

2000

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for Urban Services)

**Unit Titles Consequential Amendments  
Bill 2000**

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*Unit Titles Consequential Amendments No , 2000*

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**Unit Titles Consequential Amendments  
Bill 2000**

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**A BILL**

FOR

**An Act to amend the *Land Titles (Unit Titles) Act 1970* and  
other Acts and regulations because of the repeal of the *Unit  
Titles Act 1970* and the making of the *Unit Titles Act 2000***

The Legislative Assembly for the Australian Capital Territory enacts as  
follows:

**PART 1—PRELIMINARY**

**1 Name of Act**

This Act is the *Unit Titles Consequential Amendments Act 2000*.

**2 Commencement**

- 5        This Act commences on the commencement of the provisions of the *Unit Titles Act 2000* mentioned in subsection 2 (2) of that Act.

*Note* The provisions of an Act providing for its name and commencement automatically commence on the date of notification of the Act (see *Interpretation Act 1967*, s 10B).

**PART 2—LAND TITLES (UNIT TITLES) ACT**

**3 Act amended by pt 2 and sch 1**

This Part and Schedule 1 amend the *Land Titles (Unit Titles) Act 1970*.

**5 4 Interpretation**

Section 5 is amended—

(a) by omitting the definition of *the Principal Act*; and

(b) by inserting the following definition:

“*Land Titles Act* means the *Land Titles Act 1925*.”; and

10 (c) by omitting from subsection (2) “*Unit Titles Act 1970*” and substituting “*Unit Titles Act 2000*”; and

(d) by omitting subsection (3).

**5 Substitution**

15 Sections 6 and 7, the heading to Part 2 and sections 8 and 9 are omitted and the following sections and heading substituted:

**“6 Relationship with Land Titles Act**

“(1) This Act is incorporated with the Land Titles Act, and must be read as one with that Act.

20 “(2) A units plan and any other document lodged with the registrar-general under this Act is an instrument affecting land for the purposes of the Land Titles Act.

“(3) The following documents lodged with the registrar-general under this Act or the *Unit Titles Act 2000* need not be attested by a witness (despite subsection 48 (3) of the Land Titles Act):

25 (a) a document signed by the Minister;

(b) an office copy of a court order.

**“7 Time of registration**

“(1) For the Land Titles Act and this Act, a units plan is registered when the registrar-general endorses on it the date of registration and the number allotted to it.

5 “(2) For the Land Titles Act and this Act, a document (other than a units plan) lodged with the registrar-general under this Act is registered when a memorial relating to the document is endorsed on or annexed to—

- (a) the units plan; and
- 10 (b) in the case of a document relating to the cancellation or amendment of the units plan—each affected lease.

**“PART 2—REGISTRATION OF UNITS PLANS**

**“8 Formal requirements**

A units plan must be prepared in accordance with—

- (a) a form or forms approved by the registrar-general; and
- 15 (b) the requirements set out in Schedule 1.

**“9 Registration of units plan**

“(1) The registrar-general must register a units plan on the lodgment of all of the following documents within 3 months after the plan is endorsed under section 27 of the *Unit Titles Act 2000*:

- 20 (a) an application in a form approved by the registrar-general;
- (b) such a number of copies of the endorsed units plan (prepared in accordance with section 8) as is required by the registrar-general;
- (c) the duplicate lease of the parcel, or the duplicate certificate of title for the parcel;
- 25 (d) the written consent (in a form approved by the registrar-general) to the registration of the units plan of everyone with a registered estate or interest in the lease of the parcel.

“(2) On the registration of the units plan, the registrar-general must give 1 copy to the person on whose behalf the documents were lodged and 1  
30 copy to the chief executive of the administrative unit responsible for the administration of the *Unit Titles Act 2000*.”.

