



Real Estate Agents Amendment Act 2013

Public Act 2013 No 129
Date of assent 4 December 2013
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Real Estate Agents Amendment Act 2013.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Real Estate Agents Act 2008 (the **principal Act**).

4 Section 40 amended (Objections to issue of licence)

After section 40(3), insert:

“(3A) The notice of objection may include a request for a hearing under section 42(4).”

5 Section 41 amended (Written submission in response by applicant)

After section 41(2), insert:

“(3) A written response to the Registrar may include a request for a hearing under section 42(4).”

6 Section 42 replaced (Registrar to hold hearing if notice of objection made)

Replace section 42 with:

“42 Procedure in Registrar determining licence application and objection

“(1) This section applies if notice of an objection to an application is made under section 40.

“(2) Unless subsection (4) applies, the Registrar may consider the application and notice of objection to that application on the papers or by a hearing in accordance with subsection (5).

“(3) If the Registrar considers the application and notice of objection to that application on the papers, he or she must consider any written submission in response that is provided by the applicant under section 41.

- “(4) If the Registrar has received a request for a hearing under section 40(3A) or 41(3), the Registrar must hold a hearing in accordance with subsection (5).
- “(5) If the Registrar elects to hold a hearing under subsection (2) or is required to hold a hearing under subsection (4), the Registrar must,—
- “(a) as soon as practicable, appoint a time and place for hearing the application and objection; and
 - “(b) give at least 14 days’ notice of the hearing to the applicant and to any person objecting to the issue of the licence; and
 - “(c) hear the applicant and any person objecting to the issue of the licence; and
 - “(d) consider the evidence put before him or her, including any written submission in response that is provided by the applicant under section 41.”

7 Section 43 amended (Registrar to license applicant or decline application)

In section 43(1), replace “hearing” with “considering or hearing”.

8 Section 75 amended (Authority to appoint Complaints Assessment Committees)

- (1) In section 75(2), after “members”, insert “appointed from the panel maintained under section 76”.
- (2) Repeal section 75(3) and (4).
- (3) In section 75(5), delete “(whether a member of the Authority or appointed from the panel)”.

9 Section 133 amended (Approved guide to be provided when contractual document provided)

In section 133(2)(b), replace “client” with “person”.

Legislative history

19 November 2013	Divided from Statutes Amendment Bill (Bill 89–2) by committee of the whole House, third reading
4 December 2013	Royal assent

This Act is administered by the Ministry of Justice.
