

APPLICATION FOR SALESPERSON'S LICENCE

Section 38, Real Estate Agents Act 2008

Real Estate Agents Authority

INSTRUCTIONS See the **NOTES** on page 2 of this form.

1. Use this form to apply as an **individual** for a salesperson's licence.
2. Complete all sections. Use **BLOCK LETTERS**. Tick the boxes as appropriate. Use a ballpoint pen.
3. When completed, attach the **statutory declaration, prescribed fee, and supporting documents** and send this form to:
The Registrar, Real Estate Agents Authority, PO Box 25371, Panama Street, Wellington 6146 (Note 1).
4. For help in completing this form, call 0800forREAA (0800 367 7322) or visit www.reaa.govt.nz.

<p>1. LICENCE HISTORY</p> <p>I have/have not* previously held a licence or certificate of approval. [* Select one.]</p>	<p>The most recent licence or certificate of approval that I have held is [tick box and enter number]</p> <p><input type="checkbox"/> Agent's licence registration number _____</p> <p><input type="checkbox"/> Branch manager's licence registration number _____</p> <p><input type="checkbox"/> Salesperson's licence registration number _____</p> <p><input type="checkbox"/> Branch manager's certificate of approval number _____</p> <p><input type="checkbox"/> Salesperson's certificate of approval number _____</p>
<p>2. DETAILS OF APPLICANT</p> <p>Mr / Mrs / Miss / Ms* [* Select one.]</p> <p>Surname Given name(s)</p> <p>Other names [specify any other name(s) that you use or have used]</p> <p>Date of birth (dd/mm/yyyy) __ / __ / ____</p>	
<p>3. HOME ADDRESS</p> <p>Street</p> <p>Suburb</p> <p>City Post Code <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p>	<p>4. BUSINESS ADDRESS</p> <p>Business Name</p> <p>Street</p> <p>Suburb</p> <p>City Post code <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p>
<p>5. EMAIL ADDRESS</p> <p>.....</p> <p><input type="checkbox"/> I agree that for the purpose of business, the Authority may contact me at the email address I have provided.</p>	
<p>6. ADDRESS FOR COMMUNICATIONS</p> <p>[Specify your preferred postal address. If your preferred postal address is not the home address or business street address specified above, provide details of your preferred postal address for communications (for example, PO BOX).]</p> <p>.....</p> <p>Suburb</p> <p>City Post Code <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p>	<p>7. TELEPHONE NUMBERS</p> <p>Business (0)</p> <p>Home (0)</p> <p>Mobile (02)</p> <p>Fax (0)</p>
<p>8. IDENTIFICATION</p> <p>New Zealand driver licence number __ _ _ _ _ , version number ___ Expiry Date (dd/mm/yyyy) __ / __ / ____ OR</p> <p>New Zealand passport number __ _ _ _ _ , Expiry Date (dd/mm/yyyy) __ / __ / ____</p> <p>Nationality as shown on passport</p> <p>(Please provide a certified copy of identification with your application)</p>	
<p>9. QUALIFICATIONS</p> <p>I have the following qualification that entitles me to be licensed as a salesperson</p> <p>Name of Qualification(s)</p> <p>Awarding Institution.....</p> <p>Date Qualification(s) Awarded</p> <p>(Please provide certified copies of evidence of you qualifications with your application)</p>	

10. FUTURE WORKPLACE (if known)

[Strike out the following paragraph if it does not apply.]

If a salesperson's licence is granted to me, I will work at the following real estate agency business

Name

Address

Name of franchise group or marketing group under which the above real estate agency business operates (if any)

.....

Name of agent or branch manager who will supervise my work (if applicable)

Address of supervising agent or branch manager

Telephone number (0) Licence registration number _ _ _ _ _

12. REFEREES

[Provide the names, addresses, telephone numbers and email of 2 referees who have known you for at least 12 months and who are not related to you. One referee may be a current licensee. The other referee must not be a current or former licensee or have held an agent's licence or a branch manager's or salesperson's certificate of approval under the Real Estate Agents Act 1976. Please arrange for each of your referees to complete the "Reference for licence applicant form" and send it directly to the Real Estate Agents Authority]

Name.....

Name.....

Postal Address.....

