

Safe Standard® — Australia

Country & State/Territory Master Annex (All States & Territories)

All Categories · Property, Vehicles, Events, Items

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Applies to all rentals occurring within Australia.

PART A — JURISDICTION, SCOPE & PRIORITY

1. Jurisdiction Priority (Binding)

Australia consists of **state and territory jurisdictions**.

The **physical location of the rental** determines governing law.

Order of priority:

1. Mandatory state or territory law
2. Mandatory federal law (incl. Australian Consumer Law)
3. This Annex
4. Safe Standard® Global Rental Agreement

Any clause conflicting with mandatory law is unenforceable to the extent of the conflict.

2. Rental Categories Covered

This Annex applies to rentals of:

1. **Property** — residential and commercial premises
2. **Vehicles** — cars, vans, trailers, mobility and transport equipment
3. **Events** — temporary access, activities, event equipment and installations
4. **Items** — movable goods, tools, equipment, consumer items

3. Category Hierarchy (Mandatory Interpretation)

3.1 Property (Highest legal weight)

- Governed by **state/territory residential tenancy legislation**
- Strong consumer-protection overlay
- Incorrect state handling may invalidate clauses

3.2 Vehicles

- Governed by contract law, negligence, road and transport law

- State differences mainly affect insurance and enforcement

3.3 Events

- Treated as date-specific services / temporary access
- No residential tenancy law applies

3.4 Items

- Governed by contract law and consumer guarantees
- Lowest state-specific impact

PART B — AUSTRALIA-WIDE BASELINE RULES

(All States & Categories)

Across Australia:

- Rental income is taxable under **ATO rules**
- **GST 10 %** applies where registered
- GST registration threshold: **AUD 75,000 annual turnover**
- Records must be retained **minimum 5 years**
- Liability requires negligence, damage, and causation
- **Australian Consumer Law (ACL)** prohibits excluding liability for:
 - major failures
 - unsafe goods
- Gross negligence and personal injury liability cannot be excluded
- Public or business liability insurance is strongly recommended
- **Privacy Act 1988 + Australian Privacy Principles (APPs)** apply
- Safe Standard® stores **no personal data**
- Payments and payment data are processed by **Stripe**

PART C — STATE & TERRITORY FRAMEWORKS (PROPERTY-CRITICAL)

Australia's states and territories include:

NSW, VIC, QLD, WA, SA, TAS, ACT, NT

For **property rentals**, each jurisdiction applies its own:

- Residential Tenancies Act
- Mandatory habitability standards
- Bond (security deposit) handling rules
- Notice, entry, and termination requirements

Failure to comply may void:

- liability limitations
- damage claims

- parts of the agreement

PART D — CATEGORY-SPECIFIC DEEP RULES (ALL STATES)

D1. VEHICLES — DEEP CATEGORY RULES

Scope

Cars, vans, trailers, mobility equipment, motorised and non-motorised vehicles.

Condition & Handover

- Vehicle must be safe and roadworthy
- **Pre-handover checklist + photos mandatory**
- No notes = acceptance of condition

Use Rules

- Lawful use only
- No sub-rental without consent
- No use under alcohol or drugs

Liability & Insurance

- Renter liable for:
 - damage, loss, theft
 - traffic fines, tolls, penalties
- Insurance obligations must be disclosed

Accidents

- Immediate reporting required
- Police report where applicable

D2. EVENTS — DEEP CATEGORY RULES

Legal Classification

- Date-specific services / temporary access

Cancellation

- No automatic cancellation once preparation has begun
- Contractual terms govern
- Force majeure only where legally recognised

Safety

- Renter responsible for participant behaviour
- Lessor responsible for providing safe equipment

Liability

- ACL consumer guarantees always apply
- Gross negligence and personal injury cannot be excluded
- Public liability insurance strongly recommended

Weather

- Outdoor events proceed at renter's risk
- Weather alone does not justify refund

PART E — DAMAGE, DISPUTES & ENFORCEMENT

Damage Assessment

- Based on handover condition
- Checklist + photo evidence required
- Fair wear and tear applies

Disputes

- Primary: negotiation / ADR
- Secondary: competent state or territory court

Enforcement

- State and territory courts have jurisdiction
- Foreign judgments may be recognised under the **Foreign Judgments Act**
- Arbitration permitted if agreed in writing

PART F — SAFE OPERATING MODEL (MANDATORY)

1. Select **Australia**
2. Select **State or Territory (mandatory)**
3. Select **Rental Category**
4. Apply correct state + category logic
5. Use handover checklist
6. Apply photo rule
7. Issue damage invoice if applicable
8. Annex is **internal reference only**

FINAL EXECUTIVE STATEMENT

This Annex provides complete, dispute-ready coverage for:

- ✓ All Australian states and territories
- ✓ All rental categories
- ✓ Property-critical statutory compliance
- ✓ Vehicles & Events deep operational rules