

REGULATION

Rules for the Registration of Schemes

Version 6 with effect from 2 February 2022

Rules for the Registration of Schemes

Scope

These Rules are made by the Standards and Regulation Board in accordance with powers provided by the Regulation 7.2.4.

They set out:

- a** the procedure for registration, deregistration and appeal and
- b** the obligations of registration.

1 Interpretation

1.1 In these Rules, unless the context otherwise requires:

'Scheme registered person' means someone who has registered on the scheme and is either:

- a** member of RICS or
- b** a Regulated non-Member.

'Member' means a Chartered Member, non-Chartered Member, Honorary Member or a member of the attached classes.

'Regulated non-Member' an individual who is not a Member and who has agreed to be regulated by RICS for the purpose of certain business activities.

'Scheme' means a scheme regulated by RICS which is open to any person who satisfies the eligibility criteria for the particular scheme.

'Requirements of the scheme' the requirements set out for each scheme in the attached appendices.

2 Communication

2.1 RICS will communicate with Registered persons of the scheme by any of the following:

- a** post
- b** fax
- c** email
- d** telephone
- e** in person
- f** internet-based communication such as 'virtual communities'.

3 Procedure for registration

3.1 A person applying to become a Scheme registered person must:

- a** provide information to RICS in such form as prescribed by the Standards and Regulation Board and
- b** agree that RICS may share relevant information about the Scheme registered person with government or other regulatory bodies as appropriate.

3.2 Upon receipt of an application to register for a scheme, the Head of Regulation may:

- a** grant registration
- b** grant registration subject to conditions, giving reasons
- c** refuse registration, giving reasons.

4 Obligations of registration

4.1 A Scheme registered person must:

- a** at all times be honest, act with integrity and comply with their professional obligations, including obligations to **RICS**
- b** maintain their professional competence and ensure that services are provided by competent individuals who have the necessary expertise
- c** provide good-quality and diligent service
- d** treat others with respect and encourage diversity and inclusion
- e** act in the public interest, take responsibility for their actions and act to prevent harm and maintain public confidence in the profession
- f** comply with the CPD requirements set by RICS
- g** cooperate with RICS and promptly provide all information reasonably requested by the Standards and Regulation Board, or those exercising delegated authority on its behalf
- h** comply with any requirements, actions or directions made in a decision by an ombudsman or any other independent arbitrator within the time specified
- i** inform the Head of Regulation of any finding against them by any disciplinary or regulatory body, court or statutory authority
- j** notify the Head of Regulation within seven days of any change to their circumstances which may affect their ability to meet the requirements of the scheme
- k** comply with the requirements of the scheme(s) to which the Scheme registered person belongs
- l** disclose promptly to the Head of Regulation the name of any other Scheme registered person who in their reasonable belief may be in breach of these rules
- m** disclose promptly in writing to the Head of Regulation that either:
 - i** they or

- ii to the best of their information, knowledge and belief, any other Scheme registered person, has been charged with or been convicted of a criminal offence carrying the possibility of a custodial sentence or which may represent a breach of these Rules.
- n provide to the Head of Regulation and maintain up to date contact details for the Scheme registered person
- o pay such fees as required for the scheme
- p have in place such professional indemnity insurance cover as required for the scheme and set out in the appropriate appendix
- q have in place such complaints handling procedure as required for the scheme and set out in the appropriate appendix.

4.2 Upon receipt of information about a Scheme registered person notified under Rule 4.1 or by other means, the Head of Regulation may:

- a take no action
- b add or vary conditions to the registration
- c deregister the person from the scheme
- d suspend the registration.

4.3 Following any suspension under Rule 4.2d the Head of Regulation may reinstate the registration of a Scheme registered person.

4.4 A Scheme registered person shall be liable, subject to the appropriate appendices, for the payment of their fees, subscription, levy or other sums payable while they are or were a Scheme registered person.

4.5 The Standards and Regulation Board may charge interest and take such other action it considers appropriate if any registered person of a scheme fails to pay:

- a any moneys due to RICS within thirty days from the date upon which they became due and payable or
- b any instalment of a subscription or an Annual Subscription by the date on which it becomes due and payable.

5 Administrative deregistration

5.1 A Scheme registered person will remain registered until an application for deregistration, submitted in the prescribed form, has been approved by the Head of Regulation.

