



New South Wales

Conveyancing (Sale of Land) Further Amendment (Smoke Alarms) Regulation 2006

under the

Conveyancing Act 1919

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

ANTHONY KELLY, M.L.C.,
Minister for Lands

Explanatory note

Section 52A (2) of the *Conveyancing Act 1919* provides that a vendor under a contract for the sale of land must, before the contract is signed by or on behalf of the purchaser, attach to the contract certain documents prescribed by the regulations (or copies of them).

The *Conveyancing (Sale of Land) Amendment (Smoke Alarms) Regulation 2006*, therefore, inserted clause 15 into Schedule 1 to the *Conveyancing (Sale of Land) Regulation 2005* to prescribe that, if a contract for the sale of land relates to land on which a building is situated and smoke alarms or heat alarms are required by Division 7A (Smoke alarms) of Part 9 (Fire safety and matters concerning the Building Code of Australia) of the *Environmental Planning and Assessment Regulation 2000* to be installed in the building, a statement by the vendor that the building complies with that requirement must be so attached to the contract.

Given that clause 186F of the *Environmental Planning and Assessment Regulation 2000* provides that a legal obligation under clause 186A (being the legal obligation under Division 7A of Part 9 of that Regulation to install a smoke alarm) does not arise until 1 November 2006, the legal obligation of clause 15 of Schedule 1 to attach the prescribed statement to a contract for the sale of land, by reference, similarly does not arise until 1 November 2006.

The object of this Regulation is, for the avoidance of doubt, to clarify that the requirement to include a statement relating to smoke alarms has effect only on and from 1 November 2006.

This Regulation is made under the *Conveyancing Act 1919*, including sections 52A (2) and and 202 (the general regulation-making power).

2006 No 269

Clause 1 Conveyancing (Sale of Land) Further Amendment (Smoke Alarms)
 Regulation 2006

**Conveyancing (Sale of Land) Further Amendment
(Smoke Alarms) Regulation 2006**

under the

Conveyancing Act 1919

1 Name of Regulation

This Regulation is the *Conveyancing (Sale of Land) Further Amendment (Smoke Alarms) Regulation 2006*.

2 Amendment of Conveyancing (Sale of Land) Regulation 2005

The *Conveyancing (Sale of Land) Regulation 2005* is amended by omitting “If” from clause 15 of Schedule 1 and by inserting instead “On or after 1 November 2006, if”.

BY AUTHORITY