



THE REAL ESTATE AGENTS EXAMINATION ORDER 1965

BERNARD FERGUSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of June 1965

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Real Estate Agents Act 1963, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Real Estate Agents Examination Order 1965.

(2) This order shall come into force on the 1st day of July 1965.

2. The subject-matter and syllabus for the examination to be conducted by the Real Estate Institute of New Zealand Incorporated and to be passed by persons intending to apply for a real estate agent's licence which are set out in the Schedule to this order are hereby approved.

3. This order shall apply with respect to all persons who enter for the examination after the commencement of this order.

4. The Real Estate Agents Examination Order 1964* is hereby revoked:

Provided that, notwithstanding the revocation of that order, it shall continue to apply with respect to all persons who entered for the examination before the commencement of this order.

*Gazette, 19 March 1964, p. 483

SCHEDULE

SUBJECT-MATTER AND SYLLABUS

(References to Acts and regulations include references to amendments)

GROUP 1

Paper 1 (Time: 3 hours)

1. General questions on the law relating to formation of contract, the Contracts Enforcement Act 1956, the effect of illegality, fraud, misrepresentation, and mistake, and the remedies applicable for breach of contract or fraud involving the sale and purchase of land.

2. General questions on the law of agency, the rights, duties, and obligations of an agent, with particular emphasis on the position of a real estate agent.

3. Agreements for sale and purchase of land and businesses.

4. The provinces of the real estate agent and the solicitor.

Paper 2 (Time: 3 hours)

1. General questions on the common forms of land tenure, including leases, mortgages, and co-ownership.

2. The basic principles of and procedure for registration under the Land Transfer Act 1952.

3. The Joint Family Homes Act 1964.

The Tenancy Act 1955.

The Family Benefits (Home Ownership) Act 1964.

The Fencing Act 1908.

The Land Settlement Promotion Act 1952.

4. General questions on easements, building-line restrictions, liens under the Wages Protection and Contractors' Liens Act 1939, other common encumbrances and statutory land charges, and compulsory acquisition of land.

Paper 3 (Time: 3 hours)

1. Code of Ethics.

2. Salesman; owner and salesman; buyer relationships.

3. General principles of salesmanship.

4. Advertising, methods of.

5. Insurance; introduction to insurance as pertaining to real estate.

6. Office systems, filing, and business letters.

GROUP 2

Paper 4 (Time: 3 hours)

1. The Real Estate Agents Act 1963, and the regulations thereunder.

2. The Secret Commissions Act 1910.

3. Questions to test candidates' ability to apply the above Acts to given facts, with particular emphasis on the duties imposed on real estate agents by the Acts.

SCHEDULE—*continued**Paper 5 (Time: 3 hours)*

REAL ESTATE APPRAISAL

Part A—Building Practice and Maintenance

Special emphasis will be placed on practices and materials which will most likely affect property values.

Main features of good design of dwellings.

Timber: Its classification, manufacture, measurements, grading, seasoning, and defects. Types of insect and fungal infestation. The preservation, protection, properties, and uses of common building timbers.

The nature, characteristics, and use of miscellaneous building materials, including exterior and interior linings and roofing materials.

Terms used in construction other than joinery. Candidates will be expected to be able to draw the cross-sectional diagrams of timber-framed and brick-veneer single-storey dwellings with the main types of roof construction, together with recommended minimum sizes and spacing of timbers.

Main terms used in the construction of single-storey shops and factory or warehouse.

Painting: Its composition, application, and causes of the main defects.

Part B—Valuation

Methods of computing land values; site area and unit foot method.

Principles of depth tables and a knowledge of the use of the better-known table.

The valuation of commercial, industrial, and shopping sites.

Simple irregular sites, corner sites, and rear sections.

The valuation of land ready for subdivision.

The methods of valuing improvements to residential land.

Factors causing reduction in value, depreciation, obsolescence, physical and economic life.

Leasehold interests; advantages and disadvantages.

The writing of reports.

Part C—Town Planning and Subdivision(a) *Town Planning—*

The aim, objects, and need for planning in New Zealand.

The Town and Country Planning Act 1953, with special reference to—

The purpose of the Act.

Regional and district schemes.

The principal matters covered by operative schemes.

Main principles of planning as interpreted by main legal decisions (but limited to principles covered by the course).

(b) *Subdivisional Law and Practice—*

The general principles of the law relating to subdivision of land contained in the Municipal Corporations Act 1954, Part II of the Counties Amendment Act 1961, the Public Works Act 1928.

The candidate will be expected to have a working knowledge of subdivisional practice in his locality.

Questions may be included to test the candidate's knowledge of the effect of town planning and subdivisional law on values.

SCHEDULE—*continued**Paper 6 (Time: 3 hours)*

FINANCIAL RECORDS

1. Agent's responsibilities concerning receipt of trust money, rendering of accounts to principal, and the keeping of a trust account.
2. Use of an official trust receipt book.
3. Agent's duties under the Land Agents Audit Regulations 1962.
4. Trust account cash book, ledger entries.
5. Reconciliations.
6. General principles of elementary double-entry bookkeeping.
7. Negotiable instruments.
8. Postage and petty cash books.
9. Wage Records and PAYE.

NOTES—1. The examination will be held in November of each year. Entry forms may be obtained from Branch Secretaries of the Institute or the Dominion Secretary, and entries must be lodged not later than 30 June.

2. Fifty per cent of the total marks allotted to each paper will entitle the candidate to pass in that paper.

3. A candidate may not enter for more than three papers in any year: Provided that a candidate who has passed in two papers and has failed in one or more may enter for the four papers required to complete the examination.

4. Subject to clause 3 of these notes, a candidate who has not passed in all the papers in Group 1 may not enter for any paper in Group 2 unless he also enters for all the papers in Group 1 in which he has not already passed.

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 June 1965.

These regulations are administered in the Department of Justice.