

LAND VALUERS LICENSING.

No. 15 of 1984.

AN ACT to amend the Land Valuers Licensing Act 1978.

[Assented to 31 May 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Land Valuers Licensing Amendment Act 1984*. Short title and citation.

(2) In this Act the Land Valuers Licensing Act 1978 is referred to as the principal Act. Act No. 55 of 1978.

(3) The principal Act as amended by this Act may be cited as the Land Valuers Licensing Act 1978-1984.

Commence-
ment.

2. (1) Subject to subsection (2), this Act shall come into operation on the twenty-eighth day after the day on which it is assented to by the Governor.

(2) Sections 3 and 7 of this Act shall come into operation on a day to be fixed by proclamation.

Section 4
amended.

3. Section 4 of the principal Act is amended in the definition of "licensed valuers code of conduct" by deleting "approved" and substituting the following—

“ published ”.

Section 6
amended and
transitional.

4. (1) Section 6 of the principal Act is amended—

(a) in subsection (1) by deleting paragraphs (b), (c) and (d) and substituting the following paragraphs—

“ (b) one shall be a person who is nominated by the Minister;

(c) 2 shall be persons who are experienced in the valuation of land, are members of the Institute of Valuers, and are nominated by the Minister from a panel of names submitted by the Western Australian Division of that Institute; and

(d) one shall be a person who is experienced in the valuation of land, is a member of the Institute of Valuers, and is nominated by

the Minister from a panel of names submitted by the Real Estate Institute of Western Australia. ”;

- (b) by repealing subsections (3) and (4) and substituting the following subsections—

“ (3) Whenever a panel of names is required for the purposes of filling the offices referred to in subsection (1) (a) or an office referred to in subsection (1) (c) or (d), the Minister shall, in writing, request the body referred to in the appropriate paragraph to submit to him, in writing, within the time specified in the request, a panel containing the names of 3 persons qualified and willing to act as members of the Board.

(4) Where a request is made pursuant to subsection (3) the Minister may, if no panel or no panel of sufficient size, is submitted in accordance with the request, nominate for appointment—

- (a) to the offices referred to in subsection (1) (a), such legal practitioner of not less than 7 years standing as he thinks fit; or
- (b) to an office referred to in subsection (1) (c) or (d), such person, being a person who is experienced in the valuation of land and is a member of the Institute of Valuers, as he thinks fit. ”;

- (c) by repealing subsections (5), (6) and (7); and

(d) in subsection (9) by deleting “, (4), (5), (6) and (7)” and substituting the following—

“ and (4) ”.

(2) Notwithstanding subsection (1) of this section, each person holding office as member or deputy member of the Board immediately before the coming into operation of this section shall continue to hold office as such until the expiry of his term, subject to the principal Act and the terms of his appointment, and shall be eligible for re-appointment.

Section 23
amended.

5. Section 23 of the principal Act is amended—

(a) by deleting subsection (1) and substituting the following subsection—

“ (1) A person shall not carry on business, or by any means hold himself out, or demand or receive commission, reward or other valuable consideration in respect of his services, as a valuer of land unless he is licensed under this Act.

Penalty: \$500. ”; and

(b) in subsection (2) by inserting after “itself out,” the following—

“ or demanding or receiving commission, reward or other valuable consideration in respect of its services, ”.

Section 25
amended and
transitional.

6. (1) Section 25 of the principal Act is amended in subsection (1) by inserting after “may” the following—

“ , with the approval of the Minister, ”.

(2) A notice published under section 25 of the principal Act before the coming into operation of this section shall continue to have effect as if it had been approved by the Minister and published after the coming into operation of this section.

7. Section 26 of the principal Act is repealed and the following section is substituted—

Section 26
amended.

“ 26. The Board may, with the approval of the Minister, from time to time by notice published in the *Government Gazette* lay down a code of conduct for licensed valuers. ”

Licensed
valuers'
code.
