

Information for real estate agents

New laws for selling or buying a property with a swimming pool in NSW

What's changing?

From 29 April 2016, new laws apply to the sale and lease of properties with a [swimming pool](#) in NSW. The new laws have an impact on anyone who is selling, buying or leasing a property with a pool.

The contract for the sale of land must have one of the following attached:

- [A certificate of compliance](#); or
- A [relevant occupation certificate](#) and a [certificate of registration](#); or
- A [certificate of non-compliance](#).

These documents are “prescribed documents” within the meaning of the NSW *Conveyancing Act 1919* and are listed in the NSW *Conveyancing (Sale of Land) Regulation 2010*. Failure to attach a prescribed document to the contract for the sale of land may render the contract incomplete and enable the purchaser to rescind the contract.

These new laws **do not apply** to properties with more than two lots and a shared pool, such as units in strata complexes or community schemes. This information sheet should be read in conjunction with the *NSW Conveyancing (Sale of Land) Amendment (Swimming Pools) Regulation 2016*, which can be accessed [here](#).

Your obligations

- Ensure that the contract for the sale of land is complete by attaching the relevant prescribed documents prior to listing a property with a pool for sale.
- Ensure that all certificates attached to the contract for the sale of land remain current to enable continued marketing of the property.

Further information

- NSW local council inspectors and category A1, A2, A3 or E1 accredited certifiers registered with the NSW Building Professionals Board are authorised to inspect and certify pools in NSW.
- You can obtain details of accredited certifiers who are authorised to inspect pools [here](#).
- Local councils can charge \$150 for a first inspection and \$100 for a second inspection.



- Accredited certifiers set their own fees.
- You can download and print certificates of registration and compliance or non-compliance from the NSW swimming pool register [here](#).
- The certificate of compliance or relevant occupation certificate is valid for three years from the date of issue.
- The certificate of non-compliance is valid for 12 months from the date of issue.

Process for selling or buying a property with a pool

Strengthening swimming pool safety

