



New South Wales

Residential Tribunal Amendment (Retirement Villages) Regulation 2000

under the

Residential Tribunal Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Tribunal Act 1998*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to update the *Residential Tribunal Regulation 1999* (the Regulation) in consequence of the repeal of the *Retirement Villages Act 1989* and the enactment of the *Retirement Villages Act 1999*.

This Regulation also makes a minor correction to a form.

This Regulation is made under the *Residential Tribunal Act 1998*, including sections 33 (Representation of parties) and 78 (the general regulation-making power).

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Clause 1 Residential Tribunal Amendment (Retirement Villages) Regulation 2000

Residential Tribunal Amendment (Retirement Villages) Regulation 2000

1 Name of Regulation

This Regulation is the *Residential Tribunal Amendment (Retirement Villages) Regulation 2000*.

2 Commencement

This Regulation commences on 1 July 2000.

3 Amendment of Residential Tribunal Regulation 1999

The *Residential Tribunal Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3:

Residents Committee of a retirement village has the same meaning as it has in the *Retirement Villages Act 1999*.

[2] Clause 8 Divisions of Tribunal

Omit “*Retirement Villages Act 1989*” from clause 8 (1) (e).

Insert instead “*Retirement Villages Act 1999*”.

[3] Clause 12 Representation of unincorporated body

Insert at the end of clause 12:

- (2) This clause does not apply to a claim lodged by the Residents Committee of a retirement village.

[4] Clause 13 When parties may be represented

Omit clause 13 (1) (l). Insert instead:

- (l) the party is the operator of a retirement village involved in the proceedings and is represented by an employee or agent (other than a legal practitioner) of the operator, or
- (ll) the party is a resident of a retirement village who is represented by:
- (i) a nominated resident of the retirement village (in accordance with section 122 of the *Retirement Villages Act 1999*), or
- (ii) the Residents Committee of the retirement village (in accordance with clause 25 of the *Retirement Villages Regulation 2000*), or

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Schedule 1 Amendments

[5] Clause 19 Particulars of application

Omit clause 19 (5). Insert instead:

- (5) An application made under the *Retirement Villages Act 1999* by an operator of a retirement village may be completed, signed, dated and lodged by any person authorised in writing by the operator to do so.

[6] Clause 19 (6)

Omit “*Retirement Villages Act 1989*”.

Insert instead “*Retirement Villages Act 1999*”.

[7] Schedule 2 Forms

Omit “IN THE FAIR TRADING TRIBUNAL” from Form 1.

Insert instead “IN THE RESIDENTIAL TRIBUNAL”.

BY AUTHORITY
