

Western Australia

Land Valuers Licensing Regulations 1979

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Land Valuers Licensing Regulations 1979

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Land Valuers Licensing Regulations 1979

1. Citation

These regulations may be cited as the *Land Valuers Licensing Regulations 1979*¹.

2. Interpretation

In these regulations —

“**section**” means section of the Act;

“**the Act**” means the *Land Valuers Licensing Act 1978*.

3. Common seal

The common seal of the Board shall be kept in safe custody by the Registrar and shall not be affixed to a document unless —

- (a) the Board has decided at a meeting that the common seal be affixed to the document; and
- (b) it is affixed by the Registrar in the presence of one member of the Board.

4. Fees

- (1) The fees set forth in Schedule 1 shall be payable in respect of the matters prescribed in that Schedule.
- (2) If a licence is renewed in accordance with section 22 after the day on which the licence expired, a late fee equal to one quarter of the fee specified in item 2 of Schedule 1 for the renewal of the licence is payable in addition to that specified fee.

r. 4A

*[Regulation 4 amended in Gazette 25 Jun 1996 p. 2922;
27 Jun 2006 p. 2256.]*

4A. Prescribed periods

- (1) For the purposes of section 21(1), the period prescribed is 3 years.
- (2) For the purposes of section 22(1), the further prescribed period is 3 years.

[Regulation 4A inserted in Gazette 25 Jun 1996 p. 2922.]

5. Notice of application for licence

- (1) Notice of an application for the grant of a licence to be advertised pursuant to section 17(2) —
 - (a) shall be in an approved form; and
 - (b) shall be published by the applicant in a newspaper circulating in the State, within 14 days after the application is made.
- (2) An applicant for a licence shall prior to the hearing of his application lodge with the Registrar the whole page of the newspaper, in which notice of his application was advertised in accordance with this regulation.

5A. Duplicate licence

If the Board is satisfied that a licence has been lost, stolen or destroyed, it may issue a duplicate licence on payment of the prescribed fee.

[Regulation 5A inserted in Gazette 27 Jun 2006 p. 2256.]

6. Particulars to be included in register

In the register of licensees kept by him pursuant to section 29 the Registrar shall record in respect of each licensee the following particulars —

- (a) the name and address of the licensee;

- (b) where the licensee carries on business as a land valuer under a business name — that business name and the address of any places of business;
- (c) where the licensee is a director, partner or employee of a company or firm — the name and address of the company or firm;
- (d) where the licensee is employed in a department of the public service of the State or the Commonwealth or by a statutory authority, agency or instrumentality of the Crown in right of the State or the Commonwealth the name and address of the department, authority, agency or instrumentality;
- (e) the licence number of the licence issued to the licensee and the date of its issue;
- (f) particulars of any surrender, expiry, suspension or cancellation of the licence; and
- (g) particulars provided by the licensee pursuant to regulation 7.

[Regulation 6 amended in Gazette 25 Jun 1996 p. 2923.]

7. Change of particulars

A licensee shall, within one month of any change of circumstance that is relative to the information kept in the register, notify the Registrar in writing of that change.

Penalty \$100.

8. Prescribed qualifications

The following degrees are prescribed under section 19(1)(c) —

- (a) the degree of Bachelor of Business (Valuation and Land Administration) awarded by the Western Australian Institute of Technology²;
- (b) the degree of Bachelor of Business (Valuation and Land Economy) awarded by the Western Australian Institute of Technology²;

r. 9

- (c) the degree of Bachelor of Business (Valuation and Land Economy) awarded by the Curtin University of Technology; and
- (d) the degree of Bachelor of Commerce (Property) awarded by the Curtin University of Technology.

[Regulation 8 inserted in Gazette 27 Jan 1995 p. 285.]

9. Recovery of fees and costs

- (1) The amount of —
 - (a) any fees prescribed by these regulations;
 - [(b) deleted]*
 - (c) any costs ordered by the Board to be paid to the Registrar upon the determination of any proceedings,

is a debt due to the Crown in right of the State and may be sued for and recovered by the Registrar in any court of competent jurisdiction.