**6 Substitution**

Section 11, the heading to Part 3 and section 12 are omitted and the following sections, Parts and heading substituted:

**“11 Duties of registrar-general after units plan registration**

- 5 “(1) Immediately after registration of a units plan, the registrar-general must—
- (a) cancel the lease of the parcel and the duplicate lease, or the certificate of title of the parcel and the duplicate certificate; and
  - 10 (b) issue a certificate of title for each unit, in a form approved by the registrar-general, to the lessee of the unit under section 33 of the *Unit Titles Act 2000*; and
  - (c) issue a certificate of title for the common property to the owners corporation, in a form approved by the registrar-general; and
  - 15 (d) enter on the certificate of title for the units a memorial of any mortgage or easement to which the lease is subject under section 10; and
  - (e) enter on the certificate of title for the common property a memorial of any easement to which the lease is subject under section 10.
- 20 “(2) If there are 2 or more mortgages under paragraph (1) (d), or 2 or more easements under paragraph (1) (d) or (e), the memorials or the mortgages or easements must be entered so as to preserve their priority.

**“PART 2A—REGISTRATION OF INTERESTS DECLARED BY OWNERS CORPORATIONS**

25 **“Division 1—Owners corporation easements**

**“11A Registration of easement declared by owners corporation**

“(1) Section 103B of the Land Titles Act applies to the registration of an easement declared by an owners corporation under section 36 of the *Unit Titles Act 2000*, subject to this section.

“(2) The lodgment of the following documents is required for the registration of the easement:

- (a) a memorandum of easement in registrable form;
- 5 (b) a certificate under section 109 of the *Unit Titles Act 2000* about the resolution of the corporation declaring the easement;
- (c) a document giving evidence of the consent to the resolution of the owners of the affected benefited and burdened estates.

“(3) If the certificate mentioned in paragraph (2) (b) is endorsed by the owners of the affected benefited and burdened estates, there is no need to lodge a separate document evidencing consent (under paragraph (2) (c)).

**“11B Extinguishment of easement declared by owners corporation**

“(1) Section 103E of the Land Titles Act applies to the extinguishment of an easement following the revocation (under subsection 36 (5)) of the *Unit Titles Act 2000* by an owners corporation of the declaration of the easement, subject to this section.

“(2) The lodgment of the following documents is required for the extinguishment of the easement:

- (a) a memorandum of extinguishment of easement in registrable form;
- 20 (b) a certificate under section 109 of the *Unit Titles Act 2000* about the resolution of the corporation revoking the easement;
- (c) a document giving evidence of the consent to the resolution of the owners of the affected benefited and burdened estates.

“(3) If the certificate mentioned in paragraph (2) (b) is endorsed by the owners of the affected benefited and burdened estates, there is no need to lodge a separate document evidencing consent (under paragraph (2) (c)).

**“Division 2—Owners corporation charges**

**“11C Registration of charge to secure unpaid amounts**

“(1) The lodgment of the following documents is required for the registration (under section 92 of the Land Titles Act) of a charge declared by an owners corporation under section 67 of the *Unit Titles Act 2000*:

- (a) a memorandum of charge in registrable form;



- (b) a copy of the declaration, certified under the corporation seal to be a true copy.

“(2) The memorandum of charge must be in a form approved by the registrar-general.

5   **“11D Registration of discharge**

“(1) The lodgment of the following documents is required for the registration (under subsection 101 (1) of the Land Titles Act) of a discharge in relation to a charge the declaration of which is revoked under section 68 of the *Unit Titles Act 2000*:

- 10       (a) a discharge in registrable form;
- (b) a copy of the revocation, certified under the corporation’s seal to be a true copy.

“(2) The discharge must be in a form approved by the registrar-general.

**“11E Application of Land Titles Act (pt 10, div 3)**

15   “(1) The following provisions of Division 3 of Part 10 of the Land Titles Act apply in relation to a charge declared under section 67 of the *Unit Titles Act 2000*:

- subsections 92 (1) and (3) (Land—how mortgaged or encumbered) (subject to section 11C of this Act)
- 20   • section 92A (Mortgage or encumbrance—postponement of priority)
- subsection 93 (1) (Mortgage or encumbrance—effect)
- section 101 (Discharge of mortgages and encumbrances) (subject to section 11D of this Act)
- section 101A (Variation of mortgages).

