



Landlord and Tenant (Rental Bonds) Amendment Regulation 2002

under the

Landlord and Tenant (Rental Bonds) Act 1977

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Landlord and Tenant (Rental Bonds) Act 1977*.

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

Explanatory note

The object of this Regulation is to enable a lessor to accept an undertaking given by the Director-General of the Department of Housing, the New South Wales Land and Housing Corporation, or a person or body authorised by the Director-General or the Corporation, that indemnifies the lessor up to a specified amount for loss or damage caused by a particular lessee.

This Regulation is made under the *Landlord and Tenant (Rental Bonds) Act 1977*, including section 26 and section 34 (the general regulation-making power).

2002 No 840

Clause 1 Landlord and Tenant (Rental Bonds) Amendment Regulation 2002

Landlord and Tenant (Rental Bonds) Amendment Regulation 2002

under the

Landlord and Tenant (Rental Bonds) Act 1977

1 Name of Regulation

This Regulation is the *Landlord and Tenant (Rental Bonds) Amendment Regulation 2002*.

2 Amendment of Landlord and Tenant (Rental Bonds) Regulation 1993

The *Landlord and Tenant (Rental Bonds) Regulation 1993* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 6A

Insert after clause 6:

6A Tenancy guarantee scheme

- (1) In this clause, *tenancy guarantee*, in relation to a lease, means an undertaking:
 - (a) given to a lessor by the Director-General of the Department of Housing, or by a person or body authorised in writing for the purposes of this clause by the Director-General, and
 - (b) that provides that, subject to specified conditions, the lessor will be indemnified up to a specified amount against loss or damage arising from any breach of the terms and conditions of the lease by a specified lessee.
- (2) A lessor is exempt from the provisions of section 9 of the Act in respect of the receipt of a tenancy guarantee.
- (3) In this clause, a reference to the *Director-General of the Department of Housing* includes a reference to the New South Wales Land and Housing Corporation and to the Department of Housing in a case where the Corporation is acting in the name of the Department.