

# Residential Tenancies Amendment Act 2001 No 111

[2001-111]



New South Wales

## Status Information

### Currency of version

Repealed version for 14 December 2001 to 21 July 2003 (accessed 22 November 2024 at 16:08)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by the [Statute Law \(Miscellaneous Provisions\) Act 2003 No 40](#), Sch 3 with effect from 22.7.2003.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 22 July 2003

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# Residential Tenancies Amendment Act 2001 No 111



New South Wales

An Act to amend the *Residential Tenancies Act 1987* in relation to the giving of notice for rent increases; and for related purposes.

## 1 Name of Act

This Act is the *Residential Tenancies Amendment Act 2001*.

## 2 Commencement

This Act commences on the date of assent.

## 3 Amendment of *Residential Tenancies Act 1987 No 26*

The *Residential Tenancies Act 1987* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Section 3)

### [1] Section 132 Exemptions

Insert after section 132 (2):

- (3) Notice under section 45 (1) is not required to be given to a tenant of premises of which the New South Wales Land and Housing Corporation is the landlord if the tenant receives a rent rebate from the Corporation in relation to those premises.

### [2] Schedule 4, heading

Omit “**consequent on enactment of amending legislation**”.

### [3] Schedule 4, Part 5

Insert after Part 4:

## **Part 5 Provisions relating to certain rent increases**

### **7 Certain rent increases validly made**

- (1) Any increase in rent made before 1 January 1999 in respect of property of which the New South Wales Land and Housing Corporation was landlord when the increase was made is not invalid, and is taken never to have been invalid, merely because notice was not given in accordance with section 45 (1) in relation to the increase.
- (2) Nothing in subclause (1) affects the judgment of the Supreme Court in *New South Wales Land and Housing Corporation v Stannard & Anor*[2000] NSWSC 681 as between the parties to those proceedings.
- (3) For avoidance of doubt, a reference in subclause (1) to the New South Wales Land and Housing Corporation includes, in any case where the Corporation exercised its functions or otherwise acted in the name of the Department of Housing, a reference to that Department.