

AUSTRALIAN CAPITAL TERRITORY

TENANCY TRIBUNAL ACT 1994

VARIATION

Instrument NO. 5 OF 1997

Under paragraph 75(1)(b) of the *Tenancy Tribunal Act 1994*, I approve the following variation of the Commercial and Retail Leases Code of Practice ("the Code"):

1. Repeal section 7 and substitute with:

"7 Exempt Premises and Leases

Notwithstanding clause 6, the Code does not apply to.

- (a) a lease for premises for less than 6 months until the tenant has been in continuous occupation of the premises for a period of six months; and
- (b) a lease specified in Schedule 4 of the Code."

2. and; insert after Schedule 3 of the Code, the following:

"Schedule 4

Specified Leases

The following leases are specified for the purposes of paragraph 7(b) of the Code:

- 1. the agreement for lease (and subsequent lease) between P T LIMITED (A.C.N. 004 454 666) and COMMONWEALTH FUNDS MANAGEMENT LIMITED (A.C.N. 004 700 485) (Lessors) and KMART AUSTRALIA LIMITED (A.C.N. 004 700 485) (Lessee) for premises located at Westfield Shoppingtown Belconnen; and

2. the agreement for lease (and subsequent lease) between P T LIMITED (A.C.N. 004 454 666) and COMMONWEALTH FUNDS MANAGEMENT LIMITED (A.C.N. 004 700 485) (Lessors) and COLES SUPERMARKETS AUSTRALIA PROPRIETARY LIMITED (A.C.N. 004 189 708) (Lessee) for premises located at Westfield Shoppingtown Belconnen.

Dated *28 December* 1996



GARY HUMPHRIES
Minister for Consumer Affairs