

**Reprint
as at 1 January 2019**



**Real Estate Agents Act (Continuing Education) Practice
Rules 2011 Notice**

(SR 2012/272)

Real Estate Agents Act (Continuing Education) Practice Rules 2011 Notice: revoked, on 1 January 2019, by clause 17 of the Real Estate Agents (Continuing Professional Development Rules) Notice 2018 (LI 2018/242).

Pursuant to section 15 of the Real Estate Agents Act 2008 (the **Act**), the following notice is given.

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Notice

1 Title and commencement

- (1) This notice may be cited as the Real Estate Agents Act (Continuing Education) Practice Rules 2011 (the **rules**).
- (2) These rules come into force on 1 January 2012.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This notice is administered by the Real Estate Agents Authority.

2 The purpose

- (1) The rules set out continuing education requirements for persons licensed for real estate agency work under Part 3 of the Act.
- (2) The rules have been prepared by the Real Estate Agents Authority (the **Authority**).

3 Interpretation

In the rules—

calendar year is defined as the period commencing 1 January and ending 31 December in each year

licensee is defined as a person licensed for real estate agency work under Part 3 of the Act

reviving licensee is defined as a person whose licence has been suspended pursuant to sections 58, 110(2)(c) or 115 of the Act for a period of greater than 12 months and who has revived their licence after 1 January 2012.

4 Coverage

Coverage sets out to whom these rules apply.

The rules apply to all licensees and reviving licensees.

5 Extent

Extent sets out the composition of continuing education.

Continuing education will comprise—

- (a) completion of a minimum of 10 hours of non-verifiable continuing education per calendar year; and
- (b) completion of a minimum 10 hours of verifiable continuing education per calendar year, on topic(s) as set out on the Authority's website; and
- (c) for reviving licensees, completion of an additional refresher training of 10 hours of verifiable continuing education (**Refresher Training**). Refresher Training must be on topic(s) as set out on the Authority's website.

6 Mix

Mix sets out the components of continuing education.

- (a) Non-verifiable continuing education must comprise some or all of the following components: Structured in-house training, supervised personal professional development, conference attendance or continuing education that is required by virtue of membership, or licence holding, of any other professional or regulatory organisation.

- (b) Verifiable continuing education comprises specified education set down by the Authority and delivered by a Real Estate Agents Authority Approved Continuing Education Provider (**REAAACE Provider**).

7 Provision

Provision sets out who can deliver verifiable continuing education.

- (a) Only verifiable continuing education delivered by a REAAACE Provider will be accepted by the Authority.
- (b) To become a REAAACE Provider, a party must apply to the Authority, meet criteria published on the Authority's website and be approved, in writing, by the Authority.
- (c) A list of approved REAAACE Providers will be published on the Authority's website.

8 Compliance

Compliance sets out the Authority's powers to require evidence of the completion of continuing education.

- (a) From 1 January 2013, all licensees, excluding reviving licensees, applying to renew a licence must satisfy the Registrar that they have complied with the continuing education requirements during the preceding calendar year.
- (b) All reviving licensees must, on the second renewal of their licence following revival, satisfy the Registrar that they have complied with the—
 - (i) verifiable continuing education requirements during the preceding calendar year; and
 - (ii) non-verifiable continuing education requirements during the preceding calendar year; and
 - (iii) additional Refresher Training requirements.
- (c) The Authority may, from time to time, review records furnished by REAAACE Providers in order to further verify licensee participation in continuing education.

9 Exemptions

Exemptions sets out qualifications that, when attained, excuse a licensee from continuing education requirements for a certain period.

- (a) Any licensee who attains a National Certificate in Real Estate (Salesperson), a National Certificate in Real Estate (Branch Manager) or a National Diploma in Real Estate (Agent), and provides evidence of that qualification to the Registrar, is exempted from the verifiable and non-verifiable continuing education requirements for the—
 - (i) calendar year in which they attain the qualification; and

- (ii) following calendar year.

10 Exclusions

Exclusions sets out what will not be considered attributable for the purposes of the continuing education.

- (a) Any education undertaken by a licensee as the result of a direction made by a Complaints Assessment Committee, the Real Estate Agents Disciplinary Tribunal or any court is not eligible to be counted towards either verifiable or non-verifiable continuing education.

Dated at Wellington this 17th day of November 2011.

Kristy McDonald QC,

Chair, Real Estate Agents Authority.

Explanatory note

This notice is published in the Statutory Regulations series in accordance with the Acts and Regulations Publication Act 1989. It was published in the *Gazette* on 17 November 2011, at page 5055.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 13 September 2012.

Reprints notes

1 *General*

This is a reprint of the Real Estate Agents Act (Continuing Education) Practice Rules 2011 Notice that incorporates all the amendments to that notice as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Real Estate Agents (Continuing Professional Development Rules) Notice 2018 (LI 2018/242): clause 17