



New South Wales

# Retail Leases Amendment (Mediation) Bill 2012

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend section 68 (1) of the *Retail Leases Act 1994* to make it clear that proceedings may not be commenced in any court in relation to a retail tenancy dispute, or in relation to certain other disputes or matters arising under that Act, unless the Registrar of Retail Tenancy Disputes has certified in writing that mediation has failed to resolve the dispute or matter.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

**Clause 3** amends the *Retail Leases Act 1994* to give effect to the object of the Bill as described in the Overview above.



Introduced by the Hon P G Lynch, MP

First print



New South Wales

# Retail Leases Amendment (Mediation) Bill 2012

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New South Wales

# Retail Leases Amendment (Mediation) Bill 2012

No. , 2012

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## A Bill for

An Act to amend the *Retail Leases Act 1994* to require mediation in connection with retail tenancy disputes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Retail Leases Amendment (Mediation) Act 2012</i> .	3
<b>2 Commencement</b>	4
This Act commences 3 months after the date of assent to this Act unless commenced sooner by proclamation.	5 6
<b>3 Amendment of Retail Leases Act 1994 No 46</b>	7
<b>Section 68 Disputes and other matters must be submitted to mediation before court proceedings can be commenced</b>	8 9
Omit section 68 (1). Insert instead:	10
(1) Proceedings in relation to a retail tenancy dispute or other dispute or matter referred to in section 65 (1) (a1) may not be commenced in any court unless the Registrar has certified in writing that mediation under this Part has failed to resolve the dispute or matter.	11 12 13 14 15