



New South Wales

Conveyancing (Sale of Land) Amendment (Swimming Pools) Regulation 2016

under the

Conveyancing Act 1919

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

DOMINIC PERROTTET, MP
Minister for Finance, Services and Property

Explanatory note

The object of this Regulation is to amend the *Conveyancing (Sale of Land) Regulation 2010* in relation to the prescribed documents required to be attached to a contract of sale of certain land with a swimming pool. This Regulation is made under the *Conveyancing Act 1919*, including sections 52A (2) (a) and 202 (the general regulation-making power).

Conveyancing (Sale of Land) Amendment (Swimming Pools) Regulation 2016

under the

Conveyancing Act 1919

1 Name of Regulation

This Regulation is the *Conveyancing (Sale of Land) Amendment (Swimming Pools) Regulation 2016*.

2 Commencement

This Regulation commences on 29 April 2016 and is required to be published on the NSW legislation website.

3 Amendment of Conveyancing (Sale of Land) Regulation 2010

(1) Schedule 1 Prescribed documents

Insert after item 14:

- 14A** (1) If the contract relates to land on which there is situated a swimming pool within the meaning of the *Swimming Pools Act 1992* to which that Act applies, a copy of one of the following in respect of the swimming pool:
- (a) a valid certificate of compliance issued under section 22D of that Act,
 - (b) a relevant occupation certificate within the meaning of that Act and evidence that the swimming pool is registered under Part 3A of that Act,
Note. A relevant occupation certificate is an occupation certificate issued under the *Environmental Planning and Assessment Act 1979* that is less than 3 years old and that authorises the use of the swimming pool.
 - (c) a valid certificate of non-compliance issued under clause 18BA of the *Swimming Pools Regulation 2008*.
- (2) This item does not apply if:
- (a) the contract relates to a lot in a strata scheme (within the meaning of the *Strata Schemes Management Act 1996*) or in a community scheme (within the meaning of the *Community Land Development Act 1989*) and that strata or community scheme comprises more than 2 lots, or
 - (b) the contract is an off the plan contract (within the meaning of section 66ZL of the *Conveyancing Act 1919*).

(2) Schedule 1, item 16

Omit the item.