

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

R. E. WARD,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 3 March, 1976.*

## New South Wales



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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Act No.      , 1976.

An Act to amend the Strata Titles Act, 1973.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Strata Titles (Amendment) Act, 1976".

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2.

Short title.

*Strata Titles (Amendment).*

2. The Strata Titles Act, 1973, is amended in the manner set out in Schedule 1. Amendment of Act No. 68, 1973.

3. (1) If any moneys referred to in section 68 (1) (1) or (m) of the Strata Titles Act, 1973, are, at the date of assent to this Act, held by any person on behalf of a body corporate otherwise than in a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act, that person shall as soon as practicable after the date of assent to this Act pay those moneys to the body corporate for payment into a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act. Transitional provision.

Penalty : \$500.

(2) Subsection (1) does not apply in respect to moneys referred to in that subsection that are held by a person on behalf of a body corporate if that person is a managing agent for that body corporate and is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

(1) Section 5 (1), definition of "proprietor"—

In paragraph (b), after "81 (2)", insert "or (2A)".

(2) (a) Section 68 (1) (j)—

Omit "seven", insert instead "fourteen".

(b) Section 68 (1) (m)—

Omit ", as its sinking fund, a fund for the depositing therein of those amounts", insert instead "a sinking fund into which those amounts and any amounts paid to the body corporate by way of discharge of insurance claims shall be paid".

SCHEDULE

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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(c) Section 68 (1) (n1)—

5 After section 68 (1) (n), insert :—

(n1) pay any moneys referred to in paragraphs  
(1) and (m) that are received by it and  
are not otherwise invested in accordance  
with section 65 (1) (a) into an account  
10 established in a bank in the name of the  
body corporate separate from any account  
in which any other moneys of the body  
corporate are kept;

(d) Section 68 (1A)—

15 After section 68 (1), insert :—

(1A) Subsection (1) (n1) does not apply to  
a body corporate which has appointed a man-  
aging agent who is the holder of a real estate  
agent's licence issued pursuant to the Auctioneers  
and Agents Act, 1941, and to whom the duty of  
20 the body corporate under subsection (1) (n1)  
is delegated pursuant to section 78.

(3) Section 69 (3) (b)—

After "81 (2)", insert "or (2A)".

25 (4) Section 73 (6), (7)—

At the end of section 73, insert :—

(6) A person who has possession or control of—

(a) any records, books of account or keys  
belonging to a body corporate;

SCHEDULE



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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(b) the strata roll kept by a body corporate; or

5 (c) any other property of a body corporate,

shall, within seven days after service on him of notice  
of a resolution of the council requiring him to do so,  
deliver those records, books of account and keys and  
that strata roll and other property to a member of the  
10 council specified in the notice.

Penalty for an offence against this subsection : \$500.

(7) Subsection (6) does not apply in respect of  
a person who has possession or control of any of the  
15 property referred to in subsection (6) (a), (b) or  
(c) if that person is the managing agent of the body  
corporate concerned and is the holder of a real estate  
agent's licence issued pursuant to the Auctioneers  
and Agents Act, 1941.

(5) (a) Section 81 (2A)—

20 After section 81 (2), insert :—

(2A) Where the disponor under an executed  
transfer of a lot does not comply with a notice  
under subsection (10) requiring him to give a  
notice under subsection (2) in the capacity of  
25 the disponor under the transfer, the disponee  
under the transfer may give to the body corporate  
written notice of the transfer which shall identify  
the lot and specify the name of the disponee in  
full and the address for the service of notices on  
the disponee and the date upon which the  
transfer was delivered to the disponee.