Postal Address.....

Suburb

Suburb

City.....Post Code □□□□

City.....Post Code □□□□

Telephone number (0)

Telephone number (0)

Email.....

Email.....

12. CONSENT AND CERTIFICATION

I consent to the making of inquiries to, and the exchange of information with, the authorities in New Zealand or in any participating jurisdiction, regarding matters relevant to this application.

I certify that the above particulars are true and correct.

Date Signature Name [print name] (applicant)

NOTES

1. A copy of this application, together with the prescribed statutory declaration, the prescribed fee, and any supporting documents (including sufficient authorisation to release information concerning the applicant's criminal history and any proof of qualifications that is required by the Registrar) must be sent to the Registrar. Fees are prescribed by the Authority by Gazette notice and can be found on the Authority's Internet site.
2. Before submitting an application for a licence to the Registrar, the applicant must advertise the application in accordance with regulation 7 of the Real Estate Agents (Licensing) Regulations 2009.
3. A person who does not have either a driver licence or passport as proof of identity must contact the Registrar, who may agree to accept some other form of proof on a case-by-case basis and at the discretion of the Registrar.
4. An applicant who provides misleading or false information commits an offence and is liable to a penalty of a fine not exceeding \$40,000.

**DECLARATION IN SUPPORT OF APPLICATION
BY INDIVIDUAL FOR AGENT'S LICENCE, BRANCH MANAGER'S LICENCE, OR
SALESPERSON'S LICENCE**

Section 38, Real Estate Agents Act 2008

(Important: this document must accompany your application form)

Real Estate Agents Authority

I, *[name, address]*,

.....
am the applicant for an agent's/a branch manager's/a salesperson's* licence and I solemnly and sincerely declare that—

[* *Select one.*]

- 1 I have attained the age of 18 years.
- 2 I hold the prescribed qualifications.
[Strike out paragraph 3 if the application and declaration relate to a salesperson's licence.]
- 3 I have had 3 years' experience in real estate agency work within the 10 years preceding this application to be licensed as an agent or a branch manager.
- 4 I have advertised my licence application on *[date]* and *[date]* in *[name of newspaper(s)]* in the prescribed manner. Copies of the advertisements are attached to this declaration.
- 5 I have not been convicted, whether in New Zealand or another country, of a crime involving dishonesty (or of a crime that, if committed in New Zealand, would be a crime involving dishonesty) within the 10 years preceding this application.
- 6 I have not been convicted of an offence under section 14, 17 to 22, or 24 of the Fair Trading Act 1986 within the 5 years preceding this application.
- 7 *[Select the paragraph below that applies.]*
There are no unsatisfied judgments against me in any court.
or
Judgments obtained against me that are still unsatisfied are on the list attached to this declaration.
- 8 My licence or certificate of approval has not been cancelled within the preceding 5 years and my licence (if applicable) is not suspended
- 9 I am not subject to an order made, or a notice given, under the law of a country, State, or territory outside New Zealand within the preceding 5 years that prohibits me from acting as an agent, a branch manager, or a salesperson (or equivalent) in that country, State, or territory.
- 10 I am not an officer of a licensee company, a chief executive officer of a licensee company, or a branch manager who has been disqualified from holding a licence or whose licence has been suspended under the Real Estate Agents Act 1976.
- 11 I am not prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated body under the Companies Act 1993, the Securities Markets Act 1988, or the Takeovers Act 1993.
- 12 I am not a lawyer or conveyancing practitioner who is subject to the provisions of the Lawyers and Conveyancers Act 2006.
- 13 I am not an undischarged bankrupt nor am I subject to subpart 4 of Part 5 of the Insolvency Act 2006.

I also solemnly and sincerely declare that—

- 14 There are no other circumstances that would or might make me not a fit and proper person to hold a licence.
- 15 I am the person named in the documents submitted with my application.
- 16 The documents submitted with the application are complete and correct.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Signature of person making declaration:

[This section to be completed by the witness.]

Declared at [place]: [date]

Before me [signature]:

Name of witness [print name]:

(Justice of the Peace/other person authorised to take a statutory declaration*.)

[*Select one.]

NOTE

A person who provides misleading or false information in this declaration commits an offence and is liable to a significant penalty.

