

Title	Demonstrate knowledge of legislation as applied to real estate licensees		
Level	4	Credits	4

Purpose	<p>This unit standard is for people preparing for entry into, or who are currently working in, the real estate industry.</p> <p>People credited with this unit standard are able to demonstrate knowledge of legislation as applied to real estate licensees.</p>
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Classification	Real Estate > Real Estate Practice and Law
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Available grade	Achieved
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Guidance Information

- 1 Legislation
 - Anti-Money Laundering and Countering Financing of Terrorism Act 2009;
 - Building (Pools) Amendment Act 2016;
 - Consumer Guarantees Act 1993;
 - Fencing Act 1978;
 - Health and Safety at Work Act 2015;
 - Human Rights Act 1993;
 - Overseas Investment Act 2005;
 - Real Estate Agents Act 2008;
 - Residential Tenancies Act 1986;
 - Secret Commissions Act 1910;
 - and all subsequent amendments and replacements.

- 2 Definitions
 - Industry requirements* refers to all actions by licensees must comply with relevant professional standards, legislation, and rules made under the provision of applicable legislation.
 - Licensee* refers to an agent, branch manager, or salesperson.

Outcomes and performance criteria

Outcome 1

Demonstrate knowledge of legislation as applied to real estate licensees.

Performance criteria

1.1 Explain the legal implications of legislation as they affect a licensee.

Range includes but is not limited to – Consumer Guarantees Act 1993, Fencing Act 1978, Human Rights Act 1993, Privacy Act 2020, Secret Commissions Act 1910, Anti-Money Laundering and Countering Financing of Terrorism Act 2009, Overseas Investment Act 2005.

1.2 Explain the risks and legal implications of the Health and Safety at Work Act 2015 as they affect a licensee.

Range includes but is not limited to – client disclosure at time of listing, showing property including open homes, vehicle use, reporting of incidents.

1.3 Identify, record, and manage potential hazards at places of work as a licensee in accordance with the Health and Safety at Work Act 2015.

Range includes but is not limited to – reporting of incidents, showing property including open homes, vehicle use.

1.4 Explain the rights of entry for a licensee in accordance with the Residential Tenancies Act 1986.

1.5 Explain the key provisions of the Residential Tenancies Act 1986 in accordance with industry requirements.

Range provisions include but are not limited to – types of tenancies, landlord and tenant responsibilities, tenancy termination, rent reviews.

1.6 Explain a licensee's legal obligations regarding personal taxation.

Range includes but is not limited to – commission, income tax, goods and services tax.

Replacement information	This unit standard, unit standard 23135, and unit standard 23136 replaced unit standard 4654 and unit standard 4665.
Planned review date	31 December 2025

Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	18 December 2006	31 December 2013
Review	2	12 February 2010	31 December 2013
Rollover and Revision	3	16 August 2012	31 December 2019
Review	4	16 February 2017	31 December 2022
Review	5	28 January 2021	31 December 2022
Revision	6	28 October 2021	N/A

Consent and Moderation Requirements (CMR) reference

0003

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact The Skills Organisation reviewcomments@skills.org.nz if you wish to suggest changes to the content of this unit standard.