

GOVERNMENT NOTICE No. 272 published on 5/4/2019

THE VALUATION AND VALUERS REGISTRATION ACT
(CAP. 138)

RULES

(Made under section 71)

THE VALUERS REGISTRATION (GENERAL) RULES, 2019

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SCHEDULE

THE VALUATION AND VALUERS REGISTRATION ACT
(CAP. 138)

RULES

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THE VALUERS REGISTRATION (GENERAL) RULES, 2019

PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|---|
| Citation | 1. These Rules may be cited as the Valuers Registration (General) Rules, 2019 and shall come into operation on the date of publication. |
| Application | 2. These Rules shall apply to all enlisted, temporary, provisional and fully registered valuers. |
| Interpretation | 3. In these Rules, unless the context otherwise requires- |
| Cap. 138 | “Act” means the Valuation and Valuers Registration Act;
“Board” means the Valuers Registration Board established under section 12 of the Act;
“Chairman” means the Chairman of the Board appointed under section 13 of the Act.
“Chief Valuer” has the meaning ascribed to it under section 3 of the Act;
“Continuing Professional Education” in its acronym "CPE" means a post qualifying training programme used in a systematic way for maintaining, improving and broadening knowledge and skills and developing personal qualities necessary for the execution of professional and technical duties;
“examinations” means professional training report, professional interview and professional examinations or a combination thereof;
“Registrar” means the Registrar of the Board; |

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“Regulations” means the Valuation and Valuers (General) Regulations;

“valuer” has the meaning ascribed to it under section 3 of the Act.

PART II PROFESSIONAL TRAINING

Functions of Board
in relation to
training

- 4.** For the purpose of training, the Board shall:
- (a) set and review the minimum content of valuation training;
 - (b) set the mechanism to audit the content of delivery of valuation training;
 - (c) accredit continuing professional education training programmes;
 - (d) develop special valuation programmes;
 - (e) certify various documents issued by the Board;
 - (f) carry out any other related training activity.

Academic
qualifications
required for
registration and
enlistment

5.-(1) Pursuant to the provisions of sections 27, 28, 29, 30 and 38 of the Act, the Board shall recognize the following academic qualifications as sufficing the requirements for registration and enlistment:

- (a) problem solving;
- (b) valuation professionalism;
- (c) independent learning ability;
- (d) individual, team and multidisciplinary working;
- (e) application of scientific, research and valuation knowledge;
- (f) professional and technical communication; and
- (g) investigation, experiment, data analysis and report writing.

(2) Subject to subrule (1)(e), the Board shall give guidelines on the contents and duration of valuation training programmes necessary to meet the requirements for registration or enlistment.

Recognition of
training modes

6. The Board shall recognize the following training modes as detailed in the respective manuals and guidelines:

- (a) professional training approved by the Board;
- (b) field attachment;
- (c) professional training recognized by the Board;
- (d) activities under Continuing Professional Education;

- (e) attendance on workshop, conferences and seminars;
- (f) presentation of professional papers and journals;
- (g) any other professional activity as the Board may find fit.

Professional
accreditation
standards

7.-(1) The Board may collaborate with Tanzania Commission for Universities and other relevant institutions on standards and professional accreditation criteria to be used for accrediting valuation Continuing Profession Education programme offered by the Board.

(2) Subject to subrule (1) and as provided in the training manual, accreditation criteria shall include but not limited to:

- (a) academic and professional qualifications of teaching staffs;
- (b) training facilities and infrastructure;
- (c) training duration; and
- (d) adequacy of professional contents and requirements in curricula.

Specialised
content in
valuation
field

8.-(1) A valuation short course shall have specialized content that will be recognized by the Board.

(2) Any valuation short course of specialized content which is recognized as contributing to Continuing Professional Education shall be provided in the Continuing Professional Education manual and guidelines.

(3) The Board shall register and accredit all valuation short courses of specialized content and allocate Continuing Professional Education units.

Objectives
of
Continuing
Professional
Education

9. The objectives of the Continuing Professional Education programmes shall be to-

- (a) assist practicing valuers to increase capacity of learning so as to be more capable, confident and adaptable when faced with challenges or changes;
- (b) reinforce the need for life-long learning among valuers;
- (c) provide framework through which practicing valuers can systematically maintain and enhance their professional competence; and
- (d) encourage practicing valuers to broaden

knowledge, skills and experience in order to improve work performance and enhance career prospects.

Key subject
areas

10. The key subject areas of Continuing Professional Education shall include but not limited to the following-

- (a) technical skills;
- (b) communication skills;
- (c) emerging and new technologies;
- (d) creativity, adaptation and innovation;
- (e) valuation knowledge in relevant disciplines;
- (f) marketing and business development;
- (g) relevant knowledge in associated professional areas;
- (h) management;
- (i) standards and regulatory updates; and
- (j) contemporary issues in valuation.