FEES AND LEVIES REMITTANCE FORM

Real Estate Agents Authority

INSTRUCTIONS

1. Use this form when paying for a licence or first-time renewal of a deemed licence (Forms T1, T2, T3, T4, 1, 2, 3, or 4).
2. Attach this form and cheque (if applicable) to your application form and send to
The Registrar, Real Estate Agents Licensing Authority, P.O. Box 25371, Panama Street, Wellington 6146.
3. For help in completing this form, call 0800 for REAA (0800 367 7322) or visit www.reaa.govt.nz.

1. NAME OF APPLICANT (individual or company)

[Tick box and provide details as appropriate.]

Surname Mr / Mrs / Miss / Ms* [* Select one]

Given name(s)

Company name

2. AMOUNT TO PAID

Licence application fee	\$95.00
Operational levy	\$366.00
Disciplinary levy	\$33.00
Sub-total	\$494.00
GST	\$61.75
TOTAL	\$555.75*

*** This amount must be submitted with your application.**

3. METHOD OF PAYMENT

[Tick box and provide details as appropriate.]

Cheque

Make cheque payable to "Real Estate Agents Authority" in NZ dollars and attach cheque to this form.

Credit card

Mastercard Visa

Card expiry date (dd/mm/yyyy) --/--/----.

Card number - - - - -

Cardholder's name {print}

Cardholder's signature

Amount paid NZ\$

CONSENT TO DISCLOSURE OF INFORMATION

Licensing & Vetting Service Centre
Police National Headquarters
PO Box 3017
Wellington 6140

I

Surname Given name(s)

Other names [specify any other name(s) that you use or have used]

Date of birth (dd/mm/yyyy) __ / __ / ____

Place of BirthNationality

Gender Male Female

RESIDENTIAL ADDRESS:

Street

Suburb

City Post Code

New Zealand Driver licence number __ - - - - - , version number ____ .

Expiry date (dd/mm/yyyy) __ / __ / ____

hereby consent to the disclosure by the New Zealand Police of any information they may have pursuant to this application, to the Real Estate Agents Authority. I understand that any record of criminal convictions I might have will automatically be concealed if I meet the eligibility criteria stipulated in Section 7 of the Criminal Records (Clean Slate) Act 2004.

SignatureDate.....

Office Use only

COMMENTS OF THE NEW ZEALAND POLICE

Applying for a SALESPERSON'S LICENCE

If you are applying for a salesperson's licence use Form 4 Application for salesperson's licence and Form 5 Declaration in support of application by individual for agent's licence, branch manager's licence or salesperson's licence

Contents

- Do I need a licence?
- Am I eligible for a licence?
- What does it cost?
- Advertise your application
- Form 4: How to fill it in
- Form 5: Statutory declaration
- Checklist
- Persons prohibited from holding a licence

Do I need a licence?

If you want to carry out real estate agency work, as defined in the Real Estate Agents Act 2008, you need a licence unless you are exempt.

“Real estate agency work” is defined in the Real Estate Agents Act 2008 as:

- (a) any work done or services provided, in trade, on behalf of another person for the purpose of bringing about a transaction; and
- (b) includes any work done by a branch manager or salesperson under the direction of, or on behalf of an agent to enable the agent to do the work or provide the services described in paragraph (a); but
- (c) does not include—
 - (i) the provision of general advice or materials to assist owners to locate and negotiate with potential buyers; or
 - (ii) the publication of newspapers, journals, magazines, or websites that include advertisements for the sale or other disposal of any land or business; or
 - (iii) the broadcasting of television or radio programmes that include advertisements for the sale or other disposal of any land or business; or
 - (iv) the lending of money on mortgage or otherwise; or
 - (v) the provision of investment advice; or
 - (vi) the provision of conveyancing services within the meaning of the Lawyers and Conveyancers Act 2006.

The Act provides exemptions for lawyers, conveyancing practitioners and licensed auctioneers.

Am I eligible for a licence?

A salesperson's licence authorises the licensee to carry out real estate agency work for or on behalf of an agent, and to sell or offer to sell land¹ by auction on behalf of an agent, without having to be licensed under the Auctioneers Act 1928. A salesperson must at all times be properly supervised and managed by an agent or branch manager.

