



Australian Capital Territory

Civil Law (Property) Regulation 2020

SL2020-44

made under the

Civil Law (Property) Act 2006

Republication No 2

Effective: 31 March 2021 – 8 April 2021

Republication date: 31 March 2021

Last amendment made by [SL2020-41](#)

About this republication

The republished law

This is a republication of the *Civil Law (Property) Regulation 2020*, made under the *Civil Law (Property) Act 2006* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 31 March 2021. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 31 March 2021.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

Civil Law (Property) Regulation 2020

made under the

Civil Law (Property) Act 2006

Contents

	Page
1 Name of regulation	2
1A Type 1 matter in disclosure statement—Act, s 259A (1) (a) (iv)	2
1B Disclosure requirements before contract for sale—Act, s 260 (1) (a) (iii)	2
2 Disclosure requirements for development approval—Act, s 260 (1) (m) (i)	3
3 Disclosure requirements for utility services—Act, s 260 (1) (m) (iv)	4

Endnotes

1 About the endnotes	5
2 Abbreviation key	5
3 Legislation history	6
4 Amendment history	7

R2	Civil Law (Property) Regulation 2020	contents 1
31/03/21	Effective: 31/03/21-08/04/21	

Contents

5	Earlier republications	Page 7
---	------------------------	-----------



Australian Capital Territory

Civil Law (Property) Regulation 2020

made under the

Civil Law (Property) Act 2006

1 Name of regulation

This regulation is the *Civil Law (Property) Regulation 2020*.

1A Type 1 matter in disclosure statement—Act, s 259A (1) (a) (iv)

- (1) The following is prescribed as a type 1 matter for an off-the-plan contract if the disclosure statement includes a potential variation:
 - (a) a decrease in overall floor area of the unit (excluding any unit subsidiary) of 5% or more;
 - (b) a decrease or increase in the unit entitlement estimate of 5% or more;
 - (c) a decrease of 10% or more of a courtyard area or balcony area for the unit (whether or not the courtyard or balcony is part of the unit or a unit subsidiary).
- (2) In calculating a decrease or increase for subsection (1), the potential variation must be disregarded.
- (3) In this section:

potential variation, in relation to a disclosure statement, means information in the disclosure statement about the allowable change in the layout or size of the unit, unit subsidiary or unit entitlement estimate.

1B Disclosure requirements before contract for sale—Act, s 260 (1) (a) (iii)

The detail (including type and location) of any unit subsidiary for the unit that adjoins the unit is prescribed.

Example—unit subsidiary adjoining unit

a balcony or courtyard

**2 Disclosure requirements for development approval—
Act, s 260 (1) (m) (i)**

The following matters are prescribed:

- (a) if the building in the units plan is authorised by a development approval—
 - (i) identify the development approval; and
 - (ii) include a statement about any condition to which the development approval is subject;
- (b) if the building, or part of the building, in the units plan is not authorised by a development approval—
 - (i) confirm the development approval status of the building; and
 - (ii) include an undertaking to notify the buyer about the lodgment of an application for development approval for the building;
- (c) if an application for development of a building in the units plan has been lodged but not approved under the *Planning and Development Act 2007*—identify the application;
- (d) in all cases—a statement about where the buyer may find further information about the development approval including information about how to find information about publicly notified amendments to the development approval.

**3 Disclosure requirements for utility services—
Act, s 260 (1) (m) (iv)**

The following matters are prescribed:

- (a) information about which units in the units plan will be individually metered for the purpose of cold water supply;
- (b) information about facilities, if any, that will be provided for charging electric vehicles.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was made as part of the [Unit Titles Legislation Amendment Act 2020](#) (see A2020-4, s 4) and is taken to have been made under the [Civil Law \(Property\) Act 2006](#) A2006-38 (see A2020-4, s 4 (1)).

Civil Law (Property) Regulation 2020 SL2020-44

taken to have been notified LR 27 February 2020 ([A2020-4](#) s 4 (2) (a))
s 1 commenced 27 February 2020 (LA s 75 (1))
remainder commenced 1 November 2020 ([A2020-4](#) s 4 (2) (b))

as amended by

Civil Law (Property) Amendment Regulation 2020 (No 1) SL2020-41

notified LR 10 September 2020
s 1, s 2 commenced 10 September 2020 (LA s 75 (1))
s 4 (so far as it ins s 1B) commenced 1 November 2020 (s 2 and see [Unit Titles Legislation Amendment Act 2020](#) A2020-4, s 2 (1) and [CN2020-11](#))
s 4 (so far as it ins s 1A) commenced 31 March 2021 (s 2 and see [Civil Law \(Property\) Act 2006](#) A2006-38, s 259A (2))

4 Amendment history

Type 1 matter in disclosure statement—Act, s 259A (1) (a) (iv)
s 1A ins [SL2020-41](#) s 4

Disclosure requirements before contract for sale—Act, s 260 (1) (a) (iii)
s 1B ins [SL2020-41](#) s 4

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 (R1) 19 Nov 2020	1 Nov 2020– 30 Mar 2021	SL2020-41	new regulation and amendments by SL2020-41 reissued for republication correction

© Australian Capital Territory 2021