

Estate Agents (Licensing and Registration) Regulations 2010

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ESTATE AGENTS ACT 2010
(ACT 25 OF 2010)

ESTATE AGENTS (LICENSING AND REGISTRATION) REGULATIONS 2010

In exercise of the powers conferred by section 72 of the Estate Agents Act 2010, the Council for Estate Agencies, with the approval of the Minister for National Development, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Estate Agents (Licensing and Registration) Regulations 2010 and shall come into operation on 1st November 2010.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“business name” means the name or style under which a person carries on business;

“continuing professional development credits” means continuing professional development credits under Part VI of the Estate Agents (Estate Agency Work) Regulations 2010 (G.N. No. S 644/2010);

“continuing professional development requirements”, in relation to any person, means the minimum continuing professional development requirements applicable to that person under Part VI of the Estate Agents (Estate Agency Work) Regulations 2010;

“corporation” means a company registered under the Companies Act (Cap. 50) or under any corresponding previous legislation, or a limited liability partnership registered under the Limited Liability Partnerships Act (Cap. 163A) and includes any body corporate formed or incorporated outside Singapore and any branch or subsidiary thereof;

“Council’s electronic application service” means the electronic service provided by the Council at the Council’s website for the submission of applications and notices to the Council;

- “Council’s website” means the Council’s Internet website at <http://www.cea.gov.sg>;
- “fee”, in relation to any transaction, means the applicable fee under the Estate Agents (Fees) Regulations 2010 (G.N. No. S 641/2010);
- “former house agent” means the holder of a valid house agent’s licence under the Appraisers and House Agents Act (Cap. 16) immediately before 22nd October 2010;
- “former house agent salesperson” means a natural person employed or engaged to perform estate agency work by a former house agent immediately before 22nd October 2010;
- “former principal licensee”, in relation to a former house agent, means the natural person who made the application for the former house agent for the house agent’s licence under the Appraisers and House Agents Act (Cap. 16) which was in force immediately before 22nd October 2010;
- “GCE “O” level” means the Singapore-Cambridge General Certificate of Education examination at “O” level;
- “licence number”, in relation to an estate agent, means the licence number assigned by the Council on granting an estate agent’s licence;
- “partner or director”, in relation to a former house agent, means a person who was a partner or director of the former house agent immediately before 22nd October 2010;
- “professional indemnity insurance requirements”, in relation to an estate agent, means the professional indemnity insurance requirements under Part V of the Estate Agents (Estate Agency Work) Regulations 2010 (G.N. No. S 644/2010) that are applicable to the estate agent;
- “Real Estate Agency examination” means the examination conducted by the Council as a qualification for real estate agents;
- “Real Estate Salesperson examination” means the examination conducted by the Council as a qualification for salespersons;
- “registration number” means —
- (a) in relation to a salesperson, the registration number assigned by the Council on the registration of the salesperson; and
 - (b) in relation to a partner (other than a partner of a limited liability

partnership) of an estate agent, the registration number assigned by the Council to the partner on the grant of a licence to the estate agent.

(2) Any reference in these Regulations to a form shall be construed as a reference to the version of the form which is published at the Council's website at the relevant time.

(3) For the purpose of these Regulations, a property transaction is not completed unless a fee, commission or reward is paid or payable to the estate agent or the salesperson for the estate agency work in respect of the transaction.

Forms and required documents

3. Every application and notice to the Council under these Regulations shall —

- (a) be made in the form provided at the Council's website for such application or notice;
- (b) be accompanied by such documents and declarations as may be required by these Regulations or be specified in the applicable form or at the Council's website; and
- (c) be accompanied by any other information or documents that the Council may require in any particular case.

Use of electronic application service

4.—(1) Every application and notice to the Council that is required to be made electronically under these Regulations shall be made through the Council's electronic application service.

(2) The use of the Council's electronic application service is subject to any authentication of identity that the Council may require.

(3) In the event of a malfunction, failure or unavailability of the Council's electronic application service, the application or notice shall be made or given in such manner as the Council may specify at the Council's website.

PART II

APPLICATION FOR LICENCE AND RENEWAL OF LICENCE

Application for grant or renewal of licence