



New South Wales

# Residential Tenancies Amendment (Swimming Pools) Regulation 2016

under the

Residential Tenancies Act 2010

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Tenancies Act 2010*.

VICTOR DOMINELLO, MP  
Minister for Innovation and Better Regulation

## Explanatory note

A landlord must ensure, in the case of residential tenancy agreement entered into after 29 April 2016, that any swimming pool on the residential premises is registered under the *Swimming Pools Act 1992* and a certificate that the pool complies with that Act is provided to the tenant.

The object of this Regulation is to amend the *Residential Tenancies Regulation 2010* to exclude from this requirement swimming pools that are situated on land in a strata or community scheme that comprises more than 2 lots. The proposed amendment is consistent with the prescribed documents required in the sale of land under the *Conveyancing (Sale of Land) Regulation 2010*.

This Regulation is made under the *Residential Tenancies Act 2010*, including sections 15 and 224 (the general regulation-making power).

## **Residential Tenancies Amendment (Swimming Pools) Regulation 2016**

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### **1 Name of Regulation**

This Regulation is the *Residential Tenancies 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.

## **Schedule 1      Amendment of Residential Tenancies Regulation 2010**

### **[1]      Schedule 1 Standard Form Agreement**

Omit “[*Cross out this clause if there is no swimming pool*]” from the matter relating to clause 40A.

Insert instead:

*[Cross out the following clause if there is no swimming pool or the swimming pool is situated on land 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]*

### **[2]      Schedule 1, clause 40A**

Omit “This clause does not apply to a residential tenancy agreement entered into before 29 April 2016.”.