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# Public consultation draft

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Conveyancing (Sale of Land) Regulation 2010

Clause 4

Contracts for sale of land

Part 2

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## Part 2 Contracts for sale of land

### 4 Documents to be attached to contract

- (1) For the purposes of section 52A (2) (a) of the Act, the prescribed documents that the vendor under a contract for the sale of land must attach to the contract are such of the documents specified in Schedule 1 (or such parts of those documents) as are relevant to:
  - (a) the land the subject of the contract for sale, or
  - (b) in the case of land comprising one or more lots in a proposed plan of subdivision, the land from which the lot is to be created.
- (2) In the case of land comprising one or more lots in a plan of subdivision that was registered before the date of the contract, the section 142 certificate referred to in Schedule 1 may relate either to those lots or to the land from which those lots have been created, whether or not it also relates to other land.

### 5 Implied term of contract for all contracts

For the purposes of section 52A (2) (b) of the Act, the term set out in clause 1 of Schedule 2 is prescribed for a contract for the sale of land.

### 6 Implied term of contract if strata units bought off the plan

For the purposes of section 52A (2) (b) of the Act, the term set out in clause 2 of Schedule 2 is prescribed for a contract for the sale of land if:

- (a) the contract is a contract for the sale of a lot in a strata plan or a proposed strata plan within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*, and
- (b) the contract is entered into before the date of registration of the strata plan, or within 12 months after that date, and
- (c) pursuant to section 109M of the *Environmental Planning and Assessment Act 1979*, an occupation certificate (within the meaning of that Act) will be required to be issued before occupation or use of the building, or part of the building, of which the lot and access to the lot form part, may commence, and
- (d) the contract does not expressly provide that the vendor and the purchaser agree that:
  - (i) an occupation certificate will not be issued before completion in relation to the building, or part of the building, of which the lot and any part of the building reasonably necessary for access to the lot form part, and















































