



New South Wales

Conveyancing (Sale of Land) Amendment (Smoke Alarm Notices) 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

Currently, the *Conveyancing (Sale of Land) Regulation 2005* requires, from 1 November 2006, a vendor to attach to a contract for the sale of land a statement that any building situated on the land complies with Division 7A of Part 9 of the *Environmental Planning and Assessment Regulation 2000* (which relates to the obligation of owners of certain buildings to install smoke alarms (or in certain cases heat alarms)). The object of this Regulation is to amend the *Conveyancing (Sale of Land) Regulation 2005*:

- (a) to remove the current requirement and replace it with a requirement that, from 1 December 2006, the vendor attach to the contract a notice outlining the obligations relating to smoke alarms contained in regulations under the *Environmental Planning and Assessment Act 1979*, and
- (b) to remove the offence associated with the current requirement that a vendor attach a statement to the contract, and
- (c) to omit a provision that states that a contract may not be rescinded on the ground of any inaccuracy in that statement.

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

2006 No 646

Clause 1 Conveyancing (Sale of Land) Amendment (Smoke Alarm Notices)
 Regulation 2006

Conveyancing (Sale of Land) Amendment (Smoke Alarm Notices) Regulation 2006

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Conveyancing Act 1919

1 Name of Regulation

This Regulation is the *Conveyancing (Sale of Land) Amendment (Smoke Alarm Notices) Regulation 2006*.

2 Amendment of Conveyancing (Sale of Land) Regulation 2005

The *Conveyancing (Sale of Land) Regulation 2005* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] **Clause 19 Circumstances under which purchaser may rescind contract or option**

Omit clause 19 (5).

[2] **Clause 22A Offence relating to smoke alarm notices attached to contracts of sale**

Omit the clause.

[3] **Schedule 1 Prescribed documents**

Omit item 15 (including the note). Insert instead:

- 15** On or after 1 December 2006, a notice in or to the effect of the following (unless the notice is printed in the contract), being a notice that is legibly printed, in bold type, with the words “WARNING” and “SMOKE ALARMS” in capital letters at least 3 millimetres high, and the rest of the notice printed in letters at least 1 millimetre high:

WARNING

SMOKE ALARMS

The owners of certain types of buildings and strata lots must have smoke alarms (or in certain cases heat alarms) installed in the building or lot in accordance with regulations under the *Environmental Planning and Assessment Act 1979*. It is an offence not to comply. It is also an offence to remove or interfere with a smoke alarm or heat alarm. Penalties apply.