25   “(2) Division 3 of Part 10 of the Land Titles Act does not otherwise apply in relation to the charge.

30   *Note*       Because of sections 11C, 11D and 11E of this Act, a charge over a unit declared under section 67 of the *Unit Titles Act 2000* is registrable in much the same way as a mortgage under the *Land Titles Act 1925*. However, unlike other mortgages, this registered charge does not give rise to any power of sale over the unit (see (2) and *Unit Titles Act 2000* s 67 (5)).

### **“PART 3—CANCELLATION AND AMENDMENT OF UNITS PLANS**

#### **“12 Cancellation of units plans—registration**

5 The registrar-general must register a cancellation authority on the  
lodgment of the authority while it is stated to remain in force.

*Note A cancellation authority is a Ministerial authority for the cancellation of a units plan (see Unit  
Titles Act 2000, s 160).”*

#### **7 Substitution**

10 Sections 15, 16 and 17 are omitted and the following sections and  
Part substituted:

#### **“15 Amendment of units plans—registration of Ministerial authorities**

15 “(1) The registrar-general must register any of the following Ministerial  
authorities for the amendment of a units plan on the lodgment of the  
authority while it is stated to remain in force:

- (a) an authority under section 30 of the *Unit Titles Act 2000*  
(Amendment of development statements after registration);
- (b) a unit entitlement authority;
- (c) a boundary authority.

#### **20 Notes**

- 1 A *unit entitlement authority* is a Ministerial authority for the amendment of a schedule of  
unit entitlement (see *Unit Titles Act 2000*, s 146).
- 2 A *boundary authority* is a Ministerial authority for a minor boundary change (see *Unit  
Titles Act 2000*, s 149 (boundary authority) and s 17 (minor boundary change)).

25 “(2) On the lodgment of a Ministerial authority authorising the  
amendment of a units plan, the registrar-general may—

- (a) if the boundaries are changed—require, in addition, the lodgment  
of any stated document or diagram showing the boundaries as so  
changed; and
- 30 (b) if the schedule of unit entitlement is amended—require, in  
addition, the lodgment of a copy of the schedule of unit  
entitlement as so amended; and
- (c) register any such document, diagram or schedule accordingly.

**“16 Registration of final building damage orders**

“(1) The registrar-general must register a final building damage order of the Magistrates Court for the amendment of a units plan on lodgment of an office copy of the order.

5 *Note* A *final building damage order* is an order of the Magistrates Court approving the amendment of a units plan as a result of building damage or destruction (see *Unit Titles Act 2000*, s 157).

“(2) On the lodgment of an office copy of the order, the registrar-general may—

- 10 (a) if the boundaries are changed—require, in addition, the lodgment of any stated document or diagram showing the boundaries as so changed; and
- (b) if the schedule of unit entitlement is amended—require, in addition, the lodgment of a copy of the schedule of unit  
15 entitlement as so amended; and
- (c) register any such document, diagram or schedule accordingly.

“(3) On registration of the order, the registrar-general must—

- (a) cancel the certificate of title and the duplicate certificate of title for any unit authorised to be eliminated; and
- 20 (b) make any entries on the register necessary to give effect to the order.

**“17 Notice of cancellation or amendment to chief executive**

Immediately after the registration of an authority or order for the cancellation or amendment of a units plan, the registrar-general must give  
25 written notice of registration to the chief executive of the administrative unit responsible for the administration of the *Unit Titles Act 2000*.

**“PART 3A—REISSUE OF UNITS PLANS**

**“17A Reissue of units plans**

30 “(1) If the registrar-general considers it desirable, the registrar-general may reissue a registered units plan in substantively identical terms.

