

TURKS AND CAICOS ISLANDS

**REAL ESTATE (BROKERS AND SALESMAN) LICENSING
(AMENDMENT) BILL 2026**

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CLAUSE

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TURKS AND CAICOS ISLANDS

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PROPOSAL

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BILL

FOR

**AN ACT TO AMEND THE REAL ESTATE (BROKERS AND SALESMAN)
LICENSING ACT 2004.**

ENACTED by the Parliament of the Turks and Caicos Islands.

Short title and commencement

1. This Act may be cited as the Real Estate (Brokers and Salesman) Licensing (Amendment) Act 2026 and shall come into operation on publication in the *Gazette*.

Interpretation

2. In this Act, “principal Act” means the Real Estate (Brokers and Salesman) Licensing Act 2004.

Section 5 amended

3. Section 5 of the principal Act is amended—

(a) in subsection (2), by inserting the following paragraphs after paragraph (a)—

“(aa) for an applicant who falls under subsection (5) or (6), proof of the applicant’s British Overseas Territory citizenship, Permanent Residence or any other form of legal status in the Islands;

(ab) for an applicant who falls under subsection (6), proof that he is ordinarily resident in the Islands, including—

- (i) passport pages with immigration stamps;
- (ii) title of residential property or lease agreement;
- (iii) utility bill; and

- (iv) any other documentation that the Permanent Secretary, Finance may require to prove the person's residence.”; and
- (b) by inserting the following new subsections after subsection (5)—

“(6) Notwithstanding subsection (1), an individual who on 30 December 2024 is not a Turks and Caicos Islander and was a salesman for not less than five years from that date—

- (a) who is a British Overseas Territory citizen with connection to the Islands or a permanent resident; and
- (b) who is ordinarily resident in the Islands.

may apply to be licensed as a salesman under this Act, and the individual for the purposes of an application under this section, shall be taken to be qualified to be licensed.

(7) For purposes of this section—

“ordinarily resident in the Islands” means being physically present in the Islands for at least 183 days in 12 consecutive months of any year.”.

Section 6 amended

4. Section 6(2) of the principal Act is amended by inserting the following paragraph after paragraph (a)—

“(aa)for an applicant who falls under subsection (3)—

- (i) proof of the applicant's form of legal status in the Islands; and
- (ii) proof that the person was licensed as a broker on 30 December 2024.”.

Section 7 amended

5. Section 7(2) of the principal Act is amended by inserting the following paragraph after paragraph (a)—

“(aa)for an applicant who falls under subsection (5), evidence showing to the satisfaction of the Permanent Secretary, Finance that on 30 December 2024—

- (i) the business is a Turks and Caicos Islander business; or
- (ii) was licensed under the Business Licensing Act as a real estate agency or to conduct trade in real estate.”.

Section 7A inserted

6. The principal Act is amended by inserting the following section after section 7—

“Conditions of licence for a broker

7A.(1) A person, company or partnership licensed as a broker shall—

- (a) establish and implement training and mentoring programmes, and bear the associated costs; and
- (b) establish an internship and apprenticeship system within the business, and bear the associated costs.

(2) Training, mentoring, internship and apprenticeship under subsection (1) shall be provided for Turks and Caicos Islanders.”.

Section 33 amended

7. Section 33 of the principal Act is amended by correcting the numbering of paragraphs to paragraphs (a), (b), (c) and (d), and inserting the following paragraph—

- “(e) prescribe the terms and procedures for training, mentorship, internship and apprenticeship.”.

Transitional provisions

8. (1) Subject to subsections (2) and (3), an individual actively engaged in the trade of real estate in the Islands who on 30 December 2024 was a salesman for not less than five years from that date, but does not meet the requirements of section 5(1), (5) or (6) of the Act, may continue to engage as a salesman for a period of two years from the date of commencement of this Act, and after the expiration of this period, the individual must satisfy the requirements of section 5(1), (5) or (6) to be eligible for licensing as a salesman under this Act.

(2) An individual who wishes to continue to be engaged as a salesman under subsection (1) shall submit an application to the Permanent Secretary, Finance within twenty-one days of commencement of this Act.