SCHEDULE



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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

- (b) Section 81 (7)—
- 5           Omit “and—
- (a) if the lease is not in writing, specify the date and terms of the lease or, if the lease is in writing, be accompanied by a true copy of the lease; and
- 10           (b) specify the address for the service of notices on the lessor”, insert instead
- “and the address for the service of notices on the lessor”.
- (6) Section 119—
- 15           Omit “reallocating those unit entitlements”, insert instead “allocating unit entitlements among the lots”.
- (7) Section 141 (3)—
- Omit “reallocation”, insert instead “allocation”.
- (8) Section 153 (1)—
- 20           Omit “or a notice or order under Part V”.
- (9) (a) Schedule 1, by-law 10 (d)—
- Omit “and” where secondly occurring.
- (b) Schedule 1, by-law 10 (f)—
- At the end of by-law 10 (e), insert :—
- 25                           ; and
- (f) the calling of nominations of candidates for election as members of the council.

SCHEDULE

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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

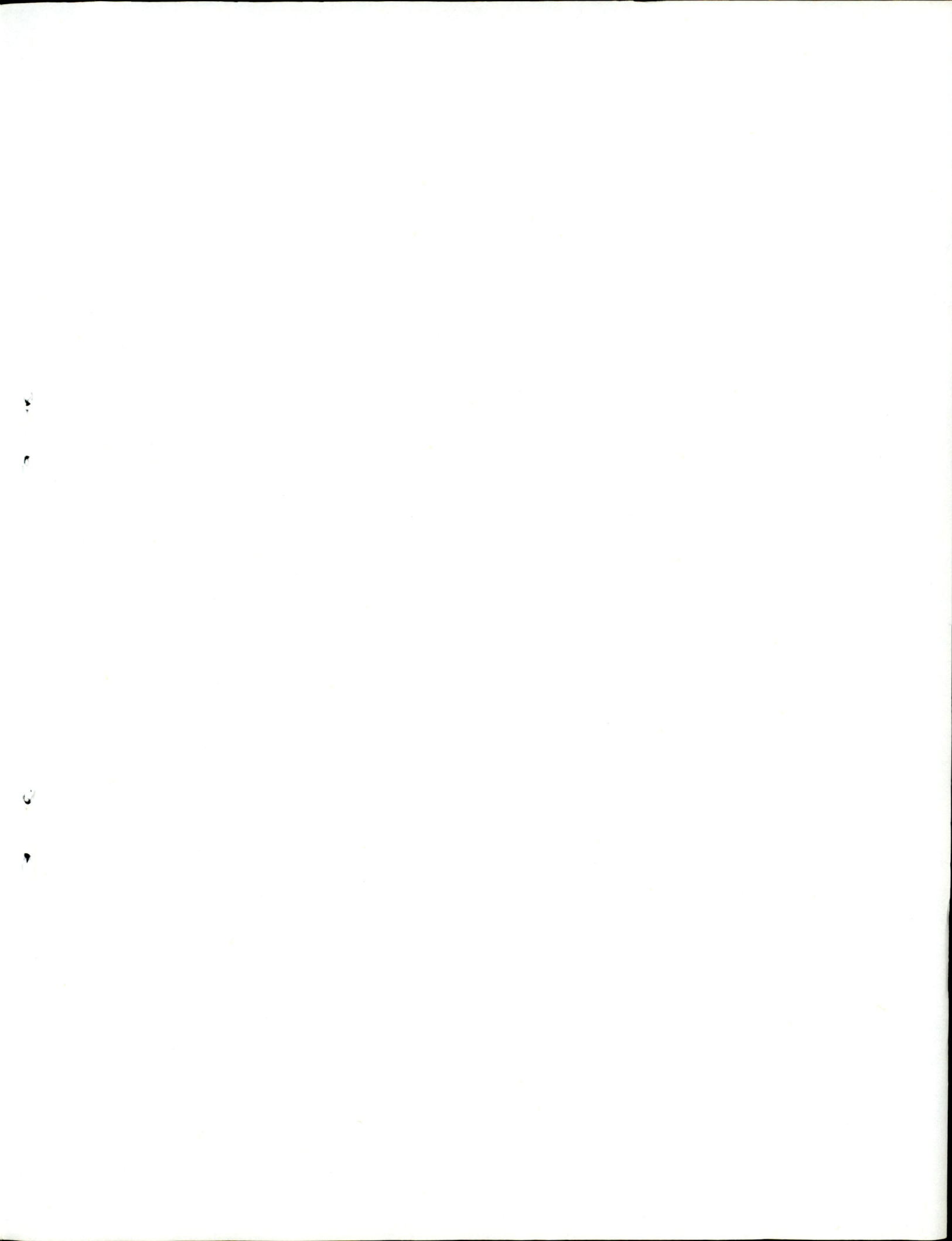
AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