“(2) A reissued units plan for a parcel is taken for all purposes to be the registered units plan for the parcel.

“(3) The reissue of a units plan does not have the effect of cancelling the previous registration of the plan.”.

## **8 Substitution**

Sections 21 to 24 are omitted and the following sections substituted:

### **5 “21 Change of address for service**

The registrar-general must register a change of address for service of an owners corporation on lodgment of a notice of the change, in a form approved by the registrar-general, under subsection 78 (3) of the *Unit Titles Act 2000*.

### **10 “22 Amendment of articles—registration**

The registrar-general must register an amendment of the articles of an owners corporation on the lodgment of a certificate under section 109 of the *Unit Titles Act 2000* about the special resolution authorising the amendment.

### **15 “23 Appointment of administrator—registration**

The registrar-general must register an administration order of the Magistrates Court under Division 9.2 of the *Unit Titles Act 2000* on the lodgment of an office copy of the order.

**20** *Note* An *administration order* is an order of the Magistrates Court approving the appointment or removal of an administrator of an owners corporation, or about the exercise of the functions of such an administrator (see *Unit Titles Act 2000*, s 142 – s 144).”.

## **9 Omission**

Schedule 1 is omitted.

## **10 Renumbering**

**25** In the next republication of the *Land Titles (Unit Titles) Act 1970* under the *Legislation (Republication) Act 1996*, the *Land Titles (Unit Titles) Act 1970* must be renumbered as permitted under section 13 of the *Legislation (Republication) Act 1996*.

**PART 3—FURTHER CONSEQUENTIAL AMENDMENTS**

**11 Consequential amendments of other legislation**

(1) The Acts mentioned in Schedule 2 are amended as set out in that Schedule.

5 (2) The regulations mentioned in Schedule 3 are amended as set out in that Schedule.

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**SCHEDULE 1**

(See s 3)

**LAND TITLES (UNIT TITLES) ACT—  
FURTHER AMENDMENTS**

**[1.1] Sections 1 and 2—**

5 Omit the sections, substitute the following sections:

**“1 Name of Act**

This Act is the *Land Titles (Unit Titles) Act 1970*.

**“2 Notes**

A note included in this Act is explanatory and is not part of this Act.

10 *Note* See *Interpretation Act 1967*, section 12 (1), (4) and (5) for the legal status of notes.”.

**[1.2] Subsection 10 (1)—**

Omit “he or she is shall be deemed to be”, substitute “the person is taken to be”.

15 **[1.3] Paragraph 10 (1) (a)—**

Omit “him or her”, substitute “the mortgagor”.

**[1.4] Subsection 10 (2)—**

Omit “he or she shall be deemed to be”, substitute “the person is taken to be”.

20 **[1.5] Paragraph 10 (2) (a)—**

Omit “him or her”, substitute “the lessee”.

**[1.6] Subsection 10 (3)—**

Omit the subsection, substitute the following subsection:

25 **“(3)** On and after the registration of a units plan, a memorandum of mortgage mentioned in subsection (1), a memorandum of easement mentioned in subsection (2) and any other document relating to the lease of the parcel, or to such a mortgage or easement, are taken to be modified to the extent necessary to give effect to those subsections.”.

**SCHEDULE 1—continued**

**[1.7] Subsection 13 (1)—**

- (a) Omit “an order for the cancellation of a units plan”, substitute “a cancellation authority”.
- (b) Omit “shall be deemed to be, on the registration of the order”, substitute “is taken to be, on the registration of the authority”.
- (c) Omit “vested by paragraph 98 (1A) (a) of the *Unit Titles Act 1970*”, substitute “held by paragraph 163 (1) (a) of the *Unit Titles Act 2000*”.

**[1.8] Paragraph 13 (1) (a)—**

Omit “him or her”, substitute “the mortgagor”.

