

IMPLICATIONS OF THE PROPERTY PRACTITIONERS ACT AND REGULATIONS ON THE EDUCATION AND TRAINING ENVIRONMENT

Education and Training Department



Topics For Discussion

- Candidate Property Practitioners
- Professional Designation Examination (PDE)
- Continuing Professional Development (CPD)

Candidate Property Practitioners Agents

- Regulation 33.4 of the Property Practitioners Act Regulations, regulates the position of individuals who aspire to be property practitioners and requires any person who wishes to practice as a property practitioner to first register as a candidate estate agent (previously known as intern estate agents);
- This section retains some aspects of the previous Standard of Training of Estate Agents Regulations and requires candidate property practitioners to act under the active supervision of a qualified property practitioner with no restrictions in terms of Regulation 33.1 (those who have been designated as property practitioners for more than six months) or a practising attorney with at least 3 years' experience in the case of persons contemplated in section 1(f) of the Act;

Candidate Property Practitioners

- The supervision may be exercised in person or by means of any electronic medium;
- No one is allowed to be a candidate estate agent for more than 180 days (six months);
- After the expiry of six months, a candidate estate agent is obligated to sit for the Professional Designation Examination;
- An extension of a further 180 days is granted where a candidate fails PDE following an application to the Authority citing good cause why such an application should be granted;
- Thus, being a candidate estate agent in excess of six months is not automatic where a candidate has failed the exam.

Professional Designation Examination (PDE)

- Regulation 33.2 governs the establishment of PDE and requires the PPRA together with representative bodies in the various industries to:- (i) establish the qualification standards for property practitioners, (ii) develop course material in accordance with the standards established by the PPRA (iii) establish Professional Designation Examination (PDE) for property practitioners and (iv) establish standards for the practical training of non-principal property practitioners.
- All aspirant property practitioners will be required to write PDE after the completion of the six months training.

PDE

- PDE will be written four times per annum at such intervals as may be determined by the PPRA.
- PDE may also be conducted in any official language other than English.
- PDE may also be conducted orally.
- From the effective date (1 February 2022), property practitioners who are already registered as either non-principals or principals will be exempted from doing training and writing PDE.

Are the Education Regulations still applicable?

- Section 75 of the Property Practitioners Act governs the transitional period.
- Section 75(6) provides that all Regulations made in terms of the old EAA Act remain of full force and effect as if they were made in terms of the PPA.
- Thus, until such time that the PPRA has engaged the various industry bodies and established a standard of qualifications, developed new course materials, established the new framework for PDE and established standards of practical training for non-principal property practitioners, the old Standard of Estate Agents Regulations, 2008, will still apply.
- Therefore, the phasing out of the old Education Regulations requiring attainment of NQF4 & 5 Real Estate qualifications is contingent upon the finalisation of the processes mentioned above.

Continuing Professional Development (CPD)

- Regulation 33.5 provides for the rollout of the CPD programme and requires that this programme be put in place having regard to the various industries within which such property practitioners operate;
- As a departure from the previous regime, representative bodies will also be permitted to develop CPD modules in respect of property practitioners who operate in their industries.
- The PPRA shall be entitled to approve any business property practitioner or independent training organisation providing CPD.

CPD

- Modules prepared by any business property practitioner or independent training organisation shall be submitted to the PPRA for review and approval.
- All property practitioners except the candidate estate agents will be required to undergo the CPD programme.
- The CPD programme must be completed over a rolling three-year cycle on the basis that each property practitioner completes at least 12 modules.
- Essentially, 4 modules must be completed by a property practitioner per annum.