

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.

**Commerce Regulations Amendment (Strata Titles) Regulations 2019****Part 2** Building Regulations 2012 amended**r. 3**

---

**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;

**Commerce Regulations Amendment (Strata Titles) Regulations 2019**  
Building Regulations 2012 amended **Part 2**

**r. 5**

---

(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.

**Commerce Regulations Amendment (Strata Titles) Regulations 2019****Part 2** Building Regulations 2012 amended**r. 7**

---

**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.

**Commerce Regulations Amendment (Strata Titles) Regulations 2019**  
Electricity Regulations 1947 amended **Part 3**

---

r. 9

**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

**Commerce Regulations Amendment (Strata Titles) Regulations 2019****Part 4** Residential Tenancies Regulations 1989 amendedr. 11

---

**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**

**Commerce Regulations Amendment (Strata Titles) Regulations 2019**  
Residential Tenancies Regulations 1989 amended **Part 4**

---

**r. 12**

- (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

**Commerce Regulations Amendment (Strata Titles) Regulations 2019****Part 5** Retirement Villages Regulations 1992 amendedr. 13

---

**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).



**Commerce Regulations Amendment (Strata Titles) Regulations 2019**  
Settlement Agents Regulations 1982 amended **Part 6**

**r. 15**

**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:

| <b>Provision</b>      | <b>Description of document</b>   |
|-----------------------|--|
| 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<br>cl. 21G(1) | Notice of resolution under Schedule 2A clause 21F of that Act  |

**Commerce Regulations Amendment (Strata Titles) Regulations 2019****Part 6** Settlement Agents Regulations 1982 amended**r. 16**

---

| <b>Provision</b>      | <b>Description of document</b>  |
|-----------------------|---|
| Sch. 2A<br>cl. 21S(1) | Notice of resolution under<br>Schedule 2A clause 21Q of that Act  |
| Sch. 2A<br>cl. 31D(1) | Notice of resolution under<br>Schedule 2A clause 31C of that Act  |
| (b)                   | a disposition statement under section 222 of that<br>Act in the form approved under the <i>Strata Titles<br/>(General) Regulations 2019</i> . |

R. NEILSON, Clerk of the Executive Council.

---