

Queensland



**RESIDENTIAL SERVICES  
AND OTHER LEGISLATION  
AMENDMENT ACT 2004**

**Act No. 10 of 2004**



Queensland



# RESIDENTIAL SERVICES AND OTHER LEGISLATION AMENDMENT ACT 2004

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**Residential Services and Other Legislation  
Amendment Act 2004**

**Act No. 10 of 2004**

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**An Act to amend the *Residential Services (Accommodation) Act 2002*,  
the *Residential Services (Accreditation) Act 2002* and other legislation**

*[Assented to 31 May 2004]*

**The Parliament of Queensland enacts—**

## **PART 1—PRELIMINARY**

### **1 Short title**

This Act may be cited as the *Residential Services and Other Legislation Amendment Act 2004*.

## **PART 2—AMENDMENT OF RESIDENTIAL SERVICES (ACCOMMODATION) ACT 2002**

### **2 Act amended in pt 2**

This part amends the *Residential Services (Accommodation) Act 2002*.

### **3 Amendment of s 5 (Explanation about relationship with other Acts)**

(1) Section 5(3)—

*renumber* as section 5(4).

(2) Section 5(2)—

*omit, insert—*

‘(2) The dictionary in the schedule defines what is a residential service for this Act mainly by reference to the definition “residential service” under the accreditation Act.

‘(3) The accreditation Act establishes systems for the registration and accreditation of residential services under that Act, to ensure the services are conducted at an appropriate standard.’.

(3) Section 5(4) as renumbered, after ‘residential services,’—

*insert—*

‘whether under this Act or the accreditation Act.’.

#### **4 Insertion of new s 132A**

Part 13, before section 133—

*insert—*

#### **‘132A Meaning of “independent student accommodation service”**

‘(1) An “independent student accommodation service” is a service that—

- (a) is conducted mainly to provide accommodation to persons who are enrolled in courses that, under the *Social Security Act 1991* (Cwlth), section 569B, are approved courses of education or study for section 569A(b)<sup>1</sup> of that Act; and
- (b) is of a type mentioned in the accreditation Act, section 4(1), (2) or (3); and
- (c) is not a service mentioned in the accreditation Act, section 4(5)(e), (f) or (h).

‘(2) For subsection (1)(b), in deciding whether a service is of a type mentioned in the accreditation Act, section 4(1), section 4(4) of that Act applies.’.

#### **5 Amendment of schedule (Dictionary)**

(1) Schedule, definitions “residential service” and “unregistered service”—

*omit.*

(2) Schedule—

*insert—*

‘“independent student accommodation service” see section 132A.

<sup>1</sup> *Social Security Act 1991* (Cwlth), sections 569B (Approved course of education or study) and 569A (Undertaking qualifying study)

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**“residential service”** means—

- (a) a residential service under the accreditation Act, section 4;<sup>2</sup> or
- (b) an independent student accommodation service.

**“unregistered service”** means—

- (a) a residential service that is not registered under the accreditation Act; or
- (b) an independent student accommodation service.’.

## **PART 3—AMENDMENT OF RESIDENTIAL SERVICES (ACCREDITATION) ACT 2002**

### **6 Act amended in pt 3**

This part amends the *Residential Services (Accreditation) Act 2002*.

### **7 Amendment of s 4 (Meaning of “residential service”)**

Section 4(5)—

*insert—*

- ‘(fa) a service conducted mainly to provide accommodation to persons who are enrolled in courses that, under the *Social Security Act 1991* (Cwlth), section 569B, are approved courses of education or study for section 569A(b)<sup>3</sup> of that Act;’.

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<sup>2</sup> Accreditation Act, section 4 (Meaning of “residential service”)

<sup>3</sup> *Social Security Act 1991* (Cwlth), sections 569B (Approved course of education or study) and 569A (Undertaking qualifying study)



## **PART 4—CONSEQUENTIAL AMENDMENTS**

### **8 Consequential amendment of Acts**

The schedule amends the Acts it mentions.

## **SCHEDULE**

### **CONSEQUENTIAL AMENDMENTS**

section 8

#### **POLICE POWERS AND RESPONSIBILITIES ACT 2000**

**1 Section 372B(3), definition “residential service”—**

*omit, insert—*

‘**“residential service”** see the *Residential Services (Accommodation) Act 2002*, schedule.’.

#### **RESIDENTIAL TENANCIES ACT 1994**

**2 Schedule 3, definition “residential service”—**

*omit, insert—*

‘**“residential service”** see the *Residential Services (Accommodation) Act 2002*, schedule.’.