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# GOVERNMENT NOTICE

## DEPARTMENT OF TRADE AND INDUSTRY

No. R. 745

17 August 2001

### ESTATE AGENCY AFFAIRS ACT, 1976 (ACT No. 112 OF 1976)

In terms of section 33 of the Estate Agency Affairs Act, 1976 (Act No. 112 of 1976), I, Alexander Erwin, Minister of Trade and Industry, hereby amend the Regulations published by Government Notice No. R. 21997 of 26 January 2001, as amended, as set out in the Schedules hereto.

### SCHEDULE A

1. Regulation 5(2)(c)(i) is hereby amended by—
  - (a) the substitution of the word "Minister" for the word "Board".
2. Regulation 8(2)(a) is hereby amended as follows—
  - (a) A summons referred to in subregulation 8(1)(a) hereof shall be in the form specified in Annexure A and a summons referred to in subregulation 8(1)(b) hereof shall be in the form specified in Annexure B.
3. Regulation 8(2)(b) is hereby amended by—
  - (a) inserting form of summons referred to in regulation 8(1)(a)(b) as Annexure A and B respectively at the back of Government Notice No. R. 51 of 26 January 2001.

### ANNEXURE A

#### ESTATE AGENCY AFFAIRS ACT, 1976 (ACT No. 112 OF 1976)

#### Form of summons referred to in regulation 8(1)(a) of Government Notice No. R. 51 of 26 January 2001

To: .....

You are hereby summoned to appear on .....

at ..... or so soon thereafter as the matter may be heard on that date,

at .....

before a committee of inquiry of the Estate Agency Affairs Board for the purposes of an inquiry into conduct deserving of sanction by you and to produce the following books and documents at the said time and place:

All documents in your possession or under your control relating to the above-mentioned matter and.....

.....

The inquiry will be in respect of the charge which has already been delivered to you personally, alternatively sent to you by prepaid registered post at your business or residential address on record at the Board.

Should you fail without just cause, to comply with this summons or to remain present at the inquiry until lawfully excused therefrom:

1. You will be guilty of an offence in terms of section 34 of the Estate Agency Affairs Act, 1976, and liable on conviction to a fine or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment; and
2. The committee of inquiry may, in terms of section 28(l) of the Estate Agency Affairs Act, 1976 withdraw the fidelity fund certificate issued to you.

Signed at ..... on this ..... day of .....

.....  
 Chief Executive Officer  
 Estate Agency Affairs Board

**ANNEXURE B**

ESTATE AGENCY AFFAIRS ACT, 1976 (ACT No. 112 OF 1976)

**Form of summons referred to in regulation 8(1)(b) of Government Notice No. R. 51 of 26 January 2001**

To: .....

You are hereby summoned to appear on .....

at ..... or so soon thereafter as the matter may be heard on that date,

at .....

before a committee of inquiry of the Estate Agency Affairs Board in order to give evidence at an inquiry into conduct deserving of sanction involving .....

and to produce the following books and documents at the said time and place:

All documents in your possession or under your control relating to the above-mentioned matter and.....

Should you fail, without lawful excuse, to be present at the time and place stated above you will be guilty of an offence in terms of section 34 of the Estate Agency Affairs Act, 1976, and liable on conviction to a fine or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.

Signed at ..... on this ..... day of .....

.....  
Chief Executive Officer  
Estate Agency Affairs Board

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