**[1.9] Subsection 13 (2)—**

- (a) Omit “an order for the cancellation of a units plan”, substitute “a cancellation authority”.
- (b) Omit “he or she shall be deemed to be, on the registration of the order”, substitute “the person is taken to be, on the registration of the authority”.

**[1.10] Paragraph 13 (2) (a)—**

Omit the paragraph, substitute the following paragraph:

- “(a) when the memorandum creating the firstmentioned easement was executed, the lessee of the common property, or the lessee or lessees of the units, had been the registered proprietor or proprietors of the estate mentioned in paragraph 162 (e) of the *Unit Titles Act 2000*, and that memorandum had been executed by that lessee or those lessees accordingly; and”.

**[1.11] Subsection 13 (3)—**

Omit the subsection, substitute the following subsection:

- “(3) On and after the registration of a cancellation authority, a memorandum of mortgage mentioned in subsection (1), a memorandum of easement mentioned in subsection (2) and any other document relating to the lease of the common property or the relevant unit or units, or to such a mortgage or easement, are taken to be modified to the extent necessary to give effect to those subsections.”.

**SCHEDULE 1—continued**

**[1.12] Subsection 14 (1)—**

Omit “an order for the cancellation of a units plan, the Registrar-General shall”, substitute “a cancellation authority, the registrar-general must”.

5 **[1.13] Paragraph 14 (1) (c)—**

Omit the paragraph, substitute the following paragraph:

10 “(c) issue to a person who holds a share in the estate, or the entire estate, under paragraph 163 (1) (a) of the *Unit Titles Act 2000* a certificate of title for that share or estate, subject to subsection (2); and”.

**[1.14] Subsection 14 (4)—**

Omit the subsection, substitute the following subsection:

“(4) The registrar-general must cancel a certificate of title lodged under subsection (2).”.

15 **[1.15] Part 4, heading and section 18, heading—**

Omit the headings, substitute the following headings:

**“PART 4—TERMINATION AND EXPIRY OF LEASES**

**“18 Registration of termination of unit lease”.**

**[1.16] Subsection 18 (1)—**

20 Omit “determination of the lease of a unit, shall”, substitute “termination of the lease of a unit, must”.

**[1.17] Paragraph 18 (1) (c)—**

25 Omit “section 109 of the *Unit Titles Act 1970*”, substitute “section 170 of the *Unit Titles Act 2000* (Effect of termination of unit lease)”.

**[1.18] Section 19—**

Omit “On receipt of a notice given under section 110 of the *Unit Titles Act 1970*, the Registrar-General shall”, substitute “On lodgment of a



**SCHEDULE 1—continued**

notice under section 171 of the *Unit Titles Act 2000* (New unit lease), the registrar-general must”.

**[1.19] Section 25—**

Omit “shall”, substitute “must”.

5 **[1.20] Subsection 26 (2)—**

Omit “shall”, substitute “must”.

**[1.21] Section 27—**

Omit the section, substitute the following section:

**“27 Trusts**

10 **“(1)** If, immediately before the registration of a units plan, the lessee of the parcel (the *former lessee*) held the lease as trustee, on registration of the units plan the former lessee holds the leases of the units in trust for the persons for whom, and the purposes for which, the lease of the parcel was held.

15 **“(2)** If, immediately before the registration of a cancellation authority, a unit owner (the *former owner*) held the lease of the unit as trustee, on registration of the authority the former owner holds the share of the estate (or the entire estate) held under paragraph 163 (1) (a) of the *Unit Titles Act 2000* (Cancellation of units plan—new lease over parcel) in trust for the  
20 persons for whom, and the purposes for which, the lease of the unit was held.”.

**[1.22] Subsection 28 (2)—**

Omit the subsection, substitute the following subsection:

25 **“(2)** A person must not, without reasonable excuse, fail to comply with a requirement under subsection (1).

Maximum penalty: 5 penalty units.”.

