

APPLICATION FORM

For **REGISTERED CONVEYANCER; CONVEYANCING PRACTITIONER, AND/OR PRACTISING ON OWN ACCOUNT**

Under the Lawyers and Conveyancers Act 2006 ("Act")

Please refer to the notes on Pg. 5-7 for further information.

Application for:

Registered Conveyancer (Complete Parts A+B+E)

Registration year: _____

Registration period: 1 July to 30 June

Conveyancing Practitioner with a Practising Certificate (Complete Parts A+B+C+E)

Practising on own account (Complete Parts A+B+C+D+E)

PART A:

Contact Details

Surname		Preferred First Name	
First Name		Middle Name(s)	
Salutation	Mr. Mrs. Ms.	Other	
Previous name(s) (if applicable)		Gender	Male Female
Date of birth			
Phone No.		Mobile no.	
Private address			
Preferred correspondence address			
Email address			

Practice/Employment Details (Details of your principal place of actual or intended practice)

Organization name			
Type of Business			
Position		Commencement date	
Postal address			
Physical address			
Country (if not NZ)			
Telephone		Work mobile	
Work email			

Employment History

Details of your employment history. Please explain any gaps in your employment/practice history. Alternatively, attach a copy of your CV.

Organization	Position	Start Date (year)	End Date (year)

Directorships

Are you a director of companies? Please list all below with an explanation of what the business of the company is and your involvement in each company. If necessary, use a separate sheet and attach to this report.

Company	Explanation of business

Referees (2 required) (refer Note 1)

	Name of referee	Email	Phone	Organization
Employer referee (if applicable)				
Previous employer (see notes)				
General referee				

Membership of the NZSOC

Membership of the NZSOC is voluntary and entitles holders to special benefits, insurance and events.

I wish to be a member of the NZSOC; YES NO I am an existing Member:

Authority to make enquiries:

I authorize NZSOC to make independent enquiries as requested to assess this application. Any third party approached by NZSOC as part of such an enquiry is authorized to disclose my personal information to NZSOC. I give my consent to the NZSOC to obtain a report of my credit history.

Signature: _____ Date: _____

PART B: APPLICATION FOR REGISTERED CONVEYANCER (Refer notes 3 & 5)

I wish to apply to be a Registered Conveyancer.

I am already a Registered Conveyancer. (Go to part C)

	I have a diploma of conveyancing.	- Date of diploma (year issued): _____
	I wish to apply to be a Registered Conveyancer by way of Equivalency Assessment .	- Experience portfolio Section 1 submitted to NZSOC on _____ - My legal qualification is: _____ Year issued: _____
Please state your intentions should your application be successful <i>i.e.: who do you intend to work for, will you apply for a practising certificate (if so, complete Part C) or to practise on your own account (if so complete Part D).</i>		
CHECKLIST – Registered Conveyancer (Documents to be attached).		
Certified copy of diploma of conveyancing OR Section 1 Experience Portfolio . (For Equivalency Assessment applicants). Certified copy of legal qualification (Equivalency Assessment Applicants). Ministry of Justice Criminal Request by a Third Party Priv/F2. Private criminal records check . Certified copy of ID document. Certified copy of residential address.		

PART C: APPLICATION FOR CONVEYANCING PRACTITIONER WITH PRACTISING CERTIFICATE

Once you have been issued with a Practising Certificate, you are then referred to as a Conveyancing Practitioner.

Please issue me with a Practising Certificate
I already have a Practising Certificate. (Go to Part D)

I am already a registered Conveyancer.	NZSOC Registration No. _____
I have applied to become a Registered Conveyancer and completed Part B.	
CHECKLIST – CONVEYANCING PRACTITIONER WITH PRACTISING CERTIFICATE (Documents to be attached) (The below items are to be supplied if it has been more than 2 years since originally providing information to NZSOC).	
Certified copy of ID document.	
Certified copy of residential address.	
Ministry of Justice Criminal Request by a Third Party Priv/F2 .	Private criminal Records Check .
Employer Indemnity Form (if applicant is employed by a Law Firm). See note 3C.	

