

Special Arrangements for Consolidated By-laws

Special Arrangements made with NSW Land Registry Services to register consolidated by-laws.

The *Strata Schemes Management Act 2015* requires every owners corporation to keep a consolidated up to date copy of the by-laws for its strata scheme. However, there is nothing in the Act which requires an owners corporation to register the consolidated set of its by-laws.

The only time an owners corporation needs to register a consolidated set of by-laws is when it resolves to make a change to its by-laws. In those circumstances, the consolidated set of by-laws incorporating any changes to the by-laws must be lodged for registration within six months of the meeting at which the changes are approved.

The requirement for every owners corporation to keep a consolidated up to date copy of its by-laws was introduced on 30 November 2016 on the commencement of the *Strata Schemes Management Act 2015*. Since then, most owners corporations have not made any changes to their by-laws as a result of which they have not registered their consolidated by-laws. This means there is no public record of a consolidated set of by-laws for most owners corporations.

Up until recently, NSW Land Registry Services was reluctant to register a consolidated set of by-laws where it did not record any changes to the by-laws. In other words, NSW Land Registry Services often would not permit an owners corporations to register a consolidated set of by-laws unless it had made changes to those by-laws within the last six months. This has made it more difficult for owners corporations to register consolidated by-laws to ensure there is a public record of

those by-laws in a consolidated form.

We have recently made arrangements with NSW Land Registry Services to allow an owners corporation which wants to register a consolidated set of its by-laws (even though it has not made any changes to its by-laws) to do so. This will enable many owners corporations to register their consolidated by-laws to ensure there is a public record of them even though they have not made any recent changes to their by-laws. If you would like to know more about these special arrangements, please do not hesitate to contact us.

For NSW strata legal, building defect or levy collection advice please contact us [here](#) or call 02 9562 1266, we're happy to assist.