

# ESTATE AGENTS

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*Estate Agents Act 112 of 1976*, as amended in South Africa to April 1978.

**Summary:** This Act establishes an Estate Agents Board and an Estate Agents Fidelity Fund and regulates the activities of estate agents.

**Applicability to SWA:** Section 1 defines “Republic” to include “the territory of South West Africa”. Section 36 states “This Act and any amendment thereof shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel”.

**Transfer of administration to SWA:** The administration of this Act was transferred to SWA by the Executive Powers (Commerce) Transfer Proclamation (AG 28/1978), dated 28 April 1978. None of the amendments to the Act in South Africa after the date of transfer were made expressly applicable to SWA.

**Amendments:** Act 28/1987, which is brought into operation by AG 5/1988, amends the Act substantially.

**Regulations:** Regulations on standards of training are contained in RSA GN R.1409 of 1 July 1983 (as amended) and GN 221/1996 (GG 1395).

Regulations on fidelity fund and regulation certificates are contained in RSA GN R.1798 of 1986, RSA GN R.2106 of 1986, AG GN 97/1989, GN 222/1996 (GG 1395).

A Code of Conduct for Estate Agents is addressed in GN 571/1985, GN 98/1989 and GN 16/1996 (GG 1242).

**Application of law:** The application of this law is affected by the Financial Intelligence Act 3 of 2007, which places certain duties on estate agents and on the Estate Agents Board.

See also **LAND**.

See also **PURCHASE AND SALE**.