- (10) Schedule 2, Part 1, clause 16—
- 5        Omit “initial period”, insert instead “first annual  
          general meeting”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976







No. , 1976.

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# A BILL

To amend the Strata Titles Act, 1973.

[MR GRIFFITH—25 February, 1976.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Strata Titles Short title. (Amendment) Act, 1976".

2.

*Strata Titles (Amendment).*

2. The Strata Titles Act, 1973, is amended in the manner set out in Schedule 1. Amendment  
of Act  
No. 68, 1973.

3. If any moneys referred to in section 68 (1) (1) or (m) of the Strata Titles Act, 1973, are, at the date of assent to this Act, held by any person on behalf of a body corporate otherwise than in a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act, that person shall as soon as practicable after the date of assent to this Act pay those moneys to the body corporate for payment into a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act. Transitional  
provision.

Penalty : \$500.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

15 (1) Section 5 (1), definition of "proprietor"—

In paragraph (b), after "81 (2)", insert "or (2A)".

(2) (a) Section 68 (1) (j)—

Omit "seven", insert instead "fourteen".

(b) Section 68 (1) (m)—

20 Omit "as its sinking fund, a fund for the  
depositing therein of those amounts", insert  
instead "a sinking fund into which those amounts  
and any amounts paid to the body corporate by  
25 way of discharge of insurance claims shall be  
paid".

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(c) Section 68 (1) (n1)—

5           After section 68 (1) (n), insert :—

          (n1) pay any moneys referred to in paragraphs  
          (1) and (m) that are received by it and  
          are not otherwise invested in accordance  
10           with section 65 (1) (a) into an account  
          established in a bank in the name of the  
          body corporate separate from any account  
          in which any other moneys of the body  
          corporate are kept;

(3) Section 69 (3) (b)—

15           After “81 (2)”, insert “or (2A)”.

(4) Section 73 (6)—

          At the end of section 73, insert :—

          (6) A person who has possession or control of—  
          (a) any records, books of account or keys  
20           belonging to a body corporate;  
          (b) the strata roll kept by a body corporate; or  
          (c) any other property of a body corporate,  
          shall, within seven days after service on him of notice  
25           of a resolution of the council requiring him to do so,  
          deliver those records, books of account and keys and  
          that strata roll and other property to a member of the  
          council specified in the notice.

          Penalty for an offence against this subsection : \$500.

SCHEDULE

---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(5) (a) Section 81 (2A)—

5           After section 81 (2), insert :—

          (2A) Where the disponor under an executed  
transfer of a lot does not comply with a notice  
under subsection (10) requiring him to give a  
notice under subsection (2) in the capacity of  
10       the disponor under the transfer, the disponee  
under the transfer may give to the body corporate  
written notice of the transfer which shall identify  
the lot and specify the name of the disponee in  
full and the address for the service of notices on  
15       the disponee and the date upon which the  
transfer was delivered to the disponee.

(b) Section 81 (7)—

Omit “and—

20           (a) if the lease is not in writing, specify the  
date and terms of the lease or, if the  
lease is in writing, be accompanied by a  
true copy of the lease; and

(b) specify the address for the service of  
notices on the lessor”, insert instead

25           “and the address for the service of notices on the  
lessor”.