Before you apply for a licence:

- Check that you meet the **eligibility criteria** below. You cannot be licensed if you do not meet these requirements.
- Check that none of the convictions or circumstances set out in section 37 of the Act (appended to this guide) apply to you. If any of the matters listed in section 37 apply, you are **prohibited** from holding a licence.

Eligibility criteria

To be eligible for a branch manager's licence you must:

- be at least 18 years of age
- not be prohibited from holding a licence under section 37 of the Real Estate Agents Act 2008
- be a fit and proper person
- have the prescribed qualifications.

Qualifications

You will need to have a prescribed qualification for salesperson's licence. If you are unsure whether you have the necessary qualifications please refer to the licensing information on the website www.reaa.govt.nz

What does it cost?

Application fee	\$95.00
Operational levy	\$366.00
Disciplinary levy	\$33.00
Sub-total	\$494.00
GST	\$61.75
TOTAL	\$555.75

When you apply for a salesperson's licence you must pay \$555.75 (see box).

The application fee is a one-off charge for processing your application. The two levies are annual charges to fund the costs of the Real Estate Agents Authority and the Real Estate Agents Disciplinary Tribunal. If you are granted a licence you will be liable to pay both levies each year. The Registrar can cancel a licence if levies are not paid.

You must make the total payment of \$555.75 when you apply. You can either attach a cheque or pay by credit card. A remittance form is attached for you to complete: this sets out payment details and should be returned with your application form.

Advertise your application

Before you send your application to the Registrar you must **advertise** your application twice in a newspaper or newspapers approved by the Registrar. Approved newspapers are those published daily with a wide circulation in your local area.

The advertisements must be no more than 14 (calendar) days apart, and must be worded as set out in Form 11 *Advertisement concerning application by individual for agent's, branch manager's or salesperson's licence*.

¹ "Land" is defined in section 4 the Real Estate Agents Act 2008.

You must attach to your licence application the pages of the newspaper in which the advertisements appeared. It must show the date of publication and the name of the newspaper.

Anyone can object to the grant of a licence to an applicant. The requirement to advertise is intended to give potential objectors the opportunity to do so. If someone wishes to object, they can only do so on the grounds that you do not meet the eligibility criteria set out in section 36 of the Act or are prohibited from holding a licence under section 37.

Form 1: How to fill it in

1 Licence history

Make sure that you provide all the information that the form asks for, and that you attach all the required documentation. If the application form is incomplete, there will be a delay in processing your application.

If you have held a licence (or certificate of approval under the 1976 Act) in the past please indicate this, even if the licence or certificate is no longer current. This is to enable the Registrar to maintain a complete record of each licensee and avoid any double entries of individuals in the register. If you have held a licence or certificate of approval in the past but are unsure of the details, contact the Authority.

2-7 Details of applicant

Complete all sections in the boxes numbered 2 to 7 as relevant. **The following details will appear on the public register of licensees:**

- your name
- your licence details
- business address and telephone number.

The “address for communications” shown in Box 6 is the postal, physical or email address that will be used by the Registrar or Authority to communicate with you: it will not appear on the public register (unless you have nominated your business address as the address for communications).

8 Identification

The standard forms of identification are either a driver licence or passport. Please provide a certified copy with your application*. If you do not have either a driver licence or passport, the Registrar may agree to accept some other form of identification. You need to discuss alternatives with the Registrar **before** you send in your application.

9 Qualifications

You will need to provide proof that you have the prescribed qualifications for a salesperson’s licence.

Please enclose with your application **certified copies* (do not send originals)** of

EITHER:

- the official transcript, academic record, or record of learning, listing the subjects studied and the degree, diploma or certificate that you have been awarded;

OR

- copy of registration as a valuer (if applicable)

The academic record must have the recognised logo of the learning institution, state the date your qualification was conferred or completed, and show each paper and the mark. If your qualification is not in your official name, please support your application with copies of the official name change.

*A certified copy is a photocopy of the original that has been certified as a true copy. A certified copy must be marked "Original sighted and this is a copy of that original". The certified copy must be signed and dated, preferably with a name stamp appended.