Managem
ent of
Continuin
g
Professio
nal
Education

11.-(1) The Board shall conduct Continuing Professional Education programmes for all practicing valuers as a key to enhance professional competence and competitiveness of valuers and valuation firms.

(2) The Continuing Professional Education programme shall also apply to valuation technicians as specified in training manual and guidelines established by the Board.

Continuin
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requireme
nts

12.-(1) Every valuer shall commit himself to the process of life-long learning in order to maintain, update and enhance professional competence on a continuous basis by participating in various professional education programmes and activities.

(2) Every practicing valuer shall obtain a minimum of ten professional education units in every calendar year which shall be obtained from various professional education programmes or activities as may be determined by the Board annually.

(3) Where a valuer exceeds the annual requirements of ten professional education units, a maximum of two excess professional education units obtained from professional education programmes may be carried forward into the following year.

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(4) A valuer who has not obtained sufficient professional education units in the year under review shall be allowed to carry over the short fall into the following year; provided that he has accumulated a minimum of twenty five professional education units in the past three years.

Consequences for not meeting CPE units

13.-(1) Where a valuer fails to meet the prescribed professional education units for two consecutive years the Board shall not renew his practicing certificate.

(2) A valuer who fails to renew his practicing certificate for failure to meet the required professional education units shall be required to obtain a total of twenty professional education units within a year before he applies for a renewal of practicing certificate

Exemption from CPE requirements

14. A valuer may be exempted from Continuing Professional Education requirements if he experiences disabilities, prolonged illness or other extenuating circumstances which may prevent him from practicing provided that there is certification by the recommendable institution to prove such disabilities, illness or circumstances.

Logbook for valuers

15.-(1) There shall be a Continuing Professional Education logbook for every valuer to enter the Continuing Professional Education activities and their durations.

(2) All valuers shall submit to the Board Continuing Professional Education logbooks annually for assessment but in any case not later than three months following the end of the calendar year under review.

**PART III
EXAMINATIONS**

Examinations

16.-(1) The Board shall administer:

- (a) examinations for professional valuers who are applying for registration;
- (b) examinations for valuation technicians who are applying for enlistment

(2) Pursuant to subrule (1), the Board shall administer examinations in accordance with the requirements prescribed in the examinations guidelines.

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Mode of
examinati
ons

- 17.-(1) The mode of examinations should require the submission of logbook and:
- (a) conduct of written examinations;
 - (b) detailed professional training report as may be determined by the Board;
 - (c) conduct of professional interviews; and
 - (d) attainment of preliminary courses to the examinations areas as may be set by the Board.
- (2) The Board may refer any applicant to do additional practical training to meet the qualifications for registration or enlistment.

Eligibility for
examinations

18. An applicant wishing to sit for examinations must satisfy the Board that-
- (a) he or she is a holder of Bachelor Degree in real estate with specialization in valuation for the case of professional valuers' examinations, or a holder of diploma in real estate with specialization in valuation for the case of valuation technician examinations;
 - (b) he or she has been engaged in valuation works for not less than three years; and
 - (c) he or she has paid the requisite examination fees.

Application
for
examinations

- 19.-(1) A valuer wishing to sit for examinations shall apply to the Board by completing the application Form set out in Part I of the Schedule to these Rules.
- (2) Except for reasons approved by the Board, the application and the fees paid to sit for the examinations shall be valid only for the scheduled examinations applied for.
- (3) Subject to subrule (2), a candidate who does not appear for the examinations applied for, shall be required to make a fresh application.

Examination
fees

- 20.-(1) Every eligible candidate shall pay a non-refundable examination fee that has been determined by the Board.
- (2) The Board shall prescribe fees for application, examinations and any other fees related to examinations.

Information

- 21.-(1) Information on the date, time, and venue of

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- for examinations the examinations shall be communicated to the candidate not later than four weeks before the examinations.
(2) The examinations shall be conducted twice a year and results shall be informed to the candidate within ninety days after examinations.
- Cheating in examinations 22. A candidate found to be cheating shall be disqualified and disciplinary action against him shall be determined by the Board.
- Decision of Board on examination results 23.-(1) The Board shall make a decision on examination results.
(2) The Board may review its decision on examination results upon appeal by the candidate.
(3) The Board's decision after the appeal shall be final and binding.

