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;
Commerce Regulations Amendment (Strata Titles) Regulations 2019
Building Regulations 2012 amended

Part 2

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(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

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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**
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
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:

<table>
<thead>
<tr>
<th>Provision</th>
<th>Description of document</th>
</tr>
</thead>
<tbody>
<tr>
<td>s. 15(5)(a)</td>
<td>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</td>
</tr>
<tr>
<td>s. 29(2)</td>
<td>Scheme notice or amendment of a scheme notice</td>
</tr>
<tr>
<td>s. 35(5)</td>
<td>Notice of resolution for amendment of a scheme plan</td>
</tr>
<tr>
<td>s. 44(5)</td>
<td>Scheme by-laws</td>
</tr>
<tr>
<td>s. 56(2)</td>
<td>Application for registration of a strata titles scheme or amendment of a strata titles scheme and accompanying documents in approved forms</td>
</tr>
<tr>
<td>s. 193(1)</td>
<td>Notice of expiry of a leasehold scheme or application for termination of a strata titles scheme and accompanying documents in approved forms</td>
</tr>
<tr>
<td>Sch. 2A cl. 21G(1)</td>
<td>Notice of resolution under Schedule 2A clause 21F of that Act</td>
</tr>
</tbody>
</table>
**Commerce Regulations Amendment (Strata Titles) Regulations 2019**

**Part 6** Settlement Agents Regulations 1982 amended

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<table>
<thead>
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<th>Provision</th>
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<tbody>
<tr>
<td>Sch. 2A cl. 21S(1)</td>
<td>Notice of resolution under Schedule 2A clause 21Q of that Act</td>
</tr>
<tr>
<td>Sch. 2A cl. 31D(1)</td>
<td>Notice of resolution under Schedule 2A clause 31C of that Act</td>
</tr>
</tbody>
</table>

(b) a disposition statement under section 222 of that Act in the form approved under the *Strata Titles (General) Regulations 2019*.

R. NEILSON, Clerk of the Executive Council.