



New South Wales

# Retail and Other Commercial Leases (COVID-19) Regulation (No 2) 2021

under the

Retail Leases Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Retail Leases Act 1994*.

DAMIEN TUDEHOPE, MLC  
Minister for Finance and Small Business

## Explanatory note

The object of this Regulation is to repeal the *Retail and Other Commercial Leases (COVID-19) Regulation 2021* and the *Conveyancing (General) Regulation 2018*, Schedule 5 and to save protections that occurred under the repealed provisions.

This Regulation is made under—

- (a) the *Retail Leases Act 1994*, including sections 85, the general regulation-making power, and 87, and
- (b) the *Conveyancing Act 1919*, section 202, the general regulation-making power.

This Regulation is made with the agreement of the Minister for Customer Service, being the Minister administering the *Conveyancing Act 1919*.

## **Retail and Other Commercial Leases (COVID-19) Regulation (No 2) 2021**

under the

Retail Leases Act 1994

### **1 Name of Regulation**

This Regulation is the *Retail and Other Commercial Leases (COVID-19) Regulation (No 2) 2021*.

### **2 Commencement**

This Regulation commences on 14 January 2022 and is required to be published on the NSW legislation website.

### **3 Savings of COVID-19 protections**

The *Retail and Other Commercial Leases (COVID-19) Regulation 2021* continues to apply, despite the repeal of the regulation, to anything occurring in relation to a lease while the lease was an impacted lease within the meaning of the regulation.

### **4 Repeal of Retail and Other Commercial Leases (COVID-19) Regulation 2021**

The *Retail and Other Commercial Leases (COVID-19) Regulation 2021* is repealed.

### **5 Amendment of Conveyancing (General) Regulation 2018**

#### **(1) Clause 38**

Insert after clause 37—

#### **38 Savings of COVID-19 protections**

Schedule 5 continues to apply, despite its repeal, to anything occurring in relation to a lease while the lease was an impacted lease within the meaning of the Schedule.

#### **(2) Schedule 5 Commercial leases—COVID-19 pandemic special provisions**

Omit the Schedule.