(6) Section 119—

Omit “reallocating those unit entitlements”, insert  
instead “allocating unit entitlements among the lots”.

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

- (7) Section 141 (3)—  
5 Omit “reallocation”, insert instead “allocation”.
- (8) Section 153 (1)—  
Omit “or a notice or order under Part V”.
- (9) (a) Schedule 1, by-law 10 (d)—  
Omit “and” where secondly occurring.
- 10 (b) Schedule 1, by-law 10 (f)—  
At the end of by-law 10 (e), insert :—  
; and  
(f) the calling of nominations of candidates  
for election as members of the council.
- 15 (10) Schedule 2, Part 1, clause 16—  
Omit “initial period”, insert instead “first annual  
general meeting”.



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**STRATA TITLES (AMENDMENT) BILL, 1976**

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**EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to extend, from seven to fourteen days after its constitution, the time within which a body corporate under a strata scheme is required to determine the amount of levies to be made on proprietors (Schedule 1 (2) (a));
- (b) to require moneys received by a body corporate under a strata scheme by way of discharge of insurance claims to be deposited in its sinking fund (Schedule 1 (2) (b));
- (c) to require the body corporate under a strata scheme to deposit in a bank uninvested moneys forming part of the administrative fund or the sinking fund (Schedule 1 (2) (c));
- (d) to facilitate the recovery by a body corporate under a strata scheme of property of the body corporate entrusted to persons in connection with the administration of the strata scheme (Schedule 1 (4));
- (e) to enable the disponent of a strata lot to give to the body corporate notice of the transfer to him of the lot so as to enable his name to be recorded in the strata roll where the disponent has failed to give a notice (Schedule 1 (5) (a));
- (f) to reduce the information required to be given to the body corporate by a proprietor who leases his lot (Schedule 1 (5) (b));
- (g) to ensure that Strata Titles Boards are not restricted in varying unit entitlements where existing entitlements are low in number (Schedule 1 (6), (7));
- (h) to facilitate the service on a body corporate of notices and orders under Part V of the Strata Titles Act, 1973 (Schedule 1 (8));
- (i) to require the secretary of each body corporate to call nominations for election to the council of the body corporate (Schedule 1 (9));
- (j) to extend the period during which an original proprietor may be required to carry out the duties of the chairman, secretary and treasurer (Schedule 1 (10)); and
- (k) to make other provisions of an ancillary, consequential or minor nature.





PROOF

No. , 1976.

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# A BILL

To amend the Strata Titles Act, 1973.

[MR GRIFFITH—25 February, 1976.]

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---

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Strata Titles Short title. (Amendment) Act, 1976".

2.



---

*Strata Titles (Amendment).*

---

2. The Strata Titles Act, 1973, is amended in the manner set out in Schedule 1. Amendment  
of Act  
No. 68, 1973.

3. If any moneys referred to in section 68 (1) (l) or (m) of the Strata Titles Act, 1973, are, at the date of assent to this Act, held by any person on behalf of a body corporate otherwise than in a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act, that person shall as soon as practicable after the date of assent to this Act pay those moneys to the body corporate for payment into a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act. Transitional  
provision.

Penalty : \$500.

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SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

- 15 (1) Section 5 (1), definition of "proprietor"—  
In paragraph (b), after "81 (2)", insert "or (2A)".
- (2) (a) Section 68 (1) (j)—  
Omit "seven", insert instead "fourteen".
- (b) Section 68 (1) (m)—  
20 Omit ", as its sinking fund, a fund for the  
depositing therein of those amounts", insert  
instead "a sinking fund into which those amounts  
and any amounts paid to the body corporate by  
way of discharge of insurance claims shall be  
25 paid".

