

Rules of conduct for operators

There are rules of conduct that now apply to all operators of land lease communities. These were introduced with the new laws that started on 1 November 2015.

What is in the rules of conduct?

The new rules of conduct cover a range of matters including:

- knowledge of the legislation
- acting honestly and fairly
- not using high pressure tactics.

Read or download a full copy of Operator Rules of Conduct from the Forms page of the Fair Trading website.

Who do the rules of conduct apply to?

Any person who is an operator of a land lease community is covered by the rules of conduct. The rules apply in the course of carrying on of business or the exercise of functions as an operator.

Who enforces the rules of conduct?

NSW Fair Trading enforces the rules of conduct. Action can be taken whether or not a complaint has been made.

What action can be taken if a breach of the rules of conduct occurs?

A range of disciplinary action could be taken depending on the individual circumstances and seriousness of the breach. This action could include:

- a caution or reprimand (that is, a warning letter)
- a requirement to undertake specified training within a specified time
- a requirement to give a written explanation, correction or apology to an individual or a group of people
- being prosecuted in court (maximum penalty \$11,000 for a corporation and \$5,500 for an individual)

- a requirement to give a particular undertaking (for example, not to act as a selling agent)
- being required to vary a notice or document in a specified way
- being suspended from being an operator for a particular period of time
- being banned from being an operator altogether.