

# Notice

To Lodging Parties

15 January 2021      No 239

## **Commercial Leases under the *COVID-19 Emergency Response (Commercial Leases No 2) Regulations 2020***

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[NTLP 237](#) advised that the temporary amendments introduced as part of the State Government's response to the COVID-19 pandemic, under the [COVID-19 Emergency Response Act 2020](#) (COVID-19 Act) had been extended. I provide the following updates to this information.

### **Commercial Leases**

I advise that the temporary amendments made under the [COVID-19 Emergency Response \(Commercial Leases No 2\) Regulations 2020](#) ceased on 3 January 2021.

Therefore the provisions that were modified under the *Real Property Act 1886* (RPA) in relation to:

- implied covenants of the lessee to pay rent (section 124(a)),
- implied power of the lessor to re-enter and take possession of leased premises where rent is in arrears (section 125(c)), and
- the powers of the Registrar-General to note re-entry by the lessor in the Register Book (section 126)

have now reverted back to their original state under the RPA.

### **COVID-19 Emergency Response (Section 16) Regulations 2020**

Amendments made under the [COVID-19 Emergency Response \(Section 16\) Regulations 2020](#) (Section 16 Regulations) to:

- Statutory Declarations,
- Execution of corresponding mortgage; and
- witnessing requirements

remain in place.

The Section 16 Regulations will expire on:

- 6 February 2021, or
- 28 days after the day on which all the relevant declarations relating to the outbreak of the human disease named COVID-19 have ceased,

whichever is earlier (unless a date is otherwise fixed by the Minister by notice in the Gazette)

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in accordance with section 6 of the COVID-19 Act).

**Verification of Identity Standard**

Advice issued in [NTLP 230](#) relating to Verification of Identity Standard amendments, will continue to be applicable for the period in which the COVID-19 Act is operable, unless revoked earlier.

My office will continue to keep you informed of updates and changes as part of the State Government's response to the COVID-19 pandemic.

For further information please contact the Office of the Registrar-General via [DIT.RegistrarGeneral@sa.gov.au](mailto:DIT.RegistrarGeneral@sa.gov.au).



Jenny Cottnam

REGISTRAR-GENERAL