

Conveyancers' Continuing Education Rules

These rules are made by the New Zealand Society of Conveyancers pursuant to Section 98(1)(c) of the Lawyers and Conveyancers Act 2006 (the **Act**) after consultation in accordance with Section 100 of the Act.

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1. Title and Commencement

- (1) These rules are the Conveyancers' Continuing Education Rules (the **Rules**).
- (2) The Rules come into force on 1st July 2014.

2. The Purpose

- (1) The Rules are designed to provide requirements for Conveyancer to undertake ongoing education relating to the law or the practice of conveyancing in accordance with Section 91(1)(c) of the Act.
- (2) The Rules have been prepared by the New Zealand Society of Conveyancers.
- (3) The Rules are to form part of the Rules for Registration of Conveyancers pursuant to Section 82 of the Act and apply to all Registered Conveyancers and Conveyancing Practitioners.

3. Interpretation

- (1) In the Rules, unless the context otherwise requires:
 - (a) **Act** means the Lawyers and Conveyancers Act 2006
 - (b) **Application** means an application to the NZSoC for renewal of registration as a Registered Conveyancer or as a Conveyancing Practitioner
 - (c) **Approved provider** means those providers set out in Clause 6

- (d) **CCE** means Conveyancers Continuing Education
- (e) **Conveyancer** means
 - a Registered Conveyancer
 - a Conveyancing Practitioner whether or not that conveyancer is entitled to practise on his or her own account
 - an incorporated Conveyancing firm
- (f) **Conveyancers' Continuing Education requirements** or **CCE requirements** has the meaning given to it by Rule 4.
- (g) **Non-verifiable activities** means activities that relate to areas which enhance the Conveyancer's practice (Refer to Clause 7)
- (h) **NZSoC** means the New Zealand Society of Conveyancers
- (i) **Providing regulated services**, in relation to a Conveyancer includes holding out as willing or available to provide regulated services
- (j) **Verifiable continuing education** means
 - Formal education relating to the law or practice of conveyancing by an NZQA accredited provider.
 - Courses, seminars, training, webinars or distance learning programmes for which a certificate of completion is provided, and which is delivered by an approved provider.
- (k) **Yearly period** means a twelve-month period commencing on 1 July and terminating on 30 June in the immediately succeeding calendar year being the same year as the registration year for the NZSoC.

4. Conveyancers' Continuing Education Requirements

- (1) Conveyancers must comply with the following CCE requirements:
 - (a) To undertake the required minimum hours of CCE as set out in rule 4(2) below; and
 - (b) To give the NZSoC a declaration of compliance with the CCE requirements in the form prescribed by the NZSoC, no later than five working days after the end of the immediately preceding yearly period; and
 - (c) To keep a written record of the CCE together with evidence for auditing requirements; and
 - (d) To produce such written record and evidence or to authorise a third party to provide such evidence to the NZSoC upon written request.
- (2) CCE will comprise:
 - (a) Completion of a minimum of 5 hours verifiable continuing education in a yearly period; and
 - (b) Completion of a minimum of 5 hours non-verifiable activities in a yearly period.
- (3) In the event a Conveyancer fails meet the CCE Requirements above:
 - (a) The NZSoC may refuse to re-register or to issue a practicing certificate (as the case may be) in respect of that Conveyancer for the subsequent year.

- (b) The NZSoC may however on application by the Conveyancer who has not completed the CCE requirements from the current or a previous yearly period, allow the Conveyancer to defer all or part of those requirements until a subsequent yearly period only if the NZSoC is satisfied that exceptional circumstances prevented the Conveyancer from completing the CCE requirements during the relevant yearly period.

5. Other Provisions

- (1) For a Conveyancer who has not provided regulated services for the whole of a yearly period preceding an application, the minimum number of hours may be reduced upon application by the Conveyancer and at the discretion of the NZSoC.
- (2) Conveyancers who complete the Diploma in Conveyancing Level 6 within the yearly period preceding an application for registration to the NZSoC shall be exempt from these rules for the first yearly period.

6. Verifiable Continuing Education – Approved Providers

Approved providers of verifiable continuing education are:

- Courses, seminars and workshops offered by the NZSoC
- The College of Law New Zealand (note: some entry criteria may apply)
- NZLS Continuing Legal Education (note: some entry criteria may apply)
- New Zealand Institute of Legal Executives
- Brightstar
- All NZQA accredited providers/polytechnics/NZ Universities

7. Non-Verifiable Events

These comprise of:

- Structured in-house training
- Supervised personal professional development
- Continuing Education required for membership Licence holding of any other professional or regulatory organisation
- Distance Learning programs and webinars by non-approved providers
- Lecturing, teaching or instructing, including reasonable preparation time
- Writing of law-related books or articles
- Preparing and completing legal submissions
- Approved service to the NZSoC (contact the NZSoC for details on available options)