5.2 Upon receipt of an application for deregistration, the Head of Regulation will, subject to 5.3 below, deregister the Scheme registered person with immediate effect.

5.3 The Head of Regulation may refuse to deregister a Scheme registered person if:

- a the Scheme registered person is the subject of an investigation under the provisions of these rules or

- b** the Head of Regulation believes that the Scheme registered person may have breached these Rules.

6 Review and appeal

- 6.1** A person may apply for a review by the Registration Panel of the Regulatory Tribunal of any decision of the Head of Regulation under these Rules within 28 days of the decision. The Registration Panel will follow the process and procedure as set out in Regulatory Tribunal Rules.
- 6.2** Any review under 6.1 above shall be a fresh consideration of the application and the powers available to the Registration Panel in such circumstances shall be the same as the powers available to the Head of Regulation in Rules 3.2 and 4.2 above.
- 6.3** A Scheme registered person shall pay any fees, costs or fines levied under the Regulatory Tribunal Rules.

7 Publication of register

- 7.1** RICS will publish a register of registered persons of schemes.

8 Powers

- 8.1** The Head of Regulation shall have the power to:
 - a** monitor compliance with the requirements of these Rules and
 - b** investigate complaints, allegations or suspicions of failure to comply with these Rules.
- 8.2** For the purposes of interpretation, the RICS Monitoring and Investigation Rules shall apply, and for the purposes of interpretation, references to Members or Firms shall also include Scheme registered persons.

Appendix A – RICS Valuer Registration

Scheme 1

1 Interpretation

- 1.1** 'RICS **Red Book**' means the RICS Valuation – Global Standards, which contains mandatory procedural rules, best practice guidance and related commentary for all RICS members undertaking valuations.
- 1.2** '**Valuation**' means a valuer's opinion of the value of a specified interest or interests in a property, at the date of valuation, given in writing.
- 1.3** '**Appropriately qualified and/or experienced**' is the test of whether an individual is appropriately qualified to accept responsibility for a valuation and combines:
- a** academic/professional qualifications, demonstrating technical competence
 - b** membership of a professional body, demonstrating a commitment to ethical standards
 - c** practical experience as a valuer and
 - d** compliance with any state legal regulations governing the right to practice valuation.
- 1.4** '**Carrying out**' means playing a material part in the production of valuations and/or taking responsibility for them, or undertaking technical review of the valuations of others.

2 Conditions for eligibility

- 2.1** Any person who qualifies as an RICS member will only be permitted to join the Valuer Registration Scheme if they have achieved:
- a** valuation competency to level 3 for Chartered Surveyor assessment
 - b** business valuation competency to Level 3 for Chartered Surveyor assessment or
 - c** valuation competency at standard associate level (if qualified as an Associate RICS member).
- 2.2** Any person entering the Scheme through an approved direct entry route may only do so by evidencing three hours of Continual Professional Development (CPD) on the RICS Red Book.

3 Mandatory requirement to be Registered

- 3.1** A person is required to apply to join the RICS Valuer Registration Scheme if they are:
- a** a Chartered Member or Associate Member of RICS with appropriate qualifications and/or experience

- b** carrying out valuation work other than that included in the exceptions listed in the RICS Red Book and
- c** in a region where the scheme has become mandatory.

4 Requirements of scheme registration

4.1 A scheme registered person shall:

- a** carry out all valuation work in accordance with the RICS Red Book where applicable
- b** carry out all valuation work through an RICS Regulated firm or

4.1.1 Where work is carried out outside of an RICS Regulated firm:

- a** operate a complaints handling procedure, which must include a redress mechanism that is approved by the RICS Regulatory Board and
- b** ensure that all previous and current valuation work is covered by adequate and appropriate professional indemnity insurance cover.

4.2 Where a scheme registered person refers to their scheme membership in necessary business documentation, the following designation shall be used:

- a** for Chartered Members 'Registered Valuers' and
- b** for Associate Members 'AssocRICS Registered Valuers'.

5 Limits on applications for Registration and Readmission

5.1 RICS may refuse to consider a further application for registration of this scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months or
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

6 Fees

6.1 A scheme registered person shall pay:

- a** the appropriate application and annual fees for registration set by the Standards and Regulation Board unless those fees are paid by an RICS Regulated Firm and
- b** any other costs incurred for monitoring or review activities in relation to the scheme and the course of any investigation.

