading can provide you with more information on the laws that apply to property auctions. You can contact them on 3246 1523 or check out their website on www.fairtrading.qld.gov.au.