

South Australia

# Residential Parks Regulations 2022

under the *Residential Parks Act 2007*

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## Legislative history

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### 1—Short title

These regulations may be cited as the *Residential Parks Regulations 2022*.

### 2—Commencement

These regulations come into operation on the day on which they are made.

### 3—Interpretation

In these regulations—

*Act* means the *Residential Parks Act 2007*.

### 4—Park rules (section 6 of Act)

For the purposes of section 6(2)(m) of the Act, the park owner of a residential park may make rules about—

- (a) the number of persons who may reside on the rented property with the resident; and
- (b) the use of rented property for business purposes.

## **5—Repayment of bond—third party payments and guarantees (section 29 of Act)**

- (1) For the purposes of section 29(6a) of the Act, the South Australian Housing Trust is prescribed as a third party.
- (2) For the purposes of section 29(6a)(b) of the Act, a third party may give the Commissioner notice of the third party's interest by making an endorsement indicating the third party's interest on the form furnished to the Commissioner at the time that the relevant bond is paid to the Commissioner under section 28 of the Act, or in some other manner determined by the Minister for the purposes of this regulation.
- (3) For the purposes of section 29(6c) of the Act—
  - (a) the South Australian Housing Trust is prescribed as a third party; and
  - (b) the prescribed circumstances are where the South Australian Housing Trust is acting as guarantor for a resident.

## **6—Statutory and other charges in respect of rented property (section 43 of Act)**

- (1) For the purposes of section 43(2)(e) of the Act, the park owner of a residential park may, by a term of the residential park agreement, require the resident—
  - (a) to make a specified payment if the resident provides overnight accommodation to a guest or visitor; and
  - (b) if water consumption for domestic purposes at the rented property is separately metered, to pay charges payable under an Act (other than the *Water Industry Act 2012*) for water supply based on the level of the water consumption for domestic purposes at the rented property.
- (2) For the purposes of section 43(3) of the Act, a resident need not make a payment for charges payable based on the level of water consumption, electricity consumption or gas (including bottled gas) consumption at the rented property unless the park owner provides to the resident, at the request of the resident, a document that specifies the period for which the charges are payable, the amount of water, electricity or gas consumed in that period and the amount of the charges payable.

## **Schedule 1—Repeal and transitional provisions**

### **Part 1—Repeal of *Residential Parks Regulations 2007***

#### **1—Repeal of *Residential Parks Regulations 2007***

The *Residential Parks Regulations 2007* are repealed.

### **Part 2—Transitional provisions**

#### **2—Interpretation**

In this Part—

*repealed regulations* means the *Residential Parks Regulations 2007*.

### **3—Notice given by third party to Commissioner**

A notice given under regulation 4AA(2) of the repealed regulations will on the commencement of this clause be taken to be a notice given under regulation 5(2) of these regulations.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2022	65	<i>Gazette 18.8.2022 p2568</i>	18.8.2022: r 2
2024	51	<i>Gazette 13.6.2024 p1482</i>	1.7.2024: r 2