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(c) Section 68 (1) (n1)—

5           After section 68 (1) (n), insert :—

          (n1) pay any moneys referred to in paragraphs  
              (1) and (m) that are received by it and  
              are not otherwise invested in accordance  
10           with section 65 (1) (a) into an account  
              established in a bank in the name of the  
              body corporate separate from any account  
              in which any other moneys of the body  
              corporate are kept;

(3) Section 69 (3) (b)—

15           After “81 (2)”, insert “or (2A)”.

(4) Section 73 (6)—

          At the end of section 73, insert :—

          (6) A person who has possession or control of—  
              (a) any records, books of account or keys  
20           belonging to a body corporate;  
              (b) the strata roll kept by a body corporate; or  
              (c) any other property of a body corporate,  
              shall, within seven days after service on him of notice  
25           of a resolution of the council requiring him to do so,  
              deliver those records, books of account and keys and  
              that strata roll and other property to a member of the  
              council specified in the notice.

          Penalty for an offence against this subsection : \$500.

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(5) (a) Section 81 (2A)—

5           After section 81 (2), insert :—

          (2A) Where the disponor under an executed  
transfer of a lot does not comply with a notice  
under subsection (10) requiring him to give a  
notice under subsection (2) in the capacity of  
10       the disponor under the transfer, the disponee  
under the transfer may give to the body corporate  
written notice of the transfer which shall identify  
the lot and specify the name of the disponee in  
15       full and the address for the service of notices on  
the disponee and the date upon which the  
transfer was delivered to the disponee.

(b) Section 81 (7)—

Omit “and—

20           (a) if the lease is not in writing, specify the  
date and terms of the lease or, if the  
lease is in writing, be accompanied by a  
true copy of the lease; and

          (b) specify the address for the service of  
notices on the lessor”, insert instead

25       “and the address for the service of notices on the  
lessor”.

(6) Section 119—

Omit “reallocating those unit entitlements”, insert  
instead “allocating unit entitlements among the lots”.

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

- (7) Section 141 (3)—  
5 Omit “reallocation”, insert instead “allocation”.
- (8) Section 153 (1)—  
Omit “or a notice or order under Part V”.
- (9) (a) Schedule 1, by-law 10 (d)—  
Omit “and” where secondly occurring.
- 10 (b) Schedule 1, by-law 10 (f)—  
At the end of by-law 10 (e), insert :—  
; and  
(f) the calling of nominations of candidates  
for election as members of the council.
- 15 (10) Schedule 2, Part 1, clause 16—  
Omit “initial period”, insert instead “first annual  
general meeting”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976



# New South Wales



ANNO VICESIMO QUINTO

## ELIZABETHÆ II REGINÆ

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### Act No. 18, 1976.

An Act to amend the Strata Titles Act, 1973. [Assented to, 31st March, 1976.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Strata Titles Short title. (Amendment) Act, 1976".

2.



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*Strata Titles (Amendment).*

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Amendment  
of Act  
No. 68, 1973.

**2.** The Strata Titles Act, 1973, is amended in the manner set out in Schedule 1.

Transitional  
provision.

**3.** (1) If any moneys referred to in section 68 (1) (1) or (m) of the Strata Titles Act, 1973, are, at the date of assent to this Act, held by any person on behalf of a body corporate otherwise than in a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act, that person shall as soon as practicable after the date of assent to this Act pay those moneys to the body corporate for payment into a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act.

Penalty : \$500.

(2) Subsection (1) does not apply in respect to moneys referred to in that subsection that are held by a person on behalf of a body corporate if that person is a managing agent for that body corporate and is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941.

**Sec. 2.**

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**SCHEDULE 1.**

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

(1) Section 5 (1), definition of "proprietor"—

In paragraph (b), after "81 (2)", insert "or (2A)".

(2) (a) Section 68 (1) (j)—

Omit "seven", insert instead "fourteen".

(b) Section 68 (1) (m)—

Omit ", as its sinking fund, a fund for the depositing therein of those amounts", insert instead "a sinking fund into which those amounts and any amounts paid to the body corporate by way of discharge of insurance claims shall be paid".

