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**CONSUMER AND EMPLOYMENT PROTECTION**

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CE301\*

Real Estate and Business Agents Act 1978

**Real Estate and Business Agents (General)  
Amendment Regulations 2003**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations 2003*.

**2. The regulations amended**

The amendments in these regulations are to the *Real Estate and Business Agents (General) Regulations 1979\**.

[\* Reprinted as at 8 March 2002.]

**3. Regulation 2 amended**

Regulation 2 is amended as follows:

- (a) by deleting the definition of “Ministry”;
- (b) by inserting in the appropriate alphabetical position the following definition —

“

“**registered training provider**” has the same meaning as in section 5(1) of the *Vocational Education and Training Act 1996*;

”.

**4. Regulation 6 replaced and savings provision**

- (1) Regulation 6 is repealed and the following regulation is inserted instead —

“

**6. Prescribed examinations**

The prescribed examinations for the purposes of clause 1(a) of the Schedule to the Act are —

- (a) the examinations which are required by a registered training provider to be passed for a Diploma of Property (Real Estate), together with the examinations conducted by a registered training provider in the following courses —

- (i) Unit 15826 — Rural Sales;
- (ii) Unit 15825 — Selling Businesses; and
- (iii) Unit 15892 — Real Estate Law;

or

- (b) the examinations required to be passed for the conferring of a Bachelor of Commerce (Property and Marketing) or a Bachelor of Commerce (Property) by the Curtin University of Technology.

”.

- (2) Despite the amendments effected by subregulation (1), examinations referred to in a provision of the *Real Estate and Business Agents (General) Regulations 1979* referred to in column 1 of the Table to this subregulation, as in force immediately before the commencement of these regulations, continue to be prescribed examinations for the purposes of

clause 1(a) of the Schedule to the Act until the date specified in column 2 of that Table opposite the reference to the provision.

**Table**

r. 6(a)(i)	1 July 2003
r. 6(a)(ii) or (iii), (b) or (c)	1 January 2004

**5. Regulation 6A replaced and savings provision**

- (1) Regulation 6A is repealed and the following regulation is inserted instead —

“

**6A. Prescribed qualifications for sales representatives**

The prescribed qualifications for the purposes of section 47(2) of the Act are the successful completion of —

- (a) the TAFE Sales Representatives Registration Course provided by a registered training provider;
- (b) the REIWA Sales Representatives Registration Course provided by the Real Estate Institute of Western Australia Incorporated; or
- (c) both —
  - (i) Real Estate Business 305; and
  - (ii) Property Management 330, provided by the Curtin University of Technology.

”.

- (2) Despite the amendment effected by subregulation (1), the qualification referred to in regulation 6A(c) of the *Real Estate and Business Agents (General) Regulations 1979*, as in force immediately before the commencement of these regulations, continues to be a prescribed qualification for the purposes of section 47(2) of the Act in respect of an application for registration as a real estate and business sales representative made under the Act on or before 1 January 2004.

**6. Regulation 6B amended**

Regulation 6B is amended as follows:

- (a) by deleting paragraph (a) and inserting the following paragraph instead —

“

- (a) who applies within one year of successfully completing a qualification prescribed in regulation 6A;

”;

- (b) in paragraph (b) by deleting “his” and inserting instead —  
“ the making of the ”;
- (c) in paragraph (c) by deleting “, (b) or (c)” and inserting instead —  
“ or (b) ”.

**7. Regulation 7 amended**

Regulation 7(c)(vii) is amended by deleting “he” and inserting instead —

“ the holder ”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.