**FORM 2**

*RETIREMENT VILLAGES ACT 1992*

**NOTICE OF RIGHTS UNDER SECTIONS 13 AND 14 OF THE
*RETIREMENT VILLAGES ACT 1992***

[r. 5]

The rights you have under sections 13 and 14 of the *Retirement Villages Act 1992* are set out below.

The owner should give you this form at least 10 working days before you enter into a residence contract.

**UNDER SECTION 13 —**

1. a residence contract shall be in writing;

2. at least 10 working days before a person enters into a residence contract the owner shall cause to be given to that person —

 (a) the disclosure statement set out in Form 1 or Form 1A in Schedule 1 to the *Retirement Villages Regulations 1992* completed and signed by the owner, or a person authorised to act on behalf of the owner; and

 (b) this notice; and

 (c) a copy of the residence rules; and

 (d) a copy of any applicable code; and

 (e) the documents set out in the *Retirement Villages Regulations 1992* regulation 6;

3. a residence contract is taken to include a warranty as to the correctness of the information contained in the disclosure statement.

 That warranty —

 (a) is subject to any written alteration made to the disclosure statement made by the owner with the consent of the prospective resident on or before the signing of the residence contract by the owner;

 (b) prevails over any inconsistent contractual term.

**UNDER SECTION 14 —**

If a person has not entered into occupation of residential premises under a residence contract that person may rescind the residence contract —

 (a) at any time within 7 working days after the date of the contract; or

 (b) if the documents required to be provided under section 13(2) are not provided — at any time before the expiration of 17 working days after the documents are provided.

A rescission of a residence contract must be carried out in accordance with section 75 of the *Retirement Villages Act 1992*.

 [Form 2 amended: Gazette 30 Dec 2004 p. 6926; 21 Mar 2014 p. 730; 24 Mar 2015 p. 1027.]