(3) An application made under subsection (2) shall be made in such form as may be determined by the Ministry and accompanied by—

- (a) proof of the applicant's form of legal status in the Islands; and
- (b) proof that the individual was actively engaged in the trade of real estate in the Islands on 30 December 2024 as a salesman; and
- (c) any other documentation that the Permanent Secretary, Finance may require to prove the person qualifies to continue to engage as a salesman under subsection (1).

(4) An individual falling within the scope of subsections (1), (2) or (3) is exempt from the requirements of section 5(2)(d) or 6(2)(c), as applicable, (i.e. the requirement to pass an examination set and administered by a body or an institution in the Islands which is recognised by the Minister).

PASSED by the Parliament this day of 2026.

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Tracey Parker
Clerk of the Parliament

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Gordon Burton
Speaker

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Real Estate (Brokers and Salesmen) Licensing Act 2004 (the “principal Act”) to provide for additional transitional arrangements and to strengthen professional development requirements within the real estate sector.

Background

The principal Act requires that a licensed real estate salesman be a Turks and Caicos Islander. Transitional (“grandfathering”) provisions were previously introduced to allow certain persons who were engaged as salesmen prior to the commencement of the Act to continue operating despite not meeting the Islander requirement.

Subsequent amendments, including the Real Estate (Brokers and Salesmen) Licensing (Amendment) Act 2024 (the “2024 Amendment”) and the 2025 amendment, extended these transitional arrangements. Persons who do not otherwise qualify under the Act are presently permitted to continue working as salesmen until 30 June 2026.

Purpose of the Bill

This Bill introduces further transitional provisions and additional regulatory measures, including:

1. Extended Grandfathering Provisions

The Bill provides a further extension of eligibility for certain persons who would otherwise cease to qualify as salesmen after 30 June 2026.

To qualify under the new transitional provisions, a person must:

- (a) Have been engaged as a real estate salesman as at 30 December 2024;
- (b) Have been so engaged for not less than five years prior to that date;

Be either:

- (a) a British Overseas Territories Citizen with a connection to the Turks and Caicos Islands, or a permanent resident; and
- (b) ordinarily resident in the Islands.

2. Mandatory Training and Mentorship by Brokers

The Bill introduces a requirement for all licensed real estate brokers to:

- (a) Establish and implement training and mentoring programmes for Turks and Caicos Islander; and
- (b) Bear the cost associated with such programmes.

This measure aims to enhance professional standards and ensure structured skill development within the industry.

3. Apprenticeship Framework

The Bill also provides for the establishment of an internship and apprenticeship system within the real estate industry. This framework is intended to:

- (a) Facilitate the entry of new participants, particularly Turks and Caicos Islanders;
- (b) Support practical, supervised experience in real estate practice; and
- (c) Create a pipeline of qualified professionals within the sector.

THE BILL

Clauses 1 and 2 of the Bill make provision for the short title, commencement and interpretation of the Bill.

Clause 3 seeks to amend section 5 of the Act to update the application requirements to include persons who were included in the 2025 amendment to ensure they provide proof of their legal status. The amendment also includes salesmen who are British Overseas Territory citizens or permanent residents, ordinarily resident in the Islands and provides the definition as a person who is physically present in the Islands for at least 183 days in 12 consecutive months of any year.

Clause 4 seeks to amend 6 of the Act to update the application requirements to include persons who were included in the 2025 amendment to ensure they provide proof of their legal status.

Clauses 5 seeks to amend section 7 to update the application requirements to include persons who were included in the 2025 amendment to ensure they provide proof of their legal status.

Clause 6 inserts section 7A to provide for mentoring, training, internship and apprenticeship.

Clause 7 seeks to amend section 33 to provide an enabling provision to draft regulations to provide the terms and procedures for mentoring, training, internship and apprenticeship.

Clause 8 provides transitional provisions for salesmen who would not cease to qualify under section 5, to continue to be actively engaged in the business for a period of two years from commencement of this Act subject to making an application for continuation.