

## 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.

### Contents:

|  | Page |
|--|------|
| 1. Title and Commencement.....                             | 1    |
| 2. The Purpose.....  | 1    |
| 3. Interpretation.....                                     | 1    |
| 4. Conveyancers' Continuing Education Requirements.....    | 2    |
| 5. Other Provisions.....                                   | 3    |
| 6. Verifiable Continuing Education Approved Providers..... | 3    |
| 7. Non-Verifiable Events.....                              | 3    |

### 1. Title and Commencement

- (1) These rules are the Conveyancers' Continuing Education Rules (the **Rules**).
- (2) The Rules come into force on 1<sup>st</sup> 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 programmes 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)