

DATE: 03<sup>RD</sup> MARCH 2023

**EXEMPTION FROM THE PROVISION OF THE PROPERTY PRACTITIONER ACT 22/ 2019**

**PRO FORMA CONSIDERATION PROCEEDINGS AND OUTCOME IN EXEMPTION APPLICATIONS UNDER SECTION  
SECTION 50(A)(I) OF THE PROPERTY PRACTITIONERS ACT 22/2019(The Act)**

As part of the phasing in of the abovementioned Act, the PPRA approves an interim exemption from SECTION 50(A)(I) of the PPRA and the Regulations related to the issue of Fidelity Fund certificates for the period from 06/ 03/ 2023 until 31 /12 /2025

**APPLICANT/S** : DELPHIN TSHITENDA  
**Email address** : delphin@okandiviprop.com

**OPERATING IN THE FOLLOWING PROPERTY PRACTITIONER SECTOR:** Estate Agent

**APPLICANT'S PPRA REF NUMBER IF APPLICABLE** : 1226116  
**EXEMPTION REFERENCE NUMBER** : PPEA05/2023RS

IN TERMS OF SECTION 50(A)(I) Act 22/2019 THE AUTHORITY HAS CONSIDERED THE APPLICATION AGAINST ALL RELEVANT CRITERIA AND PARTICULARLY THE CRITERIA LISTED IN SECTION 50(A)(I) Act 22/2019 AND ANY OTHER RELEVANT LEGISLATION, AND MAKES THE FOLLOWING RULING:

**THE FOLLOWING PERSON / S**

**NAME** : DELPHIN TSHITENDA  
**ID NUMBER** : Ptacod000830312 (Candidate Property Practitioner)  
**EMPLOYER** : OKANDIVI PROPERTY FRANCHISE

**IS / ARE HEREBY EXEMPTED FROM THE PROVISIONS OF SECTION 48 AND THE REGULATIONS RELATED TO THE ISSUING OF FFCS UNDER THE PROPERTY PRACTITIONERS ACT ON THE CONDITIONS STATED HEREUNDER:**

- i. ANY COMPLIANCE OWED TO THE AUTHORITY REMAINS DUE ON THE EXPIRATION OF THIS EXEMPTION, AND THIS IS NOT A WAIVER OF THE AMOUNTS OR CONDUCT DUE TO THE PPRA, UNLESS A FURTHER EXEMPTION TO THAT EFFECT IS GRANTED SUBSEQUENTLY.
- ii. THE EXEMPTION APPLIES TO ALL PROVISIONS OF THE PROPERTY PRACTITIONERS ACT 22/2019 AS CURRENTLY CONSTITUTED, AND THE REGULATIONS PASSED THEREUNDER.
- iii. SUCH EXEMPTION IS GRANTED FOR THE PERIOD FROM 06/03/2023 UP TO 31/12/2025,

**iv. FOR THE FOLLOWING REASONS:**

The PPRA is currently in a transitional phase in implementing the Property Practitioners Act 22/2019 and the registration and issuing of FFCs to all practitioners. In the interim an exemption from the specified provisions of the Act until 31/12/2025 is approved to allow the applicant time to register and obtain an FFC.

**v. ALL EXEMPTIONS GRANTED SHALL NOT OPERATE RETROSPECTIVELY.****vi. THE CONSENT OF THE APPLICANT TO THE PUBLISHING HEREOF AND THE NON-WAIVER OF EXISTING COMPLIANCE OWED TO THE PPRA ARE CONDITION HEREOF.**

All interested parties are hereby advised as follows:

1. the granting of an exemption does not create any special rights or legitimate interests which may apply to the category of persons so exempted; and
2. Any exemption granted may be amended or withdrawn subject to the provisions of Section 50(a)(i) Act 22/2019
3. Any aggrieved party is referred to the written reasons provided by the Authority herein which shall constitute written reasons for the purposes of Section 4(8).
4. Any person may, at any time in writing, request the Minister to review any exemption granted in terms of Section 50(a)(i) Act 22/2019 of the Act.
5. In terms of the provisions of Section 50(a)(i) Act 22/2019, any person may raise an objection to the exemption granted herein, which the Authority is obliged to consider, and which may have an affect on the outcomes recorded herein.

**SIGNED AND ISSUED FOR AND ON BEHALF OF THE PPRA, DULY AUTHORISED THERETO, FOR PUBLICATION TO THE APPLICANT/S AND ALL PERSONS IN TERMS OF SECTION 50(A)(I) Act 22/2019 ON THIS 06TH DAY OF MARCH 2023**



**NAME AND CAPACITY OF SIGNATORY: ADV. D VIAL: ACTING EXECUTIVE, LEGAL AND ENFORCMENT PPRA, DULY AUTHORISED.**