



New South Wales

Residential Tenancies Amendment Act 2001 No 111

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Residential Tenancies Act 1987 No 26	2
Schedule 1 Amendments	3



New South Wales

Residential Tenancies Amendment Act 2001 No 111

Act No 111, 2001

An Act to amend the *Residential Tenancies Act 1987* in relation to the giving of notice for rent increases; and for related purposes. [Assented to 14 December 2001]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Residential Tenancies Amendment Act 2001*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Residential Tenancies Act 1987 No 26

The *Residential Tenancies Act 1987* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 132 Exemptions

Insert after section 132 (2):

- (3) Notice under section 45 (1) is not required to be given to a tenant of premises of which the New South Wales Land and Housing Corporation is the landlord if the tenant receives a rent rebate from the Corporation in relation to those premises.

[2] Schedule 4, heading

Omit “consequent on enactment of amending legislation”.

[3] Schedule 4, Part 5

Insert after Part 4:

Part 5 Provisions relating to certain rent increases

7 Certain rent increases validly made

- (1) Any increase in rent made before 1 January 1999 in respect of property of which the New South Wales Land and Housing Corporation was landlord when the increase was made is not invalid, and is taken never to have been invalid, merely because notice was not given in accordance with section 45 (1) in relation to the increase.
- (2) Nothing in subclause (1) affects the judgment of the Supreme Court in *New South Wales Land and Housing Corporation v Stannard & Anor* [2000] NSWSC 681 as between the parties to those proceedings.

Residential Tenancies Amendment Act 2001 No 111

Schedule 1 Amendments

- (3) For avoidance of doubt, a reference in subclause (1) to the New South Wales Land and Housing Corporation includes, in any case where the Corporation exercised its functions or otherwise acted in the name of the Department of Housing, a reference to that Department.

[Minister's second reading speech made in—
Legislative Assembly on 30 November 2001
Legislative Council on 11 December 2001]

BY AUTHORITY