

## **BUSINESS LICENCE (AMENDMENT) REGULATIONS 2012**

### **Explanatory Notes**

**(This note does not form part of the Regulations but is intended to explain its purpose and effect)**

These amendments propose to add "Real Estate Services" to list of Business Activities in Schedule 2 so that business licences can be issued for real estate services.

The Real Estate Agents Authority Bill 2010 will establish an Authority to regulate the registration of real estate agents and obtaining a certificate from the Authority is a specific sector requirement to applying for a real estate services business license.

The appropriate amendment has been made to Form I of the Regulations to impose this requirement. Schedule 3 is also amended to disable the use of Commission Agents licenses to deal over land.

These amendments are proposed to strengthen the regulatory framework over real estate agents in the wake of problems raised in the Royal Land Commission's Second Interim Report.

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**BUSINESS LICENCES (AMENDMENT)  
REGULATIONS 2012**

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## BUSINESS LICENCES (AMENDMENT) REGULATIONS 2012

### Arrangement of Regulations

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#### Regulation

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**BUSINESS LICENCES (AMENDMENT)  
REGULATIONS 2012**

**BUSINESS LICENCES ACT 2002**

*IN EXERCISE of the powers conferred by section 23 of the Business Licences Act 2002, the Minister for Labour, Commerce and Industries, makes the following Regulations —*

**1 Short title**

- (1) These Regulations may be cited as the Business Licences (Amendment) Regulations 2012.
- (2) The Business Licences Regulations 2007, as amended, are referred to in these Regulations, as the Principal Regulations.

**2 Commencement**

These Regulations shall come into force on such date as the Minister may provide by Notice in the Gazette, and different regulations may be commenced upon different dates.

**3 Schedule 2 Amended**

Schedule 2 of the Principal Regulations is amended by adding “Real Estate Services” to the Business Activities List.

**4 Schedule 3 Amended**

Schedule 3 of the Principal Regulations is amended by inserting the following new item at the end –

“(E) Commission Agents

Conditions

No activity under this licence shall involve the business of renting, leasing or dealing in land.”

**5 Form I Amended**

Form I of the Principal Regulations is amended, in Section 2, by adding the specific sector requirement of a “Certificate from the Tonga Real Estates Authority or Tonga Real Estate Agents Society”, for an application for a business licence for “Real Estate Services”.

Made at Nuku'alofa this

day of

2012.