

FROM 29 APRIL 2016

- residential properties in NSW with a swimming pool or spa pool **cannot be sold**
- or
- new residential tenancy agreements **cannot be entered into** for properties with a swimming pool or spa pool

unless:

- the swimming pool or spa pool **is registered** on the NSW Government's Swimming Pool Register; and
- a copy of the valid Certificate of Compliance or relevant occupation certificate is attached to the sale contract or new residential tenancy agreement to sell or rent any property with a swimming pool or spa pool.

How long is a certificate of compliance valid?

A swimming pool certificate of compliance is **valid for three years** from its date of issue. To check if a certificate of compliance has been issued go to the NSW Government's Swimming Pool Register.

When is an occupation certificate adequate?

A relevant occupation certificate may be used instead of a swimming pool certificate of compliance if it is **less than three years old and authorises the use of the swimming pool**. If an occupation certificate is used, **evidence that the swimming pool is registered must also be provided with the sales contract**.

How can an owner organise an inspection and obtain a certificate of compliance?

Local councils or only an accredited certifier registered with the Building Professionals Board can carry out a swimming pool barrier inspection and issue a certificate of compliance if the swimming pool or spa pool meets all the safety requirements.

Prescribed Document:

Both the Certificate of Compliance and Occupation Certificate are prescribed documents from 29 April 2016.

Definition of swimming pool:

A swimming pool is defined in the law as an excavation, structure or vessel that is capable of being filled with water to a depth greater than 30cm and is used for swimming, wading, paddling or any other human aquatic activity. Generally this includes, but is not limited to, swimming pools and spa pools.

Enquiries:

If you have any questions regarding the information in this fact sheet or anything else, please do not hesitate to contact us –

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