**[1.23] Schedule 2 (heading)—**

Omit the heading, substitute the following heading:

**“SCHEDULE 1**

(Sec 5 8)

30 **FORMAL REQUIREMENTS FOR UNITS PLANS”**

**SCHEDULE 2** (See s 11 (1))  
**CONSEQUENTIAL AMENDMENTS OF OTHER ACTS**

***Agents Act 1968***

**[2.1] Subsection 5 (1) (definition of *land*)—**

5 Omit "*Unit Titles Act 1970*", substitute "*Unit Titles Act 2000*".

***Building Act 1972***

**[2.2] Subsection 5 (1) (definition of *owner*, paragraph (c))—**

Omit "*Unit Titles Act 1970*", substitute "*Unit Titles Act 2000*".

**[2.3] Subsection 5 (1) (definition of *owner*, subparagraph  
10 (c) (i))—**

Omit "corporation constituted under that Act on the registration of the units plan—the corporation", substitute "owners corporation—the owners corporation".

**[2.4] Subsection 5 (1) (definition of *owner*, subparagraph  
15 (c) (iii))—**

Omit "corporation", substitute "owners corporation".

**[2.5] Subsection 5 (1) (definition of *proprietor*)—**

Omit the definition, substitute the following definition:

20 "*proprietor*, of a unit, means the owner of the unit within the meaning of the *Unit Titles Act 2000*."

**[2.6] Subsection 5 (1) (definition of *unit*)—**

Omit "*Unit Titles Act 1970*", substitute "*Unit Titles Act 2000*".

***Credit Act 1985***

**[2.7] Subsection 5 (1) (definition of *body corporate*, paragraph (a))—**

25 Omit the paragraph, substitute the following paragraph:

"(a) an owners corporation within the meaning of the *Unit Titles Act 2000*, if all or a majority of the units are intended to be homes;"

**SCHEDULE 2—continued**

***Duties Act 1999***

**[2.8] Paragraph 24 (2) (b)—**

Omit “subdivision of land under the *Unit Titles Act 1970*”, substitute “units plan under the *Unit Titles Act 2000*”.

5 ***Land (Planning and Environment) Act 1991***

**[2.9] Subsection 159 (1) (definitions of *lease* and *subdivision*)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

**[2.10] Section 172A—**

Omit the section, substitute the following section:

10 **“172A Grant of further lease—unit titles**

“(1) The Executive may grant a further lease of a unit, or the common property, under a units plan only on an application by the owners corporation.

15 “(2) The Executive may grant a further lease of a unit, or the common property, under a units plan only if—

(a) the Executive grants further leases for all such units and the common property; and

(b) the further leases are all granted for the same term.

20 “(3) An application must be supported by an ordinary resolution of the owners corporation.

“(4) A certificate under section 109 of the *Unit Titles Act 2000* about the resolution must be attached to the application.

“(5) In this section:

***further lease*** means a lease under section 171, 171A or 172.

25 ***units plan***—see *Unit Titles Act 2000*, section 7.”.

**[2.11] Subsection 179 (2)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

**SCHEDULE 2—continued**

***Rates and Land Rent (Relief) Act 1970***

**[2.12] Subsection 2 (1) (definition of *unit*)—**

Omit the definition, substitute the following definition:

“*unit*—see *Unit Titles Act 2000*, section 9.”.

5

***Rates and Land Tax Act 1926***

**[2.13] Section 22GJ (definition of *Unit Titles Act*)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

**[2.14] Paragraph 22GO (2) (b)—**

Omit “for approval of proposals”.

10

**[2.15] Subsections 24A (3) and (4)—**

Omit “the corporation”, substitute “the owners corporation”.

**[2.16] Subsections 24A (6) and (7)—**

Omit the subsections, substitute the following subsection:

15

“(6) Expressions used in this section have the same meanings as in the *Unit Titles Act 2000*.”.

***Residential Tenancies Act 1997***

**[2.17] Schedule (clause 13)—**

20

Omit “Where the premises are under the *Unit Titles Act 1970*, the lessor shall provide to the tenant a copy of the body corporate rules or by-laws”, substitute “If the premises are a unit within the meaning of the *Unit Titles Act 2000*, the lessor must give the tenant a copy of the articles of the owners corporation”.

