

CE301\*

Real Estate and Business Agents Act 1978

## **Real Estate and Business Agents (General) Amendment Regulations (No. 3) 2008**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Real Estate and Business Agents (General) Amendment Regulations (No. 3) 2008*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### **3. Regulations amended**

These regulations amend the *Real Estate and Business Agents (General) Regulations 1979*.

### **4. Regulation 4AB amended**

- (1) In regulation 4AB(1) —
  - (a) delete the words “one or more educational activity” (each occurrence) and insert:

one or more educational activities
  - (b) in paragraph (a)(ii) delete the words “subregulation (3)” and insert:

subregulation (5)

- (2) In regulation 4AB(3) delete the words “one or more educational activity” and insert:  
  
one or more educational activities
- (3) In regulation 4AB(7) after the words “subregulation (1)” insert:  
  
in respect of the calendar year beginning 1 January 2008
- (4) After regulation 4AB(7) insert:
  - (8) An approval under subregulation (1) in respect of the calendar year beginning 1 January 2009 or any later calendar year may apply in relation to —
    - (a) all licensees to whom regulation 4AA applies and all sales representatives to whom regulation 4AC applies; or
    - (b) any class or classes of such licensees or such sales representatives.

**5. Regulation 4AC inserted**

After regulation 4AB insert:

**4AC. Prescribed educational requirements — section 48(5)(b)**

- (1) This regulation applies only in respect of a sales representative whose certificate of registration is due to expire on or after 1 January 2010.
- (2) The educational requirements prescribed for the purposes of section 48(5)(b) of the Act are that during each of the preceding 3 full calendar years before the year in which a certificate of registration is due to expire —
  - (a) approved educational activities to the total value of at least 10 points have been undertaken; and
  - (b) those activities include at least one activity approved under regulation 4AB(1)(a)(ii) in respect of each mandatory professional development subject approved for that year.
- (3) In respect of a certificate of registration that is due to expire —
  - (a) in 2010, the educational requirements prescribed in subregulation (2)(a) and (b) are to

- be met only in respect of the calendar year beginning 1 January 2009; and
- (b) in 2011, the educational requirements prescribed in subregulation (2)(a) and (b) are to be met only in respect of the calendar years beginning 1 January 2009 and 1 January 2010.
- (4) In respect of a certificate of registration that is due to expire for the first time after it was granted, the educational requirements prescribed in subregulation (2)(a) and (b) are to be met only in respect of each of the preceding 2 full calendar years before the year in which the certificate is due to expire.
- (5) The value in points accrued by a person in a calendar year is the sum of the points specified for each approved educational activity undertaken by the person in that year.

**6. Regulation 7 amended**

In regulation 7 delete “section 13(2)” and insert:

section 133(2)

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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