Appendix B – RICS building conservation accreditation scheme (BCAS)

1 Interpretation

RICS Historic building conservation guide means the RICS Practice Standards, *Historic building conservation*, RICS guidance note, 1st edition, or any subsequent edition thereof.

'Appropriately qualified and/or experienced' is the test of whether an individual is appropriately qualified to become a member of the building conservation registration scheme and combines:

- a** academic/professional qualifications, demonstrating technical competence
- b** membership of a professional body, demonstrating a commitment to ethical standards
- c** at least five years practical experience in building conservation.

2 Eligibility for registration

2.1 A person may apply to join the RICS Building Conservation Accreditation Scheme (BCAS) if they are:

- a** a Chartered Member of RICS with appropriate qualifications and/or experience or
- b** are an appropriately qualified and/or experienced person, who is not a member of RICS and
- c** carrying out building conservation work which falls within the scope of the RICS BCAS.

3 Requirements of scheme registration

3.1 A Scheme registered person shall:

- a** carry out all building conservation work in accordance with the RICS Historic building conservation guide
- b** carry out sufficient relevant and appropriate CPD in relation to their obligations as a scheme registered member and maintain their own record of completed CPD
- c** carry out all building conservation work through an RICS Regulated firm or
- d** where building conservation work is carried out outside of an RICS Regulated firm:
 - i** operate a complaints handling procedure which must include a redress mechanism that is approved by the Standards and Regulation Board
 - ii** ensure that all previous and current building conservation work is covered by adequate and appropriate professional indemnity insurance.

4 Limits on applications for registration and readmission

4.1 The Head of Regulation may refuse to consider a further application for registration of this scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

5 Fees

5.1 A Scheme registered person shall pay:

- a** the appropriate application and annual fees for registration set by the Standards and Regulation Board unless those fees are paid by an RICS Regulated Firm and
- b** any other costs incurred in the course of any investigation.

Appendix C – RICS Energy Assessors Scheme

1 Interpretation

'Energy Performance Certificate' means a document that expresses the asset rating of a building in a way that complies with the *Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007*.

'Member' means a Chartered Member, non-Chartered Member, Honorary Member or a member of the attached classes.

'RICS Regulated Firm' means a firm that is registered to be Regulated by RICS.

'APEL' is the accreditation of prior experience and learning, gained in the working environment at a level comparable to those in a higher education.

2 Eligibility for registration

2.1 A person may apply to join the Energy Assessors Scheme if they:

- a** are a Member of RICS
- b** have completed an appropriate qualification in Energy Assessment, or have qualified via the APEL route and
- c** provide a Criminal Records Bureau (CRB) check, at the time of application, which has been obtained within the previous six months.

2.2 A person may apply to join the Commercial Energy Assessors Scheme if they:

- a** are a Member of the RICS, (not including student membership)
- b** have completed an appropriate qualification in Energy Assessment, or have qualified via the APEL route.

3 Requirements of scheme registration

3.1 A Scheme registered person shall:

- a** carry out all Energy Assessor work in accordance with the requirements of the Department for Levelling Up, Housing and Communities
- b** comply with all the requirements of the Department for Levelling Up, Housing and Communities as are in force from time to time
- c** carry out all Energy Assessor work through an RICS Regulated firm
- d** carry out sufficient relevant and appropriate CPD in relation to their obligations as an Energy Assessor and

- e** submit in a timely manner such information and in such form as may be reasonably required to carry out quality assurance checks.

4 Limits on applications for registration and readmission

4.1 RICS may refuse to consider a further application for registration of this scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months or
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

5 Fees

5.1 A Scheme registered person shall pay:

- a** the appropriate application for registration set by the Standards and Regulation Board
- b** the appropriate fees for any quality assurance checks
- c** the appropriate fees for use of software required to produce energy performance certificates
- d** the appropriate fees for lodgement of energy performance certificates to the appropriate government website and
- e** any other costs incurred in the course of any investigation.

Appendix D – Expert Witness Registration Scheme

1 Interpretation

'**Surveyors acting as expert witnesses**' means the RICS practice statement and guidance note, 4th edition, or any subsequent edition thereof.