The following people can sign a certified copy: the issuing authority, a solicitor, notary public, Justice of the Peace or commissioner for Oaths. If you wish, the person who witnesses the statutory declaration (Form 5) that you are required to provide with your application can also sign the certified copy of your qualifications.

10 Future workplace

You only need to complete this box if you are intending to work and know where you will be working. Provide details of your workplace and the name, contact details and licence number of the agent or branch manager who will be supervising your work. You can obtain this information from the agent or agency company where you will be working. The Real Estate Agents Act 2008 requires that salespersons are properly supervised and managed by an agent or branch manager.

Note that you do not actually have to be working, or intending to work, in the real estate sector in order to apply for and hold a licence.

11 Referees

You must provide contact details for two referees.

Your referees must have known you for at least 12 months and must not be related to you. They should be people who know you well and can provide sound information about your character.

Before you send in your application, you should provide your referees with a copy of the Reference for Licence Applicant form and ask them to send it directly to the Authority.

12 Consent and certification

The Registrar will wish to examine an applicant's criminal history (if any). The "consent and certification" section of the application form authorises the Registrar to make any enquiries to this effect. As part of the consent process, you are required complete the Consent to Disclosure of Information Form that specifically authorises the Police to disclose information.

This section of the application form also certifies the information you have provided regarding your application is true and correct.

Note that it is an offence to provide false or misleading information and a fine of up to \$40,000 applies.

Form 5: Statutory declaration

Form 5 must accompany your licence application. You should check every statement in the form and ensure that you can truly make the statements concerned.

You must have your signature of the declaration witnessed.

Persons who can legally do this are a:

- Justice of the Peace
- Solicitor
- Notary public
- Registrar or Deputy Registrar of the High Court or any District Court
- Authorised officer in the service of the Crown
- Any member of Parliament

Checklist

When you are about to send in your application, check that you have all of the following:

- Application form (Form 4)
- Certified copy of proof of identity
- Proof of educational qualifications as required by the Registrar
- Copies of advertisements about your application
- Statutory declaration (Form 5) signed and witnessed
- Payment of application fee and levies (\$555.75)
- Completed Fees and Levies Remittance Form
- Consent to Disclosure of Information Form.

You are advised to keep a copy of your application and the relevant supporting documentation for your own records. You may need to refer to this if the Registrar has any questions about your application, or if you need to update any information in the future.

What happens next?

The Registrar will consider your application in terms of the requirements of the Real Estate Agents Act 2008, and will contact your referees and undertake any checks as necessary.

If someone objects to your application, the Registrar must consider that objection. The Registrar will advise you of any objections, give you the opportunity to respond and provide further information about the subsequent process.

If the Registrar approves your application, the Registrar will issue a licence and record this in the register of licensees. The Registrar will send you a document headed "Evidence of Licence", which sets out the class of licence you hold, the licence registration number, and the date of issue and expiry. **This is an important document:** it is your proof that you hold a licence and can legally carry out real estate agency work. You should ensure that you keep it in a safe place and that you are able to produce it if asked.

If the Registrar declines your application, the Registrar will write to you, advising the reasons of the decision and of your right to seek a review of the decision and how to do this. If your application is declined, the Registrar will refund the levies that

you have paid. The application fee of \$95 plus GST is not refundable.

General information

For general information on licensing see:
www.reaa.govt.nz/licensing/

To view the Real Estate Agents Act 2008 see:
www.reaa.govt.nz/legislation/

To view the Real Estate Agents (Licensing) Regulations 2009 see:
www.reaa.govt.nz.

PERSONS WHO ARE PROHIBITED FROM HOLDING A LICENCE (SECTION 37)

(1) The following persons are not eligible to hold a licence:

