

Real Estate Agents Act (Continuing Education) Practice Rules 2011.

1. Title and Commencement

- a. This Notice is given pursuant to section 15 of the Real Estate Agents Act 2008 (“the Act”) and provides for the Real Estate Agents Act (Continuing Education) Practice Rules 2011 (“the Rules”).
- b. The Rules come into force on 1 January 2012.

2. The Purpose

- a. The Rules set out continuing education requirements for persons licensed for real estate agency work under Part 3 of the Act.
- b. The Rules have been prepared by the Real Estate Agents Authority (the “Authority”).

3. Interpretation

- a. In the Rules:
 - i. a “calendar year” is defined as the period commencing 1 January and ending 31 December in each year
 - ii. “licensee” is defined as a person licensed for real estate agency work under Part 3 of the Act
 - iii. a “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 greater than 12 months and who has revived their licence after 1 January 2012.

4. Coverage

“Coverage” sets out to whom these rules apply.

- a. The Rules apply to all licensees and reviving licensees.

5. Extent

“Extent” sets out the composition of continuing education.

- a. Continuing education will comprise:
 - i. completion of a minimum 10 hours of non-verifiable continuing education per calendar year; and
 - ii. 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
 - iii. for reviving licensees, completion of an additional refresher training of 10 hours 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 this 17th day of November 2011

A handwritten signature in cursive script, appearing to read 'Kristy McDonald'.

Kristy McDonald, QC

Chair

Real Estate Agents Authority