

9 April 2024

**Our Ref: C56772**

By email: [fyi-request-23497-7890e1f1@requests.fyi.org.nz](mailto:fyi-request-23497-7890e1f1@requests.fyi.org.nz)

Tēnā koe, John,

**Official Information Act 1982 (OIA): Te Kākano**

I refer to your official information request dated 25 February 2024 for the following:

*" 1. All information, including but not limited to business cases, memos, email messages, whatsapp messages, SMS messages, et al related to the background and rationale for mandating of the Te Kakano course in 2023*

*2. All information, including but not limited to business cases, memos, email messages, whatsapp messages, SMS messages, et al related to the background and rationale for making the Te Kakano course optional for 2024*

*3. The total number of people who were required under the mandate in 2023 to complete Te Kakano including a breakdown of the number that did not complete Te Kakano*

*4. The number of and details of any complaints and appeals related to the requirement to mandatorily complete Te Kakano in 2023"*

We have considered your request under the OIA and set out our response below.

**Information being released**

**Request 1 - All information, including but not limited to business cases, memos, email messages, whatsapp messages, SMS messages, et al related to the background and rationale for mandating of the Te Kakano course in 2023**

We attach the following information in relation to Request 1:

- a. Memo from REA Education Team to SLT with verifiable CPD topics recommendations for 2023
- b. CE report to the Board with information on the CPD and education programme. The recommendation from the education that no exemptions be granted was not endorsed by the CE and was not presented as a recommendation to the Board.
- c. Minutes of the Board meeting supporting Diversity & Inclusion and the mandatory topic.

Information in these documents outside of the scope of your request have been withheld.

We also refer you to our industry Panui/Newsletter to the Sector which are available on our [website](#).

**Request 2. All information, including but not limited to business cases, memos, email messages, whatsapp messages, SMS messages, et al related to the background and rationale for making the Te Kakano course optional for 2024**

Each year REA releases new topics to the Continuing Professional Development (CPD) topic library (available at [rea.govt.co.nz](http://rea.govt.co.nz)) and notifies licensees on whether the topics are mandatory or elective for that CPD year (which ends on 31 December). Licensees must complete the topics prescribed as mandatory in that calendar year, along with any of the elective topics from the CPD library for the balance of the required 10 hours of verifiable CPD.

All mandatory topics become elective topics in the following year. This is because we do not expect licensees to do the same topic two years in a row. Therefore, Te Kākano is an elective topic in 2024 and remains available for new licensees to complete as part of their elective topic selection.

Please see the CPD topic section of [rea.govt.nz](http://rea.govt.nz), which shows that the two mandatory topics for the 2022 calendar year became elective topics in 2023, and similarly the two mandatory topics for 2023 are now elective topics in 2024.

There is no further material to release in relation to this request.

**Request 3. The total number of people who were required under the mandate in 2023 to complete Te Kakano including a breakdown of the number that did not complete Te Kakano**

13,818 licensees were required to complete 2023 CPD by 31 December 2023. 276 (1.9%) licensees did not complete Te Kākano by 31 December (including 191 licensees who did not complete any CPD). We note that this number includes licensees who have been granted a deferral.

It is important to emphasise that there are several reasons why licensees do not complete their CPD requirements. For example, each year a number of licensees choose not to complete their CPD obligations as they no longer intend to undertake real estate agency work, or intend to leave the profession. Others may incorrectly assume they are exempt if they were recently licensed. In other cases, illness or death are the reasons provided for non-completion. Sometimes technical issues arise which means a completion of a topic is not recorded accurately. We are working through these reasons with all licensees as part of our process.

**Request 4. The number of and details of any complaints and appeals related to the requirement to mandatorily complete Te Kakano in 2023.**

As at the time of our response:

- Two licensees have appeals pending before the Real Estate Agents Disciplinary Tribunal against the Registrar’s decision not to grant an exemption from completing the Te Kākano course; and
- one licensee has commenced judicial review proceedings in the High Court in relation to Te Kākano.

All further details have been withheld under section 6(c) as they are the subject of active matters before the Tribunal/High Court.

**Next steps**

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



Herman Visagie

**General Counsel**