

South Australia

## **Community Titles Variation Regulations 2009**

under the *Community Titles Act 1996*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Community Titles Variation Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation on the day on which Part 3 of the *Statutes Amendment (Real Property) Act 2008* comes into operation.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Community Titles Regulations 1996***

#### **4—Substitution of regulation 4**

Regulation 4—delete the regulation and substitute:

##### **4—Plans and maps to comply with guidelines**

A plan or map lodged with the Registrar-General for the purposes of the Act must comply with any requirements specified in guidelines issued, from time to time, by the Registrar-General.

## 5—Variation of regulation 12—Notification on deposit of plan

Regulation 12—after its present contents (now to be designated as subregulation (1)) insert:

- (2) A notification or other document required to be given under this regulation may be sent by electronic means.

## 6—Variation of Schedule 1—Forms

- (1) Schedule 1, Form 1—delete the form and substitute:

### Form 1

sections 14(4)(h), 52(4)(f)(ii), 58(3)(e) and 60(3)(f)

### Certificate of licensed surveyor

I, ....., a licensed surveyor under the *Survey Act 1992*, certify that—

- (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and
- (b) this community plan has been correctly prepared in accordance with the *Community Titles Act 1996*.

Dated the                      day of    20

.....  
*Licensed Surveyor*

- (2) Schedule 1, Form 6—delete the form and substitute:

### Form 6

section 50(10)

### Certification of copy of development contract as varied

I [*name and address of person certifying*] being an officer of Community Corporation No..... Incorporated certify that the copy of the development contract attached to this certificate is a true copy of the contract as varied pursuant to section 50 of the *Community Titles Act 1996* by agreement made on the..... day of..... [*year*] ..... between the developer and the corporation.

Dated the                      day of    20

.....  
*(Signature of person certifying)*

Note—The copy of the contract attached to the certificate must be endorsed and signed by the person certifying as follows:

*"This is the copy of the development contract referred to in the attached certificate".*

.....  
*(Signature of person certifying)*

- (3) Schedule 1, Form 7—delete the form and substitute:

**Form 7**

section 50(10)

**Certification of copy of agreement to terminate development contract**

I [*name and address of person certifying*] being an officer of Community Corporation No..... Incorporated certify that the copy of the agreement to terminate a development contract attached to this certificate is a true copy of the agreement entered into pursuant to section 50 of the *Community Titles Act 1996* on the..... day of..... [*year*] ..... between the developer and the corporation.

Dated the                      day of    20

.....  
(*Signature of person certifying*)

Note—The copy of the agreement attached to the certificate must be endorsed and signed by the person certifying as follows:

*"This is the copy of the agreement to terminate a development contract referred to in the attached certificate".*

.....  
(*Signature of person certifying*)

- (4) Schedule 1—after Form 9 insert:

**Form 10**

sections 30(1)(ia), 31(3)(ab), 34(2)(e), 39(5a), 47(2)(ka), 50(7)(a)

**Certificate as to preparation of scheme description, by-laws or development contracts**

Certified correctly prepared in accordance with the requirements of the *Community Titles Act 1996* by the person who prepared the document / an officer of the community corporation<sup>1</sup>.

.....  
(*Signature of person certifying - name and address to be printed below*)

<sup>1</sup>Insert whichever description is applicable

Note—The certificate must be endorsed on the relevant document.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 28 May 2009

No 67 of 2009

AGO0062/03CSTemp1