PART IV
DISCIPLINARY MATTERS

- Acts that constitute professional misconduct 24. The following acts constitute valuation professional misconduct-
(a) price under cutting;
(b) forgery or falsification;
(c) intentional under-valuation or overvaluation;
(d) practicing without registration or license;
(e) collusion with clients or third party to falsify valuation report.
- Seal for valuer 25.-(1) There shall be a seal for every fully registered valuer that shall be prepared by the Board and handed to a valuer after registration and upon payment of fees thereof.
(2) The seal shall be used on all valuation reports prepared by the valuer and shall be endorsed on certification page of the report that describes the value of the property and detailed information of a particular valuer.
(3) The seal shall show the following details:
(a) full name and address of a registered valuer;
(b) year and registration number of a registered valuer.
(4) No valuation report shall be received for approval

by the Chief Valuer or for records of the Board if it does not have a seal.

(5) By placing a seal on the valuation report, the valuer is termed to have taken full responsibility over anything that may occur from the report prepared by him.

Fees to be
charged
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26.-(1) Subject to the Valuation and Valuers (General) Regulations, the fees to be charged by the Board shall be as set out in Part II of the Schedule to these Rules.

- (2) The following fees shall be charged by the Board-
- (a) fees for Continuing Professional Education trainings, seminars and workshop;
 - (b) application for examinations fee;
 - (c) examination fees;
 - (d) fees for registration of valuers (provisional and full registration);
 - (e) fees for registration of temporary valuer;
 - (f) fees for enlistment;
 - (g) fees for registration of valuation firm;
 - (h) fees for valuation practicing certificate;
 - (i) fees for renewal of valuation practicing certificate;
 - (j) certification (rubber stamp) fees;
 - (k) fees for lodging complaint;
 - (l) fees for lodging of an appeal;
 - (m) fees for change of address of valuer or valuation firm;
 - (n) fees for obtaining Seal for a valuer;
 - (o) fees on other services rendered by the Board.

(3) A valuer may be temporarily exempted from paying fees for renewal of practicing certificate as stipulated under subrule (2)(i) where he informs the Board in writing the reasons for his or her non-practising.

(4) A valuer shall resume practising upon applying to the Board about his resume, paying his annual subscription fees and after being issued a practising certificate thereof.

(5) The Board may, after being satisfied with the application made by a valuer pursuant to subrules (3) and (4), grant a temporary exemption from paying subscription fee or issue a practising certificate.

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SCHEDULE

PART I

(Made under rule 19)

EXAMINATION APPLICATION FORM

*Affix your
photo here*

To: The Registrar
Valuers' Registration Board

I hereby apply to sit for..... *(fill type of examination)* Examination set by the Board.

A: PERSONAL PARTICULARS

1. Surname..... Other names.....
2. Gender.....*(Male/Female)*
3. Nationality.....
4. Address: P.O. Box.....
5. Date of birth *(DD/MM/YYYY)*.....

B: EDUCATION BACKGROUND

Education Level*	Name of School/Institution	Year Commenced	Year Ended	Award

*Start by the latest level attended

C: PREVIOUS PROFESSIONAL EXAMINATIONS SAT FOR

Type of Examination	Institution/Board Issued	Year Attended	Award

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D: DECLARATION

I.....hereby declare that the above mentioned particulars are true and correct to the best of my own knowledge and belief.

Declared at..... this..... day of.....20.....

Signature

.....

Applica
nt

FOR OFFICIAL USE ONLY

Date received.....

Receipt

No.....

Remarks:

.....

.....

.....

.....

Signature.....

Dare Official Stamp.....

Notes:

1. Application shall be submitted in triplicate.
2. Attach certified copies of relevant certificates.
3. Attach payment receipt for application fees.

PART II
(Made under rule 26)

FEES CHARGED BY THE BOARD

S/N	Item	General	Registered	Provisional	Enlisted	Temporary	Firm
1.	Continuing Professional Education		300,000/=		200,000/=		
2.	Application for examinations (per course)		20,000/=		5,000/=		
3.	Examination fees		30,000/=		20,000/=		
4.	Registration Fee		50,000/=	50,000/=	20,000/=	500USD	150,000/=
5.	Enlistment				30,000/=		
6.	Valuation practicing certificate		100,000/=		50,000/=		
7.	Renewal of valuation practicing certificate		200,000		50,000/=		
8.	Certification (per each rubber stamp)	20,000/=					
9.	Lodging complaint	30,000/=					
10.	Lodging appeal	50,000/=					
11.	Seal	350,000/=					
12.	Change of address	20,000/=					
13.	Other services rendered by the Board	30,000/=					

Dodoma,
25th March , 2019

WILLIAM V. LUKUVI
*Minister for Lands, Housing and
Human Settlements Development*