

Statement of conduct

Objection conferences by agreement

An objection conference's purposes as prescribed by S120 of the *Land Valuation Act 2010* are to:

- encourage settlement by facilitating the conduct of negotiations between the parties
- promote an open exchange of information between the parties
- where relevant, explain the operation of the *Land Valuation Act 2010*
- help in the settlement of the dispute in any other way.

The parties and their roles

- **Valuer-General's delegate** – chairs the conference and must be impartial, professional and have the authority to reach settlement (dependent on the percentage change in value).
- **State Valuation Service valuer** – presents analysed sales evidence and expert evidence, as to the value of the property.
- **Objector** – the owner of the property and/or their agent (as per the owner's written consent to the objection) – presents evidence that supports the grounds of objection.

Code of Professional Conduct for registered valuers

All registered valuers must abide by the Code of Professional Conduct as prescribed in section 2 of the Valuers Registration Regulation 2013 and by the Australian Property Institute (API).

With reference to section 3.1 of the API's code, a registered valuer must not:

- adopt the role of advocate in a case where their duty is to exercise independence and impartiality
- act as an advocate and as an expert in the same matter
- act as an advocate where another member of the same firm has acted as an expert in the same matter
- act as an expert where another member of the same firm has acted as an advocate in the same matter.

Conduct during the conference

- The agreed goal of the conference should be the efficient and expeditious resolution of the objection – it must be conducted as quickly and with as little formality and technicality as possible and the parties must co-operate with each other.

- Each party must use its best endeavours to comply with reasonable requests made by another party to promote the efficient and expeditious resolution of the objection. If either party does not do so, the delegate may terminate the conference.
- All parties (particularly registered valuers) commit to accepted valuation practice that evidence provided will be, to the best of the presenting party's knowledge, accurate in fact and relevant to the subject property and that sales evidence be analysed and comparable to the subject property. If not, the delegate may terminate the conference.
- The delegate will terminate a conference when:
 - agreement has been reached on some issues but an impasse exists on other issues
 - there is a threat of physical violence or some other power imbalance
 - where the relationship of the parties is so bitter, violent or conflict-ridden that it is impossible to have them focus in any meaningful way on the issues in dispute.
- Where a conference is terminated, the delegate will provide a report to the Valuer-General detailing the reasons for termination.
- The delegate may adjourn and resume a conference where the complexity of the valuation and the issues raised require more time to achieve settlement.