



Real Estate Agents (Licensing) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 14th day of August 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 156 of the Real Estate Agents Act 2008 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Real Estate Agents (Licensing) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 15 September 2017.

3 Principal regulations

These regulations amend the Real Estate Agents (Licensing) Regulations 2009 (the **principal regulations**).

4 Regulation 12 replaced (Prescribed qualification to obtain salesperson's, branch manager's, or agent's licence)

Replace regulation 12 with:

12 Prescribed qualification to obtain salesperson's, branch manager's, or agent's licence

- (1) The prescribed qualification that a person must hold before he or she is entitled to be licensed is one of the following, completed within the period specified in subclause (2):
 - (a) in the case of a person applying to be licensed as a salesperson,—
 - (i) the National Certificate in Real Estate (Salesperson) (Level 4):
 - (ii) the New Zealand Certificate in Real Estate (Salesperson) (Level 4):
 - (iii) a qualification listed in Schedule 3, together with the completion of an assessment, if any, that is required by the industry training organisation to demonstrate sufficient knowledge of real estate agency work:
 - (iv) a qualification listed under paragraph (b) or (c):
 - (b) in the case of a person applying to be licensed as a branch manager,—
 - (i) version 3, or a later version, of the National Certificate in Real Estate (Branch Manager) (Level 5):
 - (ii) the Graduate Diploma in Business Studies (Real Estate) conferred by Massey University:
 - (iii) the New Zealand Certificate in Real Estate (Branch Manager) (Level 5):
 - (iv) a qualification listed in Schedule 3, together with the completion of an assessment, if any, that is required by the industry training

- organisation to demonstrate sufficient knowledge of real estate agency work:
- (v) a qualification listed under paragraph (c):
- (c) in the case of a person applying to be licensed as an agent,—
- (i) the National Diploma in Real Estate (Agent) (Level 5):
 - (ii) the Graduate Diploma in Business Studies (Real Estate) conferred by Massey University:
 - (iii) the New Zealand Diploma in Business (Real Estate) (Level 6):
 - (iv) a qualification listed in Schedule 3, together with the completion of an assessment, if any, that is required by the industry training organisation to demonstrate sufficient knowledge of real estate agency work.
- (2) The period within which a prescribed qualification must have been completed is,—
- (a) for a qualification listed in Schedule 3, together with any required assessment, the 10 years preceding the application for the licence; and
 - (b) for any other qualification specified in subclause (1), the 3 years preceding the application for the licence.

5 Schedule 2 amended

- (1) In Schedule 2, form 1, note 2, replace “submitting an application for a licence to the Registrar, the applicant must advertise the application” with “a licence can be issued, the application must be advertised”.
- (2) In Schedule 2, form 2, note 2, replace “submitting an application for a licence to the Registrar, the applicant must advertise the application” with “a licence can be issued, the application must be advertised”.
- (3) In Schedule 2, form 3, note 2, replace “submitting an application for a licence to the Registrar, the applicant must advertise the application” with “a licence can be issued, the application must be advertised”.
- (4) In Schedule 2, form 4, note 2, replace “submitting an application for a licence to the Registrar, the applicant must advertise the application” with “a licence can be issued, the application must be advertised”.
- (5) In Schedule 2, form 5, replace paragraph 4 with:
 - 4 I have provided the Real Estate Agents Authority with the information necessary for it to advertise my licence application on its Internet site in the prescribed manner.
- (6) In Schedule 2, form 6, replace paragraph 1 with:
 - 1 I have provided the Real Estate Agents Authority with the information necessary for it to advertise the company’s licence application on the Authority’s Internet site in the prescribed manner.

6 Schedule 3 replaced

Replace Schedule 3 with the Schedule 3 set out in the Schedule of these regulations.

**Schedule
Schedule 3 replaced**

r 6

**Schedule 3
Prescribed qualifications**

r 12

Bachelor of Business (Property) conferred by Massey University
Bachelor of Business Studies (Real Estate) conferred by Massey University
Bachelor of Business Studies (Valuation and Property Management) conferred by Massey University
Bachelor of Commerce (Valuation and Property Management) conferred by Lincoln University
Bachelor of Land and Property Management conferred by Lincoln University
Bachelor of Property conferred by University of Auckland
Bachelor of Property Administration conferred by University of Auckland
Membership of the Royal Institution of Chartered Surveyors as a member or fellow with chartered designation in general practice, commercial property, residential property, or valuation

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 15 September 2017, amend the Real Estate Agents (Licensing) Regulations 2009 (the **principal regulations**).

These regulations replace regulation 12 and Schedule 3 of the principal regulations in order to add prescribed qualifications and amend the stated time frame within which an applicant for a licence under the Real Estate Agents Act 2008 must have completed a prescribed qualification. These regulations also make corrections to forms 1 to 6 of Schedule 2 to reflect amendments that were made under the Real Estate Agents

(Licensing) Amendment Regulations 2014 to the requirements for the advertising of an application for a licence.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 17 August 2017.

These regulations are administered by the Ministry of Justice.