- (a) A person who has been convicted, whether in New Zealand or another country, of a crime involving dishonesty (or of a crime that, if committed in New Zealand, would be a crime involving dishonesty) within the 10 years preceding the application for a licence.
 - (b) A person who has been convicted of an offence under sections 14, 17 to 22, or 24 of the Fair Trading Act 1986, within the 5 years preceding the application for a licence.
 - (c) A person whose licence or certificate of approval has been cancelled within the preceding 5 years or whose licence is suspended at the time of application under the Real Estate Agents Act 1976.
 - (d) A person whose licence has been cancelled within the preceding 5 years or whose licence is suspended at the time of application under the Real Estate Agents Act 2008.
 - (e) A person subject to an order made, or a notice given, under the law of a country, State, or territory outside New Zealand, within the preceding 5 years who is prohibited from acting as an agent, branch manager, or salesperson (or equivalent) in that country, State, or territory, unless the person satisfies the Authority that he or she is a fit and proper person to hold a licence.
 - (f) A person who is an officer of a licensee company, a chief executive officer of a licensee company, or a branch manager and who has been disqualified from holding a licence or whose licence has been suspended under the Real Estate Agents Act 1976.
 - (g) A person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated body under the Companies Act 1993, the Securities Markets Act 1988, or the Takeovers Act 1993.
 - (h) A company, or other corporate entity or partnership, where a person concerned in its management is disqualified from being licensed in his or her own right under paragraph (a).
 - (i) A person who is subject to the provisions of the Lawyers and Conveyancers Act 2006.
 - (2) A person is not eligible to hold an agent's licence if he or she is an undischarged bankrupt or is subject to subpart 4 of Part 5 of the Insolvency Act 2006.
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ADVERTISEMENT CONCERNING APPLICATION BY INDIVIDUAL FOR SALESPERSON'S LICENCE

Section 39, Real Estate Agents Act 2008

Real Estate Agents Authority

I, [full name]

[address]

.....

am applying to the Registrar of the Real Estate Agents Authority for a salesperson's licence under section 38 of the Real Estate Agents Act 2008.

Any person who wishes to object to the granting of a licence to the applicant must give notice of the objection to the Registrar not later than 14 days after the date of the second publication of this advertisement, which is [date].*

[*Enter date the second ad will be published].

The notice of objection must include a statement of the grounds on which the objection relies. Further details on grounds and other requirements for making an objection can be found at www.reaa.govt.nz or contact the Real Estate Agents Authority on 0800forREAA (0800 367 7322).

[Name of applicant]

NOTE:

Before lodging an application for a licence with the Registrar, an applicant must advertise the application in this form in a newspaper or newspapers approved for that purpose by the Registrar twice at an interval of not more than 14 days.

Reference for Licence Applicant

You should have known the applicant for at least 12 months. You cannot provide a reference if you are:

- related to the applicant by blood or marriage
- connected to the applicant by civil union or defacto relationship.

Criminal Records (Clean Slate) Act 2004

Please complete the form subject to the provisions of the Criminal Records (Clean Slate) Act 2004.

Name of applicant	
Name of Referee	Mr/Mrs/Ms/Other
Position Title (if applicable)	
Firm/Employer name (if applicable)	
Postal Address	
Daytime Contact Phone Number	Fax
Email address:	
Is the applicant related to you by blood or marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No	

How long and in what capacity have you known the applicant?

What is your assessment of the applicant's professionalism, reliability, integrity and honesty?

Are there any personal or professional issues the Real Estate Authority should be aware of?

In your opinion is the applicant a fit and proper person to be licenced as a real estate salesperson/branch manager/agent?
 Yes No *(if not please explain your reasons)*

If necessary use a separate sheet and attach to this report

Do you have any further comments about the applicant's character?

If necessary use a separate sheet and attach to this report.

DECLARATION

I confirm that the above information is true to the best of my knowledge.

Signed

Date

Information Notes

Requirements

Full and complete answers are required for each question on this form. One word or single phrase responses are not sufficient. Please elaborate on each point. Insufficient information could cause delays in the processing of the candidate's application.

Use of Reference

The information and opinion you provided will be treated as confidential to the Real Estate Agents Authority. It will be used for the purpose of consideration of the suitability of the applicant to be issued with a licence pursuant to the Part 3 of the Real Estate Agents Act 2008.

Privacy Act 1993

Any reference you provide may be made available to the candidate on request under the provisions of the Privacy Act 1993.

Send the referee report directly to the Authority at:

Real Estate Agents Licensing Authority,
P.O. Box 25371,
Panama Street,
Wellington 6146.

For help in completing this form, call 0800 for REAA (0800 367 7322).