SCHEDULE

---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(c) Section 68 (1) (n1)—

After section 68 (1) (n), insert :—

- (n1) pay any moneys referred to in paragraphs (l) and (m) that are received by it and are not otherwise invested in accordance with section 65 (1) (a) into an account established in a bank in the name of the body corporate separate from any account in which any other moneys of the body corporate are kept;

(d) Section 68 (1A)—

After section 68 (1), insert :—

(1A) Subsection (1) (n1) does not apply to a body corporate which has appointed a managing agent who is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941, and to whom the duty of the body corporate under subsection (1) (n1) is delegated pursuant to section 78.

(3) Section 69 (3) (b)—

After "81 (2)", insert "or (2A)".

(4) Section 73 (6), (7)—

At the end of section 73, insert :—

- (6) A person who has possession or control of—  
(a) any records, books of account or keys belonging to a body corporate;

SCHEDULE

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*Strata Titles (Amendment).*


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SCHEDULE 1—*continued.*AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(b) the strata roll kept by a body corporate; or

(c) any other property of a body corporate,

shall, within seven days after service on him of notice of a resolution of the council requiring him to do so, deliver those records, books of account and keys and that strata roll and other property to a member of the council specified in the notice.

Penalty for an offence against this subsection : \$500.

(7) Subsection (6) does not apply in respect of a person who has possession or control of any of the property referred to in subsection (6) (a), (b) or (c) if that person is the managing agent of the body corporate concerned and is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941.

(5) (a) Section 81 (2A)—

After section 81 (2), insert :—

(2A) Where the disporor under an executed transfer of a lot does not comply with a notice under subsection (10) requiring him to give a notice under subsection (2) in the capacity of the disporor under the transfer, the disponee under the transfer may give to the body corporate written notice of the transfer which shall identify the lot and specify the name of the disponee in full and the address for the service of notices on the disponee and the date upon which the transfer was delivered to the disponee.

SCHEDULE



---

*Strata Titles (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(b) Section 81 (7)—

Omit “and—

(a) if the lease is not in writing, specify the date and terms of the lease or, if the lease is in writing, be accompanied by a true copy of the lease; and

(b) specify the address for the service of notices on the lessor”, insert instead

“and the address for the service of notices on the lessor”.

(6) Section 119—

Omit “reallocating those unit entitlements”, insert instead “allocating unit entitlements among the lots”.

(7) Section 141 (3)—

Omit “reallocation”, insert instead “allocation”.

(8) Section 153 (1)—

Omit “or a notice or order under Part V”.

(9) (a) Schedule 1, by-law 10 (d)—

Omit “and” where secondly occurring.

(b) Schedule 1, by-law 10 (f)—

At the end of by-law 10 (e), insert :—

; and

(f) the calling of nominations of candidates for election as members of the council.