**[2.18] Schedule (clause 45)—**

Omit the clause, substitute the following clause:

25

“45 If the premises are a unit under the *Unit Titles Act 2000*, the lessor is responsible for all owners corporation charges.”.

**SCHEDULE 2—continued**

**[2.19] Schedule (clause 58)—**

Omit the clause, substitute the following clause:

- 5 “58 If the premises are a unit under the *Unit Titles Act 2000*, and the tenant’s use and enjoyment of the premises reasonably requires repairs to the common property, the lessor must take all steps necessary to require the owners corporation to make the repairs as quickly as possible.”.

**[2.20] Schedule (clause 66)—**

Omit the clause and its heading, substitute the following clause and heading:

- 10 “Tenant of unit to observe articles

“66 If the premises are a unit under the *Unit Titles Act 2000*, the tenant must comply with the articles of the owners corporation, and with any notice served in accordance with the articles, to the extent that they are not inconsistent with the prescribed terms in this agreement.”.

- 15 *Sewerage Rates Act 1968*

**[2.21] Subsection 4 (6)—**

Omit the subsection.

**[2.22] Paragraph 6 (1) (b)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

- 20 **[2.23] Subsection 6 (2)—**

Omit “rights under the *Unit Titles Act 1970*”, substitute “under the *Unit Titles Act 2000*”.

**[2.24] Subsection 6 (3)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

**SCHEDULE 2—continued**

***Tenancy Tribunal Act 1994***

**[2.25] Section 3 (definition of *shopping centre*, subparagraph (b) (ii))—**

Omit the subparagraph, substitute the following subparagraph:

“(ii) all comprise units in a single units plan under the *Unit Titles Act 2000*”.

5

***Water Rates Act 1959***

**[2.26] Subsection 4 (1A)—**

Omit the subsection.

**[2.27] Subsections 4 (1B) and 7A (1)—**

10

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

**[2.28] Subsection 12 (2A)—**

After “section 7A”, insert “for a parcel of land that is subdivided into units and common property under the *Unit Titles Act 2000*”.

**[2.29] Paragraph 12 (2A) (b)—**

15

Omit “the corporation that is the registered proprietor of the lease of the common property”, substitute “the owners corporation”.

**[2.30] Subsections 15 (4) and 17 (1A) and (3)—**

Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

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**SCHEDULE 3**  
**CONSEQUENTIAL AMENDMENTS OF REGULATIONS**

(See s 11 (2))

***Building Regulations***

**[3.1] Paragraph 21 (b)—**

5 Omit “*Unit Titles Act 1970*”, substitute “*Unit Titles Act 2000*”.

***Environment Protection Regulations 1997***

**[3.2] Regulation 23G (definitions of *unit* and *units plan*)—**

Omit the definitions, substitute the following definitions:

*unit*—see *Unit Titles Act 2000*, section 9.

10 *units plan*—see *Unit Titles Act 2000*, section 7.

***Garbage Regulations***

**[3.3] Regulation 2 (definition of *occupier*)—**

15 Omit “*Unit Titles Act 1970*, the corporation constituted by that Act in connexion with that subdivision”, substitute “*Unit Titles Act 2000*, the owners corporation,”.

***Land (Planning and Environment) Regulations 1992***

**[3.4] Schedule 4, item 20—**

20 Omit “Alteration of a schedule of unit entitlements under the *Unit Titles Act 1970*”, substitute “Amendment of a schedule of unit entitlement under the *Unit Titles Act 2000*”.

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**Endnotes**

**Act amended by pt 2 (*Land Titles (Unit Titles) Act 1970*)**

1 Republished as in force on 31 July 1999 (Republication No 2).

**Penalty units**

2 See section 33AA of the *Interpretation Act 1967*.