2 Eligibility for registration

2.1 A RICS member is eligible to join the RICS Expert Witness Registration Scheme if they are:

- a** a Chartered Member of RICS with appropriate qualifications and/or experience and
- b** acting as an Expert Witness in accordance with the **Surveyors acting as expert witnesses**, RICS practice statement.

3 Requirements of scheme registration

3.1 A Scheme registered person shall:

- A** carry out all expert witness work in accordance with the **Surveyors acting as expert witnesses**, RICS practice statement
- b** carry out expert witness related work through an RICS Regulated firm or
- c** where expert witness work is carried out outside of an RICS Regulated firm:
 - i** operate a complaints handling procedure which must include a redress mechanism that is approved by the Standards and Regulation Board
 - ii** ensure that all previous and current expert witness work is covered by adequate and appropriate professional indemnity cover.

4 Limits on applications for registration and readmission

4.1 RICS may refuse to consider a further application for registration of this scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

5 Fees

5.1 A Scheme registered person shall pay:

- a** the appropriate application and annual fees for registration set by the Standards and Regulation Board unless those fees are paid by an RICS Regulated Firm and
- b** any other costs incurred in the course of any investigation.

Appendix E – chartered environmentalists scheme

1 Interpretation

1.1 RICS is a licensed constituent body of the Society of the Environment and as such required to regulate members on behalf of the Society.

2 Eligibility for registration

2.1 A person may apply to join the Chartered Environmentalist Scheme if they are a Chartered Member of RICS with appropriate qualifications and/or experience.

3 Requirements of scheme registration

3.1 A Scheme registered person shall:

- a** carry out all work in accordance with the code of ethics of the Society of the Environment
- b** carry out sufficient relevant and appropriate CPD in relation to their obligations as a CEnv scheme member as part of their overall RICS CPD requirements
- c** carry out all chartered environmental work through an RICS Regulated firm or
- d** where chartered environmental work is carried out outside of an RICS Regulated firm:
 - i** operate a complaints handling procedure which must include a redress mechanism that is approved by the Standards and Regulation Board
 - ii** ensure that all previous and current chartered environmental work is covered by adequate and appropriate professional indemnity cover.

4 Limits on applications for registration and readmission

4.1 RICS may refuse to consider a further application for registration of this Scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

5 Fees

5.1 A Scheme registered person shall pay:

- a** the appropriate application and annual fees for registration set by the Standards and Regulation Board unless those fees are paid by an RICS Regulated Firm and
- b** any other costs incurred in the course of any investigation.

Appendix F – RICS Inclusive Environment Consultant (IEC) Scheme

1 Eligibility for registration

1.1 A person may apply to join the RICS Inclusive Environment Consultant (IEC) Scheme if they are:

- a** a Chartered Member of RICS with appropriate qualifications and/or experience or
- b** are an appropriately qualified and/or experienced person, who is not a member of RICS.

2 Requirements of scheme registration

2.1 A Scheme registered person shall:

- a** carry out sufficient relevant and appropriate CPD in relation to their obligations as a scheme registered member and maintain their own record of completed CPD
- b** carry out all inclusive environment consultancy work through an RICS Regulated firm or
- c** where inclusive environment consultancy work is carried out outside of an RICS Regulated firm:
 - i** operate a complaints handling procedure which must include a redress mechanism that is approved by the Standards and Regulation Board
 - ii** ensure that all previous and current inclusive environment consultancy work is covered by adequate and appropriate professional indemnity cover.

3 Limits on applications for registration and readmission

3.1 RICS may refuse to consider a further application for registration of this scheme where the applicant:

- a** has been refused registration within the previous 12 months
- b** has been subject to administrative de-registration within the previous 12 months
- c** has been removed from registration as a result of disciplinary action for such period as defined at the time of removal.

4 Fees

4.1 A Scheme registered person shall pay:

- a** the appropriate application and annual fees for registration set by the Standards and Regulation Board unless those fees are paid by an RICS Regulated Firm and
- b** any other costs incurred in the course of any investigation.

Delivering confidence

We are RICS. Everything we do is designed to effect positive change in the built and natural environments. Through our respected global standards, leading professional progression and our trusted data and insight, we promote and enforce the highest professional standards in the development and management of land, real estate, construction and infrastructure. Our work with others provides a foundation for confident markets, pioneers better places to live and work and is a force for positive social impact.

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