SCHEDULE

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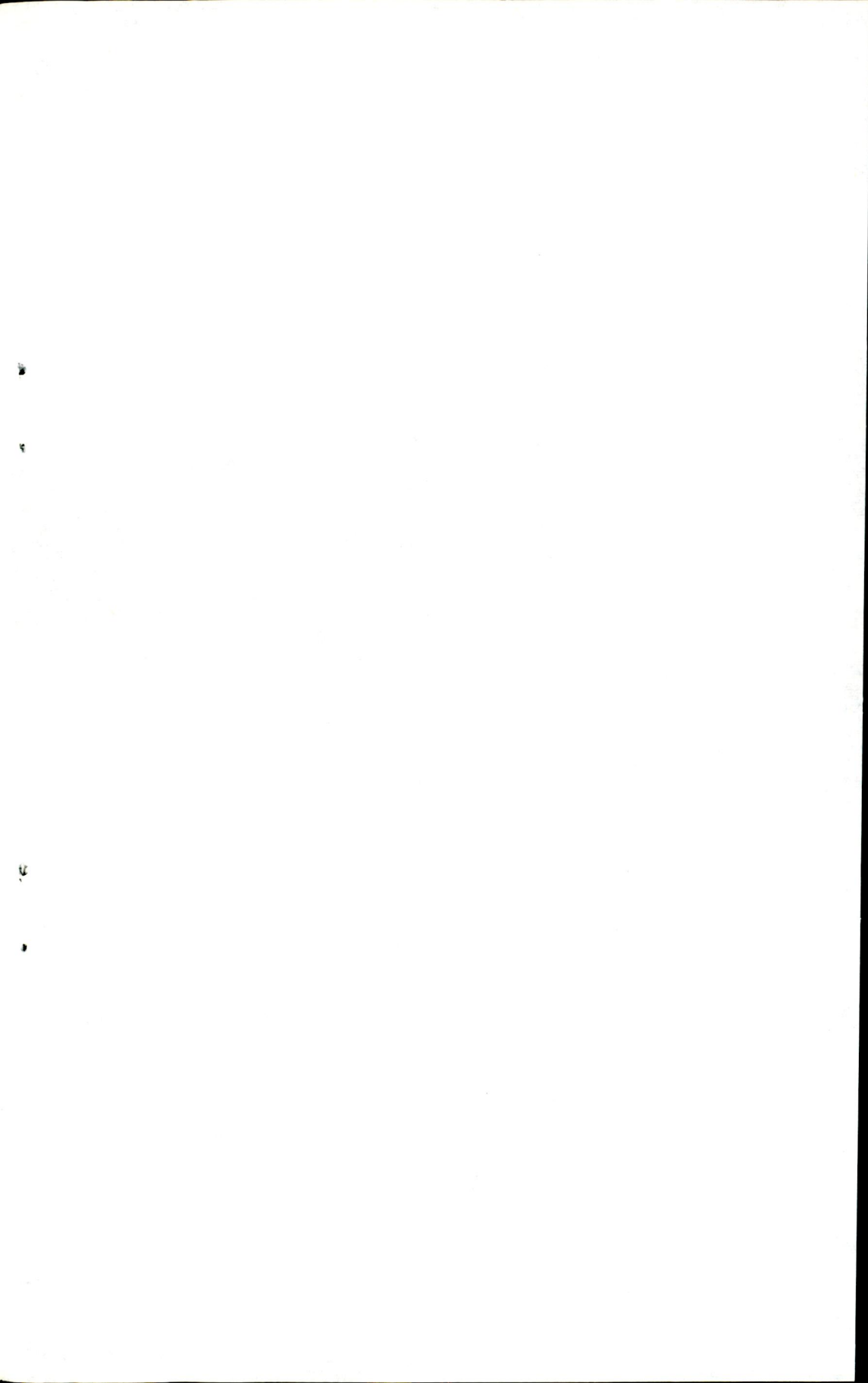
*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

## (10) Schedule 2, Part 1, clause 16—

Omit “initial period”, insert instead “first annual general meeting”.







*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.*

**R. E. WARD,**  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 18 March, 1976.*

## New South Wales



ANNO VICESIMO QUINTO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 18, 1976.

An Act to amend the Strata Titles Act, 1973. [Assented to, 31st March, 1976.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Strata Titles Short title. (Amendment) Act, 1976".

2.

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

**J. H. BROWN,**  
*Chairman of Committees of the Legislative Assembly.*

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*Strata Titles (Amendment).*

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**Amendment of Act No. 68, 1973.**     **2.** The Strata Titles Act, 1973, is amended in the manner set out in Schedule 1.

**Transitional provision.**     **3.** (1) If any moneys referred to in section 68 (1) (1) or (m) of the Strata Titles Act, 1973, are, at the date of assent to this Act, held by any person on behalf of a body corporate otherwise than in a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act, that person shall as soon as practicable after the date of assent to this Act pay those moneys to the body corporate for payment into a bank account referred to in section 68 (1) (n1) of that Act, as amended by this Act.