PART D: APPLICATION TO PRACTICE ON OWN ACCOUNT (Refer Notes 4 & 5)

I wish to apply to Practice on My Own Account

I am already a Registered Conveyancer.		NZSOC Registration No. _____	
I have applied to become a Registered Conveyancer and have completed Part B.			
I already hold a Practising Certificate.			
I am applying for a Practising Certificate and have completed Part C.			
Will you be practising as a;	Sole Practitioner. Partner in a Conveyancing Firm. Director of an Incorporated Conveyancing firm.		
Full name of incorporated Firm;			
Full Names of shareholders and shareholding;			
Proposed commencement date;			
Address of business;			
Do you intend to operate a trust account?	YES	NO	
I have completed the NZSOC Trust accounting course.	NO	YES	Date of completion: _____
I wish to enroll in the NZSOC Trust Accounting course.	NO	YES	
I have successfully completed a Level 4 Small Business Management course.	NO	YES	Year of completion: _____
OR I have attached my proposal to waive this requirement to complete a Small Business Management Course.			
I have successfully completed the Toi Ohomai's Diploma of Conveyancing Case Management Paper. (Equivalency assessment applicants).			
I have a Diploma of Conveyancing. I am registered/applying to register as a Conveyancer by way of Equivalency assessment.			
I intend to join the NZSOC Master Professional Indemnity Insurance Policy, OR I have attached my own Professional Indemnity Insurance.			
My Power of Attorney is -	Full name: _____	Firm: _____	
My back up POA is -	Full name: _____	Firm: _____	
CHECKLIST – PRACTISING ON OWN ACCOUNT (Documents to be attached)			
Certificate of incorporation (if applicable).			
Copy of Professional Indemnity Insurance Policy (if not joining NZSOC master policy).			
Evidence of having successfully completed a Small Business Management Course, OR Your statement & evidence detailing previous business ownership and management.			
Experience Portfolio Section 1 and Section 2 emailed to the NZSOC.			
Copies of power of attorney documents. (POA - Director or POA - Sole Practise)			
Evidence of passing the Toi Ohomai Case Management paper (Equivalency applicants only).			

PART E – STATUTORY DECLARATION - Required for ALL Applications (Refer Note 2)

FIT AND PROPER PERSON.

Where relevant please provide detailed information on a separate sheet.

QUESTION	YES	NO
1. Have you been adjudicated bankrupt, had an assignment for the benefit of creditors, or been a director of a company that has been put into receivership or liquidation in New Zealand or in any other country?		
2. Have you any current or pending charges in New Zealand or overseas?		
3. Have you been convicted of any offence in New Zealand (other than one concealed by the Criminal Records (Clean Slate) Act 2004), or overseas?		
4. Have you suffered or are you suffering from a mental or physical condition that may render you unable to perform the functions required for the provision of conveyancing services?		
5. Have you contravened, in NZ or a foreign country, a law about trust money or a trust account management?		
6. Have you provided conveyancing services in New Zealand or foreign country when not permitted to do so?		
7. Are you the subject of current disciplinary action in another profession or occupation in New Zealand or a foreign country, or have you been the subject of disciplinary action of that kind that has involved a finding of guilt, however expressed?		
8. Are you currently subject to an unresolved complaint or a current investigation, charge, or order by a regulatory or disciplinary body for persons engaging in legal conveyancing practice in NZ or any other country?		
9. Have you been or are you subject to an order under any legislation disqualifying you from being employed by a conveyancing practitioner, incorporated conveyancing firm, lawyer or law firm.		
10. Have you contravened an order of a Standards Committee, the Legal Complaints Review Officer or the New Zealand Lawyers and Conveyancers Disciplinary Tribunal?		
11. Do you already hold a practising certificate with the NZ Law Society?		
12. Are there any other matters of which the New Zealand Society of Conveyancing (NZSOC) should be aware of in considering your application? Please provide details below:		

- I undertake to advise the NZSOC should there be any changes to my present occupation.
- I declare herewith that my work experience stipulated in my application is a true reflection of my experience in the profession.
- I understand that I must disclose to the NZSOC as soon as practicable information about any matter that might affect my application or ongoing registration.
- I will not practise on my own account unless authorized by the NZSOC.
- I undertake to maintain my current Professional Indemnity Insurance Policy during the term of my practising certificate (For applicants practising on own account).
- Pursuant to [Section 5](#) of the Lawyers and Conveyancers Act 2006, I will comply with the following fundamental obligations:
 - a) To be independent in providing regulated services to my clients;
 - b) To act in accordance with all fiduciary duties and duties of care owed by Conveyancing Practitioners to their clients; and
 - c) To protect, subject to my duties under any enactment the interests of my clients.

