

Building Act 2011
Electricity Act 1945
Residential Tenancies Act 1987
Retirement Villages Act 1992
Settlement Agents Act 1981

Commerce Regulations Amendment (Strata Titles) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Commerce Regulations Amendment (Strata Titles) Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Strata Titles Amendment Act 2018* section 4 comes into operation.

Part 2 — *Building Regulations 2012* amended

3. Regulations amended

This Part amends the *Building Regulations 2012*.

4. Regulation 10 amended

- (1) Delete regulation 10(1A) and insert:

- (1A) In this regulation —

managed reserve has the meaning given in the *Land Administration Act 1997* section 3(1);

management body has the meaning given in the *Land Administration Act 1997* section 3(1);

road has the meaning given in the *Land Administration Act 1997* section 3(1);

strata leasehold estate has the meaning given in the *Strata Titles Act 1985* section 3(1).

- (2) In regulation 10(1):

- (a) after “freehold” (first occurrence) insert:

or held in leasehold under a strata lease

- (b) in paragraph (a) after “in” insert:

the

- (c) in paragraph (b) delete “land;” and insert:

land or a strata leasehold estate in the land under a strata lease;

- (d) in paragraph (c) delete “land” and insert:

the land or a strata leasehold estate in the land under a strata lease

(3) In regulation 10(2A):

(a) delete “freehold,” and insert:

freehold or held in leasehold under a strata lease,

(b) in paragraph (c) delete “land.” and insert:

land or a strata leasehold estate in the land under a strata lease.

5. Regulation 31F amended

In regulation 31F(1) delete “49(a), 50(1)(a) or (b) or 50(2)(a) or (b)” and insert:

49(a)

Note: The heading to amended regulation 31F is to read:

Applicable building standards for replacement occupancy permit for permanent change of building’s use (s. 3, 57(3) and 49(a))

6. Regulation 39 deleted

Delete regulation 39.

7. Regulation 44 amended

In regulation 44:

(a) delete “freehold,” and insert:

freehold or held in leasehold under a strata lease,

(b) after “freehold” insert:

or held in leasehold under a strata lease

8. Schedule 2 Division 2 amended

In Schedule 2 Division 2 delete item 5.

Part 3 — *Electricity Regulations 1947* amended

9. Regulations amended

This Part amends the *Electricity Regulations 1947*.

10. Regulation 12 amended

In regulation 12 in the definition of *common property* paragraph (a) before “scheme” insert:

strata titles

**Part 4 — *Residential Tenancies Regulations 1989*
amended**

11. Regulations amended

This Part amends the *Residential Tenancies Regulations 1989*.

12. Schedule 4 amended

(1) In Schedule 4 Form 1AA:

- (a) in Part A delete “**STRATA BY-LAWS**” and insert:

STRATA TITLES SCHEME BY-LAWS

- (b) in Part A delete “Strata by-laws” and insert:

Strata titles scheme by-laws

- (c) in Part B clause 9 delete “a proprietor” and insert:

an owner

- (d) in Part B clause 33B.4 delete “strata company by-laws; and” and insert:

strata titles scheme by-laws; and

(2) In Schedule 4 Form 1AB:

- (a) in Part A delete “**STRATA BY-LAWS**” and insert:

STRATA TITLES SCHEME BY-LAWS

- (b) in Part A delete “Strata by-laws” and insert:

Strata titles scheme by-laws

(c) in Part B clause 11 delete “a proprietor” and insert:

an owner

(d) in Part B clause 35B.4 delete “strata company by-laws; and” and insert:

strata titles scheme by-laws; and

(3) In Schedule 4 Form 1AD:

(a) in clause 8 delete “a proprietor” and insert:

an owner

(b) in clause 32B.4 delete “strata company by-laws; and” and insert:

strata titles scheme by-laws; and

**Part 5 — *Retirement Villages Regulations 1992*
amended**

13. Regulations amended

This Part amends the *Retirement Villages Regulations 1992*.

14. Regulation 6 amended

In regulation 6(1)(d)(ii) delete “section 43.” and insert:

section 107(1).

Part 6 — *Settlement Agents Regulations 1982* amended

15. Regulations amended

This Part amends the *Settlement Agents Regulations 1982*.

16. Schedule 3 amended

In Schedule 3 Part C in clause 1 delete paragraphs (a) and (b) and insert:

- (a) documents in the forms approved under the following provisions of that Act:

Provision	Description of document
s. 15(5)(a)	Application for approval of a strata plan or an amendment of a strata plan to give effect to a subdivision of land by a strata scheme
s. 29(2)	Scheme notice or amendment of a scheme notice
s. 35(5)	Notice of resolution for amendment of a scheme plan
s. 44(5)	Scheme by-laws
s. 56(2)	Application for registration of a strata titles scheme or amendment of a strata titles scheme and accompanying documents in approved forms
s. 193(1)	Notice of expiry of a leasehold scheme or application for termination of a strata titles scheme and accompanying documents in approved forms
Sch. 2A cl. 21G(1)	Notice of resolution under Schedule 2A clause 21F of that Act
Sch. 2A cl. 21S(1)	Notice of resolution under Schedule 2A clause 21Q of that Act

Provision	Description of document
Sch. 2A	Notice of resolution under
cl. 31D(1)	Schedule 2A clause 31C of that Act
(b)	a disposition statement under section 222 of that Act in the form approved under the <i>Strata Titles (General) Regulations 2019</i> .

R. NEILSON, Clerk of the Executive Council.
