

FIRST PRINT

**LAND AND ENVIRONMENT COURT (STRATA TITLES)
AMENDMENT BILL, 1985**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Strata Titles (Development Schemes) Amendment Bill, 1985.

The object of this Bill is to confer on the Land and Environment Court jurisdiction to hear and determine matters arising under the amendments proposed to be effected to the Strata Titles Act, 1973, by the Strata Titles (Development Schemes) Amendment Bill, 1985.

**LAND AND ENVIRONMENT COURT (STRATA TITLES)
AMENDMENT BILL, 1985**

No. , 1985.

A BILL FOR

An Act to amend the Land and Environment Court Act, 1979, as a consequence of the enactment of the Strata Titles (Development Schemes) Amendment Act, 1985.

Land and Environment Court (Strata Titles) Amendment 1985

BE 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:—

5 Short title.

1. This Act may be cited as the "Land and Environment Court (Strata Titles) Amendment Act, 1985".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (4) of the Strata Titles (Development Schemes) Amendment Act, 1985.

Amendment of Act No. 204, 1979.

15 3. The Land and Environment Court Act, 1979, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

AMENDMENTS TO THE LAND AND ENVIRONMENT COURT ACT, 1979.

(Sec. 3.)

(1) Section 17 (ba)—

20 After section 17 (b), insert:—

(ba) applications under section 28F of the Strata Titles Act, 1973;

(2) (a) Section 20 (1) (d)—

Omit "and".

Land and Environment Court (Strata Titles) Amendment 1985

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LAND AND ENVIRONMENT COURT ACT, 1979—
continued.

- 5 (b) Section 20 (1) (da)—
After section 20 (1) (d), insert:—
(da) proceedings under section 28i or 28k of the Strata Titles Act, 1973; and
- (c) Section 20 (2) (b)—
Omit “and”.
- 10 (d) Section 20 (2) (c), (d)—
At the end of section 20 (2) (c), insert:—
; and
(d) whether or not as provided by section 68 of the Supreme Court Act, 1970—to award damages for a breach of the agreement referred to in subsection (3) (c).
- 15 (e) Section 20 (3) (a)—
Omit “or” where thirdly occurring.
- (f) Section 20 (3) (b), (c)—
At the end of section 20 (3) (b), insert:—
20 ; or
(c) the agreement deemed to have been entered into pursuant to section 28G of the Strata Titles Act, 1973,
- (3) Section 71 (2)—
At the end of section 71, insert:—
25 (2) Subject to section 58, an action or an agreement referred to in section 20 (3) (c) may not be commenced or entertained except by or in proceedings referred to in section 20 (1) (e).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985





LAND AND ENVIRONMENT COURT (STRATA TITLES)
AMENDMENT ACT 1985 No. 115

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 115, 1985

An Act to amend the Land and Environment Court Act, 1979, as a consequence of the enactment of the Strata Titles (Development Schemes) Amendment Act, 1985. [Assented to, 15th October, 1985.]

Land and Environment Court (Strata Titles) Amendment 1985

BE 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:—

Short title.

1. This Act may be cited as the "Land and Environment Court (Strata Titles) Amendment Act, 1985".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (4) of the Strata Titles (Development Schemes) Amendment Act, 1985.

Amendment of Act No. 204, 1979.

3. The Land and Environment Court Act, 1979, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE LAND AND ENVIRONMENT COURT ACT, 1979.

(1) Section 17 (ba)—

After section 17 (b), insert:—

(ba) applications under section 28F of the Strata Titles Act, 1973;

(2) (a) Section 20 (1) (d)—

Omit "and".

Land and Environment Court (Strata Titles) Amendment 1985

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LAND AND ENVIRONMENT COURT ACT, 1979—
continued.

- (b) Section 20 (1) (da)—
After section 20 (1) (d), insert:—
(da) proceedings under section 28i or 28k of the Strata Titles Act, 1973; and
- (c) Section 20 (2) (b)—
Omit “and”.
- (d) Section 20 (2) (c), (d)—
At the end of section 20 (2) (c), insert:—
; and
(d) whether or not as provided by section 68 of the Supreme Court Act, 1970—to award damages for a breach of the agreement referred to in subsection (3) (c).
- (e) Section 20 (3) (a)—
Omit “or” where thirdly occurring.
- (f) Section 20 (3) (b), (c)—
At the end of section 20 (3) (b), insert:—
; or
(c) the agreement deemed to have been entered into pursuant to section 28G of the Strata Titles Act, 1973,
- (3) Section 71 (2)—
At the end of section 71, insert:—
(2) Subject to section 58, an action or an agreement referred to in section 20 (3) (c) may not be commenced or entertained except by or in proceedings referred to in section 20 (1) (e).

STATE OF TEXAS
COUNTY OF [illegible]

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