- (2) Where, upon the determination of any proceedings, the Board makes an order for costs in favour of a person other than the Registrar the amount of those costs is a debt due to that person by the person against whom the order is made and may be sued for and recovered by the first-mentioned person in any court of competent jurisdiction.

[Regulation 9 amended in Gazette 30 Dec 2004 p. 6923.]

Schedule 1 — Fees

[r. 4 & 5A]

[Heading inserted in Gazette 27 Jun 2006 p. 2257.]

		\$
1.	Fee for a licence (period of 3 years)	460.00
2.	Fee for renewal of licence	460.00
3.	Fee for duplicate licence	30.00
4.	Fee to inspect register	10.00
5.	Fee for certificate as to an individual registration in the register —	
	first page	10.00
	each subsequent page	2.00
6.	Fee for certificate as to all registrations in the register	122.00

[Schedule 1 inserted in Gazette 27 Jun 2006 p. 2257.]

Notes

¹ This is a compilation of the *Land Valuers Licensing Regulations 1979* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Land Valuers Licensing Regulations 1979</i>	22 Jun 1979 p. 1698-9	22 Jun 1979
<i>Land Valuers Licensing Amendment Regulations 1983</i>	18 Nov 1983 p. 4613	1 Jan 1984 (see r. 2)
<i>Land Valuers Licensing Amendment Regulations 1985</i>	21 Jun 1985 p. 2262	21 Jun 1985
<i>Land Valuers Licensing Amendment Regulations 1986</i>	30 May 1986 p. 1816	1 Jul 1986 (see r. 2)
<i>Land Valuers Licensing Amendment Regulations 1987</i>	4 Sep 1987 p. 3518	4 Sep 1987
<i>Land Valuers Licensing Amendment Regulations 1988</i>	5 Aug 1988 p. 2604	5 Aug 1988
<i>Land Valuers Licensing Amendment Regulations (No. 2) 1988</i>	2 Sep 1988 p. 3465	2 Sep 1988
<i>Land Valuers Licensing Amendment Regulations 1989</i>	11 Aug 1989 p. 2679	11 Aug 1989 ³
<i>Land Valuers Licensing Amendment Regulations 1990</i>	1 Aug 1990 p. 3655	1 Aug 1990
<i>Land Valuers Licensing Amendment Regulations 1991</i>	13 Dec 1991 p. 6165	13 Dec 1991
<i>Land Valuers Licensing Amendment Regulations 1992</i>	14 Aug 1992 p. 4010-11	14 Aug 1992
<i>Land Valuers Licensing Amendment Regulations 1993</i>	30 Nov 1993 p. 6405-6	30 Nov 1993
<i>Land Valuers Licensing Amendment Regulations 1995</i>	27 Jan 1995 p. 285	27 Jan 1995
<i>Land Valuers Licensing Amendment Regulations 1996</i>	25 Jun 1996 p. 2922-3	1 Jul 1996 (see r. 2 and <i>Gazette</i> 1 Jul 1996 p. 3179)
Reprint of the <i>Land Valuers Licensing Regulations 1979</i> as at 31 Mar 2000 (includes amendments listed above)		
<i>Land Valuers Licensing Amendment Regulations 2002</i>	28 Jun 2002 p. 3056-7	1 Jul 2002 (see r. 2)

Citation	Gazettal	Commencement
<i>Land Valuers Licensing Amendment Regulations 2003</i>	27 Jun 2003 p. 2552	1 Jul 2003 (see r. 2)
<i>Land Valuers Licensing Amendment Regulations 2004</i>	30 Dec 2004 p. 6923	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<i>Land Valuers Licensing Amendment Regulations 2005</i>	28 Jun 2005 p. 2911	1 Jul 2005 (see r. 2)
Reprint 2: The Land Valuers Licensing Regulations 1979 as at 3 Mar 2006 (includes amendments listed above)		
<i>Land Valuers Licensing Amendment Regulations (No. 2) 2006</i>	27 Jun 2006 p. 2256-7	1 Jul 2006 (see r. 2)

² The *Curtin University of Technology Act 1966* s. 5 established the Western Australian Institute of Technology as the Curtin University of Technology from 1 January 1987.

³ The commencement date of 1 Jul 1989 that was specified was before the date of gazettal.