

What by-laws apply to my strata?

The only way to be sure what by-laws apply to your strata scheme is to search the records of the Land and Property Information which is the NSW government registry for land titles. We can do that for you.

If you have the certificate of title for the common property of your strata it will tell you what applies at least at the date the copy was made of the certificate of title. Look at the second schedule and you will see 'model bylaws' and/or 'dealings'.

Model by-laws are the default by-laws that apply to a strata scheme when it's registered if the developer or the owners corporation hasn't altered or repealed them. There are different sets of model by-laws for strata schemes registered at different times.

A reference to a 'dealing' is a sign that additional or special by-laws have been passed and you need to get a copy of these as well as refereeing to the relevant model by-laws to determine the whole set of by-laws that apply to your strata.

Here is a guide to what by-laws apply depending on the date of registration of your strata –

Date of registration of strata plan	Applicable by-laws
On and after 30 November 2016	SSMA 2016 Sch 3 Model By-laws (if adopted) Additional Developer By-laws (if any) Any changes made according to the SSMA 2016
On or after 1 September 2010 – on or before 29 November 2016	SSMR 2010 Model By-laws (as and if adopted) Additional Developer By-laws (if any) Any changes made according to the SSMA 1996
On or after 1 September 2005 – on or before 31 August 2010	SSMR 2005 Model By-laws (as and if adopted) Additional Developer By-laws (if any) Any changes made according to the SSMA 1996

On 1 September 2005 – 1 July 1997	SSMA 1996 Model By-laws (as and if adopted) Additional Developer By-laws (if any) Any changes made according to the SSMA 1996
Before 1 July 1997	SSMA 2016 Sch 2 Model By-laws Additional Developer By-laws (if any) Any changes made according to previous laws

About BylawsOnline

BylawsOnline provides rules for strata titled owners corporations and communities to live by. We do this in a cost effective and convenient way by providing them online with explanatory notes to aid strata managers, communities and lot owners. Our bylaws are fair to all parties and are written to help strata people live happily.

This document was written by strata lawyer Michael Teys (<u>www.michaelteys.com</u>) and the BylawsOnline service is operated by his law firm, Block Lawyers (<u>www.blocklawyers.com.au</u>)

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