

PROPERTY AGENTS BOARD

CONTINUING EDUCATION
PROGRAM



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This publication has been designed as a guide to the Board's prescribed Continuing Education program that applies to all individual real estate agents, property managers and general auctioneers who are natural persons registered with the Board.

INTRODUCTION

The Property Agents Board (the Board), established under the *Property Agents and Land Transactions Act 2005* (the Act), is the statutory authority responsible for the registration of the real estate agency, property management and general auctioneering industries in Tasmania.

Persons seeking to carry on business as a real estate agent, property manager or general auctioneer in Tasmania must be registered by the Board. Applicants need to demonstrate that they meet all of the requirements for holding a registration, both at the time of obtaining a registration and when seeking to renew their registration.

Persons seeking to carry on the occupation of a property consultant or assistant property manager in Tasmania must obtain a qualification before being employed to undertake those duties.

From 1 January 2010 all registered real estate agents, property managers and general auctioneers who are natural persons are required to comply with the Board's Continuing Education program outlined in this guide.

The Continuing Education program forms part of the qualification framework and has been designed to enable property agents to continue to update their knowledge and skills in the areas of industry developments, legislative change and work practices.

The aims of the Continuing Education program are to:

- increase levels of consumer protection and public confidence; and
- promote professionalism across the real estate, property management and general auctioneering industries; and
- improve the knowledge and skills of property agents.

CONTINUING EDUCATION PROGRAM OUTLINE

The Continuing Education program operates on an annual cycle based on the registration year for real estate agents, property managers and general auctioneers.

The Continuing Education program encompasses activities such as seminars, conferences, lectures, workshops, distance education courses or other training arrangements. To be valid, a Continuing Education activity must have an educational outcome and be industry specific.

Continuing Education activities are categorised by the Board as either mandatory or elective.

Mandatory activities are determined by the Board and are published on its [website](#).

All participants must undertake Continuing Education from a list of Board-approved activities listed on the [website](#).

In each Continuing Education cycle, participants must undertake a minimum of eight hours of Board approved activity.

Each year, approved mandatory and elective Continuing Education activities will be listed and continually updated on the Board's website, along with other essential information.

Compliance with the program is enforced when participants apply to renew their registration. At renewal, participants will be required to complete a declaration detailing the times, dates and places of all Continuing Education activities they have undertaken. It is the participant's responsibility to ensure that at least eight Continuing Education hours have been obtained before registration renewal is due. The Board reserves the right to refuse to renew a registration or place a condition on the renewal for those who fail to comply with the Continuing Education requirements.

Note: Section 67 – "A person ceases to be qualified to continue to be named in the Register unless, within a period specified by the Board, the person has undertaken any continuing education specified by the Board from time to time".

CONTINUING EDUCATION ACTIVITIES

To be considered a valid Continuing Education activity, an activity must be one which is approved by the Board and is displayed on its website. The Board considers activities for approval by assessing whether the activity is relevant to the real estate, property management or general auctioneering industries, has significant intellectual or practical content, and an educational outcome. Activities that do not meet these criteria will not be approved and cannot be claimed as a Continuing Education activity.

TYPES OF CONTINUING EDUCATION ACTIVITY

Continuing Education activity may take a number of forms such as:

- training courses or workshops;
- distance educational programs;
- multimedia or website based programs;
- a conference or seminar; or
- a professional or educational function
- other training.

MANDATORY CONTINUING EDUCATION ACTIVITIES

The Board may specify mandatory components in each Continuing Education cycle. All participants must undertake any mandatory Continuing Education activity as specified by the Board.

The Board may outsource the delivery of mandatory activities to registered training organisations (RTOs).

ELECTIVE CONTINUING EDUCATION ACTIVITIES

Elective activities allow participants to accumulate the balance of Continuing Education hours required by attending activities that address topics that have a specific relevance or are of interest to them or their business. Any activity meeting the requirements of a Continuing Education activity may be eligible to be considered as an elective Continuing Education activity.

Training providers seeking to become registered as a Board-approved Continuing Education training provider and to conduct elective Continuing Education activities should refer to the Board Office for further details.

The Board publishes an up-to-date list of the approved elective Continuing Education activities.

Only approved activities listed on the Board's website can attract Continuing Education hours. Each approved activity listed online will be published with details specifying its title, training provider, activity approval number, the professional development subject to which the activity relates and the number of Continuing Education hours it attracts.

Participants should confirm that any course they are planning to attend for Continuing Education purposes is listed on the website prior to attending. If a participant would like to attend a particular course that they think would be relevant but is not Board approved, they should contact the training provider to encourage them to apply to the Board for approval. Alternatively they should be referred directly to the Continuing Education elective activity registration form on the Board's website.

Course duration Policy

Elective courses must run for the length of time which was stipulated on the application form when the course was originally approved.

If the length of a course has changed the training provider must notify the Board so that the number of Continuing Education hours can be amended.

