

Unit Titles (Management) Rental Certificate Determination 2024

Disallowable instrument DI2024–313

made under the

Unit Titles (Management) Act 2011, s 119 (Unit title certificates)

1 Name of instrument

This instrument is the *Unit Titles (Management) Rental Certificate Determination 2024*.

2 Commencement

This instrument commences on 10 December 2024.

3 Determination of information to be included in a unit title rental certificate

I determine that the following information is to be included in a unit title rental certificate:

- (1) a copy of the current rules of the owners corporation;

Note The *Unit Titles (Management) Act 2011*, section 106, sets out what the rules of an owners corporation are.

- (2) if the unit to which the unit title rental certificate relates is part of a building in a units plan containing class A units, and the certificate is requested before 1 July 2025—

- (a) if the owners corporation knows—

- (i) whether the unit has ceiling insulation, a statement about whether the unit has ceiling insulation; and

- (ii) the R-value for the unit's ceiling insulation, the R-value for the ceiling insulation.

- (b) if the owners corporation does not know, or is not sure, about whether a unit has ceiling insulation, or the R-value for any ceiling insulation, a statement to that effect, and

- (c) if the owners corporation is taking reasonable steps to get information about whether the unit has ceiling insulation—

- (i) a statement to that effect, and

- (ii) a statement that the owners corporation will update the eligible person once they have the information; and
 - (d) if the owners corporation intends to arrange for ceiling insulation to be installed in parts of the building to which the unit title rental certificate relates, a statement to that effect, and
 - (e) if the owners corporation has refused permission for the unit owner to install ceiling insulation above the unit to which the unit title rental certificate relates, a statement to that effect.
- (3) if the unit to which the unit title rental certificate relates is part of a building in a units plan containing class A units, and the certificate is requested on or after 1 July 2025—
- (a) a statement about whether the unit has ceiling insulation; and
 - (b) if the unit has ceiling insulation, the R-value for the ceiling insulation in the unit, and
 - (c) if the owners corporation intends to arrange for ceiling insulation to be installed in parts of the building to which the unit title rental certificate relates, a statement to that effect, and
 - (d) if the owners corporation has refused permission for the unit owner to install ceiling insulation above the unit to which the unit title rental certificate relates, a statement to that effect, and
- (4) if there is a regulated swimming pool on the common property of the units plan, and if the regulated swimming pool was built before 1 May 2023, the following documents—
- (a) a copy of the guidance material notified under the [Building Act 2004](#), section 83H (Guidance about obligations on owners);
 - (b) if the pool has been granted a Ministerial exemption from the safety standards—
 - (i) the exemption certificate in force for the pool; and
 - (ii) if the pool is exempt from only part of the safety standards—a compliance certificate for the pool to the extent that it is not exempt from the standards;
 - (c) if the pool is not a pool to which paragraph (b) applies—any of the following:
 - (i) a swimming pool disclosure statement for the common property or,
 - (ii) a compliance certificate for the pool;
 - (iii) a certificate of occupancy for the pool and safety barrier that is not older than 5 years after the day it was issued.
- (5) if there is a regulated swimming pool on the common property of the units plan, and if the regulated swimming pool was built or substantially altered on or after 1 May 2023, any 1 of the following documents is required—
- (a) a swimming pool disclosure statement for the common property of the units plan;
 - (b) a compliance certificate for the pool;

- (c) a certificate of occupancy for the pool and safety barrier;
- (6) A certificate of occupancy mentioned in subsections 3 (4) (c) (iii) and 3 (5) (c) must not be older than 5 years.
- (7) if the electricity supplied to the unit to which the unit title rental certificate relates is part of an embedded network – the details of the retailer for the embedded network, and the retailer's contact information, ABN and website address.
- (8) If there are any utility services, aside from electricity, for which the unit occupier will have no or limited choice of service provider for the utility service, and for which the unit occupier is responsible for paying the costs incurred for their usage of the utility service,
 - (a) the following is required:
 - (i) the kind of the utility service; and
 - (ii) website information or contact details the unit occupier can use about or raise any issues with the utility service.

Example par (8)

A units plan has a centralised hot water system and each unit in the units plan has a hot water meter. A tenant in a unit in the units plan cannot choose a service provider for the supply of electricity used to heat the water before it is provided to the unit.

4 Definitions

In this determination:

ceiling insulation—see the *Residential Tenancies Regulation 1998*, section 8 (1).

certificate of occupancy—see the *Building Act 2004*, dictionary.

Class A unit—see the *Unit Titles Act 2001*, section 10.

common property—see the *Unit Titles Act 2001*, section 13.

compliance certificate, for a regulated swimming pool—see the *Building Act 2004*, section 83K (1).

embedded network means an embedded network under the national electricity rules, chapter 10 (Glossary).

exemption certificate, for a regulated swimming pool—see the *Building Act 2004*, section 83D (6).

Ministerial exemption—see the *Building Act 2004*, section 83 (1).

national electricity rules means the National Electricity Rules under the National Electricity (ACT) Law.

Note 1 The national electricity rules are accessible at www.aemc.gov.au.

Note 2 The Electricity (National Scheme) Act 1997, s 5 applies the National Electricity Law set out in the National Electricity (South Australia) Act 1996 (SA), schedule as if it were an ACT law called the National Electricity (ACT) Law.

regulated swimming pool—see the [Building Act 2004](#), section 83B (1).

R-value, see the [Residential Tenancies Regulation 1998](#), section 8 (1).

safety barrier, for a regulated swimming pool—see the [Building Act 2004](#), section 83 (1).

standing exemption—see the [Building Act 2004](#), section 83 (1).

substantially altered—see the [Building Act 2004](#), section 83L (2).

swimming pool disclosure statement means a statement by the owners corporation that, to the best of the owner corporation’s knowledge and belief and as accurately as the owners corporation has been able to find out, the following information:

- (1) when—
 - (a) the units plan was built; and
 - (b) construction of the pool was completed; and any alterations to the pool were completed; and
- (2) if a standing exemption applies to the pool—that the pool is subject to a standing exemption and the circumstances for the exemption.

unit—see the [Unit Titles Act 2001](#), section 9.

units plan—see the [Unit Titles Act 2001](#), section 7.

utility services—see the [Unit Titles Act 2001](#), dictionary.

Tara Cheyne MLA
Attorney-General
6 December 2024