Penalty : \$500.

(2) Subsection (1) does not apply in respect to moneys referred to in that subsection that are held by a person on behalf of a body corporate if that person is a managing agent for that body corporate and is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941.

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SCHEDULE 1.

**Sec. 2.**

AMENDMENTS TO THE STRATA TITLES ACT, 1973.

(1) Section 5 (1), definition of "proprietor"—

In paragraph (b), after "81 (2)", insert "or (2A)".

(2) (a) Section 68 (1) (j)—

Omit "seven", insert instead "fourteen".

(b) Section 68 (1) (m)—

Omit " , as its sinking fund, a fund for the depositing therein of those amounts", insert instead "a sinking fund into which those amounts and any amounts paid to the body corporate by way of discharge of insurance claims shall be paid".

SCHEDULE



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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(c) Section 68 (1) (n1)—

After section 68 (1) (n), insert :—

- (n1) pay any moneys referred to in paragraphs (l) and (m) that are received by it and are not otherwise invested in accordance with section 65 (1) (a) into an account established in a bank in the name of the body corporate separate from any account in which any other moneys of the body corporate are kept;

(d) Section 68 (1A)—

After section 68 (1), insert :—

- (1A) Subsection (1) (n1) does not apply to a body corporate which has appointed a managing agent who is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941, and to whom the duty of the body corporate under subsection (1) (n1) is delegated pursuant to section 78.

(3) Section 69 (3) (b)—

After "81 (2)", insert "or (2A)".

(4) Section 73 (6), (7)—

At the end of section 73, insert :—

- (6) A person who has possession or control of—  
(a) any records, books of account or keys belonging to a body corporate;

SCHEDULE

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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(b) the strata roll kept by a body corporate; or

(c) any other property of a body corporate,

shall, within seven days after service on him of notice of a resolution of the council requiring him to do so, deliver those records, books of account and keys and that strata roll and other property to a member of the council specified in the notice.

Penalty for an offence against this subsection : \$500.

(7) Subsection (6) does not apply in respect of a person who has possession or control of any of the property referred to in subsection (6) (a), (b) or (c) if that person is the managing agent of the body corporate concerned and is the holder of a real estate agent's licence issued pursuant to the Auctioneers and Agents Act, 1941.

(5) (a) Section 81 (2A)—

After section 81 (2), insert :—

(2A) Where the disponor under an executed transfer of a lot does not comply with a notice under subsection (10) requiring him to give a notice under subsection (2) in the capacity of the disponor under the transfer, the disponee under the transfer may give to the body corporate written notice of the transfer which shall identify the lot and specify the name of the disponee in full and the address for the service of notices on the disponee and the date upon which the transfer was delivered to the disponee.

SCHEDULE

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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

(b) Section 81 (7)—

Omit “and—

(a) if the lease is not in writing, specify the date and terms of the lease or, if the lease is in writing, be accompanied by a true copy of the lease; and

(b) specify the address for the service of notices on the lessor”, insert instead

“and the address for the service of notices on the lessor”.

(6) Section 119—

Omit “reallocating those unit entitlements”, insert instead “allocating unit entitlements among the lots”.

(7) Section 141 (3)—

Omit “reallocation”, insert instead “allocation”.

(8) Section 153 (1)—

Omit “or a notice or order under Part V”.

(9) (a) Schedule 1, by-law 10 (d)—

Omit “and” where secondly occurring.

(b) Schedule 1, by-law 10 (f)—

At the end of by-law 10 (e), insert :—

; and

(f) the calling of nominations of candidates for election as members of the council.

SCHEDULE



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*Strata Titles (Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE STRATA TITLES ACT, 1973  
—*continued.*

## (10) Schedule 2, Part 1, clause 16—

Omit "initial period", insert instead "first annual general meeting".

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 31st March, 1976.*



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