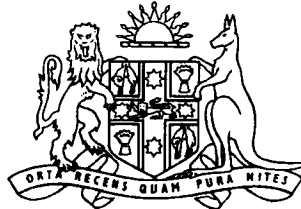


Passed by both Houses



New South Wales

Residential Tenancies Amendment Bill 2001

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2001*



New South Wales

Residential Tenancies Amendment Bill 2001

Act No , 2001

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

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

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.

Residential Tenancies Amendment Bill 2001

Schedule 1

Amendments

- (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.