Late Arrival Policy

Any participant who is late to a training session by 30 minutes or more or leaves 1 hour or more before the completion, will **not** be eligible to claim any Continuing Education hours for that training.

CONTINUING EDUCATION HOURS

Real estate agents, property managers and general auctioneers are required to accumulate a minimum of 8 Continuing Education hours each year.

Key points to note:

- Only the hours spent on the actual activity may count towards entitlement (as opposed to travel, preparation etc).
- Continuing Education hours cannot be claimed for courses approved retrospectively – a course must be approved by the Board and displayed on its website before attendance can attract Continuing Education hours. Where a Continuing Education activity includes an assessment, the agent must be assessed as competent for the assessment to be able to claim the Continuing Education hours related to the activity.
- If participating in more Continuing Education activities than required, **excess hours cannot be carried over to the next Continuing Education cycle.**
- Where a Continuing Education activity is completed twice or more in the same Continuing Education cycle, participants are only able to claim Continuing Education hours once for that activity.
- Continuing Education activities conducted by interstate Registered Training Organisations may attract Continuing Education hours. Before commencing any such activity, participants are advised to confirm that it has been approved by the Board by checking the approved Continuing Education activities listed on its website or to apply for approval prior to attending.
- Participants need to retain proof of attendance at Continuing Education activities.
- Applications for exemption must be made in writing and sent to the Property Agents Board, 2 Davey Street, Hobart , Tas 7000.

CONTINUING EDUCATION TRAINING PROVIDERS

Continuing Education activities and the number of hours allocated for each Continuing Education activity must be approved by the Board. Training providers seeking to gain Board approval for activities need to submit details of each activity for assessment by the Board (for further details see the Board's [website](#)).

There is no limit on the number of Continuing Education course applications training providers may submit to the Board for approval. The Board will assess the material submitted to decide if it constitutes a valid Continuing Education activity. If approved, the activities will be displayed on the Board's [website](#) for participants to choose from to complete their required Continuing Education hours.

Training providers are required to issue participants with evidence of attendance on the completion of a Continuing Education activity and, where relevant, with proof that any assessment was undertaken and passed. Evidence may take the form of a certificate of attendance, a statement of attainment, or a record of completion.

The Board reserves the right to audit the Training Provider to verify participants' attendance.

EXEMPTIONS AND EXTENSIONS

In extenuating circumstances, the Board may exempt a real estate agent, property manager and general auctioneer from completing part or all of their Continuing Education requirements for a period of up to 12 months.

Any individual wishing to be excluded from part or all of their individual Continuing Education requirements must apply to the Board in writing, setting out reasons why an exemption should be granted.

Requests for exemptions and extensions will be determined on a case-by-case basis. Applicants must ensure a current contact phone number is included in the request.

The following are examples of circumstances which may give rise to a partial or full exemption from a real estate agent, property manager or general auctioneer's Continuing Education requirements:

- a) The property agent has been absent from practice for all or part of the year due to serious illness, parenting leave, extended leave or another reason; or
- b) The property agent, by reason of the property agent's geographical location or any physical or mental disability or impairment, may experience particular hardship or difficulty in completing the required number of Continuing Education hours.

Where a partial exemption is requested and granted, a participant's Continuing Education hour requirement will be proportionally reduced.

MONITORING COMPLIANCE

The Board requires evidence at renewal of registration from participants of their compliance with the Continuing Education requirements.

Evidence should include all of the following details:

- Continuing Education activities undertaken;
- date each Continuing Education activity was undertaken;
- details of the training provider conducting the Continuing Education activities; and
- number of Continuing Education hours accrued.

Participants may be required to successfully complete an assessment for certain educational activities. Assessments may be requested where a participant is seeking to claim Continuing Education hours where the educational activities were by way of attendance at a training course or seminar by means of audio link or video link, viewing a recording of an educational activity or participation in a course of study or a specified component of a course of study.

Evidence supporting the completion of each activity (e.g. certificate of attendance, statement of attainment or record of completion) must also be retained by participants for 2 years.

All participants are required to certify that they have obtained their eight Continuing Education hours at the time of applying to renew their registration. This is done by completing and signing the appropriate section on the renewal application form. Participants who fail to do this risk delaying the renewal of their registration.

The Board may refuse the renewal of a registration if it is not satisfied the participant has complied with the annual Continuing Education requirements.

Failure to supply these records, or submitting incorrect or incomplete records, will be considered as non-compliance with the Continuing Education program. The provision of false information at renewal may result in the Board commencing disciplinary proceedings. The Board will conduct regular audits of the Continuing Education program and the Board's Inspector may also carry out assessments when visiting an agency.

Note

Section 67(2)

A person named in Part 1(1) Part 2(1) or Part 3 of the Register must maintain a register containing details of the continuing education undertaken in accordance with sub-section (1) by the person and by any relevant employee.

Penalty: Fine not exceeding 50 penalty units.

Section 67 (3)

The person referred to in subsection (2) must make the register available to the Board upon being requested by the Board.

Penalty: Fine not exceeding 50 penalty units.