

**1993—No. 556**

**RESIDENTIAL TENANCIES ACT 1987—REGULATION**

(Relating to exemptions)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Residential Tenancies Act 1987, has been pleased to make the Regulation set forth hereunder.

**ROBERT WEBSTER**  
Minister for Housing.

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The Residential Tenancies Regulation 1989 is amended by inserting after clause 30 (5B) the following subclause:

(5C) A residential tenancy agreement is exempted from the operation of the Act if it relates to premises:

- (a) that are let to the tenant by the landlord for residential purposes and for the purposes of a trade, profession, business or agriculture; or
- (b) consisting of part of a building that is let to the tenant by the landlord for residential purposes and another part of the building, or land on which the building is situated, that is let to the tenant by the landlord for the purposes of a trade, profession, business or agriculture.

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**EXPLANATORY NOTE**

The object of this Regulation is to exempt from the operation of the Residential Tenancies Act 1987 residential tenancy agreements relating to premises which, although used for residential purposes by the tenant under the agreement, are also used for commercial purposes.

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The exemption extends to a situation where part of a building is leased for residential purposes under an agreement and another part of the building is leased for commercial purposes under the same agreement.

This Regulation is made under the Residential Tenancies Act 1987, including section 133 (general regulation making power) which gives power to make regulations exempting classes of residential tenancy agreements from the operation of that Act.

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