

NO	SECTION REFERENCE	CONTRAVENTION MINOR OR SUBSTANTIAL	MAXIMUM FINE
33.	59 (1) (a) to (c)	Substantial	R 5 000
34.	61 (3)	Minor	R 750
35.	62 (1) (a) (k)	Substantial in respect of subparagraph (h). Minor in respect of all other subparagraphs.	R 25 000 in respect of subparagraph (h). R 5 000 in respect of subparagraphs (a), (f), (g) and (j). R 1 500 in respect of each other subparagraph, other than (k). In respect of (k), as may be provided for in the Act or otherwise under this regulation.
36.	64 (1) and (2)	Minor	R 1 500
37.	64 (4)	Minor	R 1 500
38.	65 (1)	Substantial	R 25 000
39.	65 (2)	Minor	R 1 500
40.	66 (1) (a) to (d)	Substantial (is stated in the Act as being an offence)	R 25 000
41.	67 (1)	Minor	R 15 000
42.	69 (2)	Minor	R 1 500

39 SPECIFICATION OF OTHER SERVICES

- 39.1 Pursuant to the provisions of subsection (a) (vi) of the definition of "property practitioner" in the Act, the following services are specified –

- 39.1.1 the sale, by auction or otherwise, by any person as part of the activities of operating a property development business, of any property or any interest, right or title in or to a property or a property development, provided that the foregoing shall not apply in circumstances where such sale, auction or other activity is conducted solely through the auspices of a property practitioner falling within subsection (a) (i) of the definition of "property practitioner" who is the holder of a current fidelity fund certificate issued under the provisions of the Act; and
- 39.1.2 an activity falling within subparagraphs (i), (ii), (iii) of paragraph (a) of the definition of "property practitioner" in the Act insofar as it pertains to business undertakings shall include any activity that relates to small, micro and medium enterprises, franchised businesses or new start-up ventures or newly created franchise concepts, whether such enterprise is sold as a whole as a going concern or as part of a business or by means of transferring the beneficial ownership in such enterprise.

40 DOCUMENT RETENTION

- 40.1 In terms of section 55 (1) (f) of the Property Practitioners Act 22 of 2019, it is prescribed that the following documents must be retained in accordance with the provisions of section 55 –
- 40.1.1 copies of all electronic communications sent or received by the property practitioner to and from members of the public in the course of carrying out its activities as a property practitioner, other than in circumstances where a property practitioner is acting in the course and scope of his or her employment by a person or entity that is a registered property practitioner in terms of the Property Practitioners Act 22 of 2019; and
- 40.1.2 where a property practitioner employs any other property practitioner, copies of all electronic communications sent or received by such employee property practitioner to or from members of the public in the course and scope of carrying out his or her employment duties,

provided that such obligation shall not extend to electronic communications on social media which are generally accessible by members of the public.

41 ADMINISTRATIVE MATTERS

In terms of section 70 (1) (a) of the Act, incidental matters of a procedural or administrative nature are prescribed as set out in the schedules hereto.