I, _____
(insert full name)

Of _____
(insert full address)

(Insert occupation) **NOTE:** Please do not describe your occupation as a Conveyancing Practitioner or Conveyancer or any restricted descriptions in [S32](#) of the LCA if you are not already registered as a Conveyancer/Practitioner.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths & Declarations Act 1957.

Signed: _____ Date: _____

Note: This declaration must be signed in the presence of a witness:

This section to be completed by your witness

Declared at _____ on the _____ day of _____ 20

Before me, being a person authorized under the Oaths and Declarations Act 1957.

Signature of witness _____ Print Full Name _____ Qualification of Witness _____

Address: _____

GUIDE TO THE FORM

GENERAL INFORMATION

- Please email your application and all supporting documentation.
- Incomplete applications may be deferred until all the necessary information has been received.
- To speed up the process you may apply for a personal criminal convictions report from the MOJ which will be accepted by the Society in the interim until our Priv/F2 criminal convictions report request has been received. Please note that should the Priv/F2 third party request results not be favorable, your approval and certificate(s) will be revoked.
- You should allow 3-4 weeks for your application to be processed.
- Where required, please ensure your copies are marked “certified as a true copy of the original which has been sighted” and they are legibly signed and dated – preferably with a name stamp appended. Each page of the document must be certified.

CONTINUED EDUCATION

It is mandatory for Conveyancers to engage in continuing education in accordance with the CCE rules.

The requirements for CCE have been set at:

- 10 hours of relevant education and/or activities in the practising year, being
- 5 or more hours of which must be verifiable education.
- 5 or less hours of which may be activities that are non-verifiable.
- Conveyancers are to record their own education and activities and submit evidence of completion upon registration renewal in June each year.

For a more detailed description on continued education, please follow the link to our [continuing education web page](#).

NOTE 1 - REFERENCES

References may be requested by the NZSOC.

Employer referees must have known you for at least 12 months and currently hold a position of responsibility. However, if you are currently employed and have been so for less than 12 months your current employer should still provide a reference. In such cases, you must also provide a reference from your immediate past employer in addition to the reference from your current employer.

At least one of your referees must have known you for at least five years. General character references must be from people of standing in the community for example, a member of a regulated profession. Members of your family (including spouses and partners) may not act as referees.

NOTE 2 - FIT AND PROPER PERSON

You must be open and honest in answering the questions in this section. If you are in doubt or if you know anything that would affect your character or fitness, provide further information. A positive answer to any of the questions in this section will not automatically result in a declined application. Each application will be considered individually on its merits. The NZSOC will treat all details given in this section as confidential.

Please note your rights under the Criminal Records (Clean Slate) Act 2004 before providing details of any criminal record. If you have been convicted of any offence (including traffic offences) in New Zealand or a foreign country, please provide a copy of your criminal record held by the Ministry of Justice (or similar office in another jurisdiction), the police summary of facts, the court sentencing notes and provide details on a separate sheet including the following:

- Nature of the offence(s).
- Date of the offence(s).
- Your age when the offence(s) were committed.

NOTE 3a. REGISTERED CONVEYANCER – DIPLOMA OF CONVEYANCING

Applicants who have attained the Diploma of Conveyancing are eligible to apply for registration as a Conveyancer.

NOTE 3b. REGISTERED CONVEYANCER – EQUIVALENCY ASSESSMENT

Applicants who will be eligible to apply for Equivalency Assessment must;

- Have a legal qualification (i.e. law degree or legal executive qualification).
- Have a minimum of 5 years conveyancing experience attained from within New Zealand.
- Email to the NZSOC Section 1 of the Experience Portfolio demonstrating the applicants experience in a variety of conveyancing related matters which will be assessed by the NZSOC's Registration Authority.
- Pay the non-refundable fee at time of applying for Equivalency Assessment.

NOTE 3c. REGISTERED CONVEYANCER and/or CONVEYANCING PRACTITIONER - EMPLOYER INDEMNITY

Where the applicant works for a law firm, the "Employer Indemnity Form" is to be completed and signed by a Partner/Director. This form is to be updated when the applicant changes employer.

