



New South Wales

Conveyancing (Sale of Land) Amendment (Planning Certificates) Regulation 2009

under the

Conveyancing Act 1919

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

ANTHONY KELLY, MLC
Minister for Lands

Explanatory note

Currently, the *Conveyancing (Sale of Land) Regulation 2005* defines **section 149 certificate** as being a certificate issued under section 149 (2) of the *Environmental Planning and Assessment Act 1979* and provides that such a certificate is a prescribed document that must be attached to a contract for the sale of land.

On 27 February 2009, clause 279 of the *Environmental Planning and Assessment Regulation 2000* was amended to provide for the issue of a limited section 149 certificate containing only information relating to complying development.

The object of this Regulation is to make it clear that such a certificate is not a section 149 certificate for the purposes of the *Conveyancing (Sale of Land) Regulation 2005*.

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

2009 No 114

Clause 1 Conveyancing (Sale of Land) Amendment (Planning Certificates)
 Regulation 2009

Conveyancing (Sale of Land) Amendment (Planning Certificates) Regulation 2009

under the

Conveyancing Act 1919

1 Name of Regulation

This Regulation is the *Conveyancing (Sale of Land) Amendment (Planning Certificates) Regulation 2009*.

2 Commencement

This Regulation takes effect on the day on which it is published on the NSW legislation website.

3 Amendment of Conveyancing (Sale of Land) Regulation 2005

Clause 3 Definitions

Insert “, but does not include a certificate referred to in clause 279 (2) of the *Environmental Planning and Assessment Regulation 2000*” after “*Environmental Planning and Assessment Act 1979*” in the definition of **section 149 certificate** in clause 3 (1).