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2021 and the Conveyancing (General) Regulation 2018, Schedule 5 and to save protections that occurred under the repealed provisions.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The Retail and Other Commercial Leases (COVID-19) Regulation 2021 is repealed.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