NOTE 4 – APPLICATION TO PRACTICE ON OWN ACCOUNT **INFORMATION TO APPLICANTS:**

- Any Conveyancing Practitioner who wishes to become a Director of an incorporated Conveyancing firm, or a partner in a partnership, or a sole Conveyancing Practitioner must have been granted leave either by the Society or the High Court to practice on his or her own account.
- In accordance with Section 37(1)(a) of the Lawyers and Conveyancers Act 2006, Conveyancing Practitioners proposing to commence practice as Conveyancing Practitioners "on their own account", whether in partnership or otherwise, must first satisfy the New Zealand Society of Conveyancers that they are suitable persons to practice on their own account and that they must not commence practice on their own account until they have been authorized by the Society.
- The Conveyancing Practitioner must have at least 2 years Conveyancing experience gained within the last 8 years, either from within in New Zealand or Australia, to have received adequate instruction and examination on the duties of a Conveyancing Practitioner under the Act, and regulations and rules made under it, that relate to the receipt and handling of clients' money and the operation of Conveyancing Practitioners' trust accounts.
- Section 44 of the Act together with clauses 4 and 5 of Schedule 1 to the Act requires that every sole Conveyancing Practitioner and every Conveyancing Practitioner who is the only director of an incorporated conveyancing firm, give power of Attorney in a form approved by the Society to two other Conveyancing Practitioners who have authority to practice on his or her own account.
- The NZSOC may impose any conditions and/or limit the services that the Practitioner may provide. Conveyancing Practitioners who operate a trust account are required to have their trust account audited at periodic intervals determined by the NZSOC. The NZSOC appoints the inspectorate and the inspectorate fee is paid by the Conveyancing Firm concerned.

REQUIREMENTS:

4.1 Trust Account Course

If the applicant is to operate a trust account, then the Conveyancing Practitioner must complete the NZ Society of Conveyancers Trust account course. Refer to Sections 110-116 of the Lawyers and Conveyancers Act 2006. Such course to have been completed no more than 3 years prior to date of application, and at a pass rate of 80% or more. More info on our [web-page](#).

4.2 Small Business Management Course

The Conveyancing Practitioner must provide evidence of successfully completing a level 4 Small Business Management course. This requirement may be exempted upon the applicant demonstrating sufficient prior business management experience by way of having owned/co-owned their own business for at least 5 years, no more than 3 years prior to making application.

4.3 Diploma of Conveyancing Case Management Paper

Conveyancers who have been registered by way of Equivalency Assessment, must successfully complete the Toi Ohomai Institute Diploma of Conveyancing Case Management paper.

4.4 Powers of Attorney

The appointment of 2 Conveyancing Practitioners (one as a primary power of attorney and one as a back-up) entitled to practice on his or her own account is to be appointed as your attorney. Completion of a Power of Attorney for a Sole Practice or a Power of Attorney for a Director of an Incorporated Conveyancing firm must be attended to at the time of being granted approval to practice on own account and certified copies provided to the Society. The necessary access authority to Landonline for your primary power of attorney must be made within 3 months of being granted approval to practice on own account.

4.5 Professional Indemnity Insurance Cover

- The NZSOC has a Master PI Insurance policy with fidelity cover and is available for members to apply to be insured under this policy at a discounted rate. Please contact the Society should you wish to be included in the policy.
- Should you decide to obtain your own individual PI insurance, in accordance with S25 Lawyers and Conveyancers Act (Conveyancers Registration and Practice) Regulations 2008, the Society must first approve of the insurance provider. The provider must have Standard & Poors or AM Best Claims Paying Ability Rating of a minimum of "A-".
- Cover must be for at least \$1m and cover Fair Trading Act liability, a copy of your policy must be provided to the Society each year upon renewal.

4.6 Experience

To demonstrate your experience to practice on your own account, Section 1 and Section 2 of the Experience Portfolio is to be emailed to NZSOC.

4.7 Interview

Prior to final approval an interview before the Registrations Authority will be scheduled.

FEES

A full list of fees is detailed on our [schedule of fees](#). If you are applying to be a Registered Conveyancer by way of Equivalency assessment or to practice on your own account, then application fees apply. We will forward to you an invoice upon receiving your application and after we receive payment, the NZSOC board will commence with the processing of your application.

Annual fees will be pro-rated monthly. Annual levies cannot be pro-rated and need to be paid in full at time of being invoiced. Upon approval of your application, your invoice will be forwarded to you, and once your payment has been made, your certificates will be forwarded to you.

Yearly subscriptions run from 1 July to 30 June.

Forward your application to:

Registrations Authority
New Zealand Society of Conveyancers
P O Box 8052
Cherrywood
Tauranga
3145

For further information contact:

info@nzconveyancing.co.nz
www.nzconveyancing.co.nz
07 218 2188