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PRESCRIBED QUALIFICATIONS

Before a person can become licensed under the 2008 Act, he or she must hold the prescribed qualification for that type of licence. The Real Estate Agents (Licensing) Regulations 2009 (available at www.legislation.govt.nz) set out the prescribed qualifications.

New standard qualifications

The regulations set out three new standard qualifications as the educational requirement for a salesperson's, branch manager's, or agent's licence. These qualifications will be registered on the National Qualifications Framework, which is administered by the New Zealand Qualifications Authority. They will consist of unit standards that will be developed by the REINZ Industry Training Organisation Limited (REINZ ITO).

Transition period

The regulations include a transition period (17 November 2009 to 30 June 2010), during which time people will also be able to become licensed largely on the basis of the educational requirements that currently apply under the 1976 Act. The purpose of the transition period is to ensure that if the new qualifications are not available there is no barrier to obtaining a licence during this period. The transition period gives the

REINZ ITO time to register the new qualifications and course providers time to prepare them.

Alternative qualifications

The REINZ ITO currently recognises various alternative qualifications, such as certain degrees, as meeting the educational requirements under the 1976 Act, provided the candidate also completes a "contact assessment", which addresses practical skills.

These alternative qualifications, along with an assessment (if any) set by the REINZ ITO, are listed as prescribed qualifications in the regulations.

Other qualifications

Note that two qualifications which currently meet the educational requirements under the 1976 Act are being phased out:

- automatic recognition of registered valuers (along with an assessment set by the REINZ ITO(if any))
- partial completion of the Graduate Diploma in Business Studies (Real Estate) at Massey University.

The regulations allow a person to apply to the Authority on the basis of registration as a valuer until the end of the transition period (30 June

2010) and on the basis of partial completion of the Graduate Diploma until 30 December 2010.

Renewals

The regulations provide that the prescribed qualification required in order to renew a licence is whatever entitled that person to a licence (or certificate of approval) in the first place. However, if a person allows his or her licence to lapse (fails to renew it) he or she must apply for a new licence and must hold the prescribed qualification for that type of licence.

HOW TO USE THIS CHART

Table 1 (next page) sets out the prescribed qualifications in three groups according to date of application. Please note that this chart is a guide only it is not a substitute for the regulations. To use this chart find:

- the coloured group relevant to application date
- the column relevant to the type of licence the application is for (salesperson, branch manager, or agent).

For example, if the application is in August 2010 for a salesperson's licence, the applicant must hold a qualification identified in the pink coloured 'Sales' column.

Table 1: Prescribed qualifications

Application date	17-Nov-09 to 30-Jun-10			1-Jul-10 to 31-Dec-10			From 1-Jan-11			Qualifications required
Relevant regulation	Regulation 11			Regulation 12(2)			Regulation 12(1)			
Licence type	Sales	BM	Agent	Sales	BM	Agent	Sales	BM	Agent	
	✓	✓	✓	✓	✓	✓	✓	✓	✓	A qualification listed in Schedule 3 and completion of an assessment required by the ITO (if any)
		✓	✓		✓	✓		✓	✓	Massey GDBS conferred on or after 1 January 1992
		✓	✓		✓	✓				Massey GDBS papers 127.261, 127.361, 127.362, 127.363 and polytech modules Real Estate Law, Accounting and Administration, and Real Estate Appraisal.
		✓			✓					Massey GDBS papers 127.261, 127.263, 127.361, 127.362, 155.216
			✓			✓				Massey GDBS papers 127.261, 127.263, 127.361, 127.362, 127.363, 155.216
	✓									NZQA unit standards 23134, 23135, 23136, 23137, 23138, 23155
	✓	✓	✓							Registered valuer and complete an assessment required by the ITO (if any)
			✓							National Diploma in Real Estate (Licensee) (Level 5)
	✓			✓			✓			National Certificate in Real Estate (Salesperson) (Level 4)
		✓			✓			✓		National Certificate in Real Estate (Branch Manager) (Level 5), version 3 or later
			✓			✓			✓	National Diplomain Real Estate (Agent) (Level 5)
		✓								National Certification in Real Estate (Branch Manager) (Level 5), version 2 or an earlier version

Sales = salesperson, BM = branch manager, GDBS = Graduate Diploma in Business Studies (Real Estate)

