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**ESTATE AGENTS ACT
(CHAPTER 95A)**

**ESTATE AGENTS
(DISCIPLINARY PROCEEDINGS)
(AMENDMENT) REGULATIONS 2020**

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

Citation and commencement

1. These Regulations are the Estate Agents (Disciplinary Proceedings) (Amendment) Regulations 2020 and come into operation on 21 February 2020.

Amendment of regulation 2

2. Regulation 2 of the Estate Agents (Disciplinary Proceedings) Regulations 2011 (G.N. No. S 152/2011) (called in these Regulations the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “Council’s website”, the following definition:

““hearing” means a hearing held under regulation 11(1);” and

(b) by inserting, immediately after the definition of “party”, the following definition:

““pre-hearing conference” means a conference held under a direction given under regulation 9(1);”.

Amendment of regulation 9**3. Regulation 9 of the principal Regulations is amended —**

- (a) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) A pre-hearing conference may be conducted by video-conference or any other similar technology provided that all persons participating in the conference —

(a) have access to the technology needed to participate in the conference; and

(b) can simultaneously communicate with each other during the conference.”; and

- (b) by deleting the words “letter served” in paragraph (2) and substituting the words “serving those orders or directions”.

Amendment of regulation 11**4. Regulation 11 of the principal Regulations is amended —**

- (a) by deleting paragraph (1) and substituting the following paragraph:

“(1) In any disciplinary action, a hearing must be held which may be conducted in any manner that the Disciplinary Committee deems fit, including by video-conference or any other similar technology, provided that —

(a) the Disciplinary Committee considers it appropriate; and

(b) all persons participating in the hearing —

(i) have access to the technology needed to participate in the hearing; and

(ii) can simultaneously communicate with each other during the hearing.”; and

- (b) by inserting, immediately after the words “but fails to appear at the hearing” in paragraph (4), the words “(whether the hearing is conducted in person or by video-conference or any other similar technology)”.

New regulation 11A

5. The principal Regulations are amended by inserting, immediately after regulation 11, the following regulation:

“Disciplinary Committee may alter charge or frame new charge

11A.—(1) The Disciplinary Committee may alter a charge or frame a new charge, whether in substitution for or in addition to an existing charge, at any time before it makes a determination under section 52(1) of the Act.

(2) An altered charge or a new charge must be read and explained to the respondent.

(3) If a charge is altered or a new charge is framed under paragraph (1), the Disciplinary Committee must immediately call on the respondent to state if the respondent admits to the charge and, in the case of a hearing, to state whether the respondent is ready for the hearing to proceed on the altered or new charge.

(4) If the respondent declares that the respondent is not ready, the Disciplinary Committee must consider any reason the respondent gives.

(5) If the Disciplinary Committee thinks that proceeding immediately with the hearing is unlikely to prejudice the respondent’s defence or the Council’s conduct of the case, then it may proceed with the hearing.

(6) If the Disciplinary Committee thinks otherwise, it may direct a new hearing or adjourn the hearing under regulation 12 for as long as it thinks necessary.

(7) If a charge is altered or a new charge is framed by the Disciplinary Committee after the start of a hearing, the Council and the respondent must, on application to the Disciplinary