



Queensland

Land (Deferred Rent) Amendment Regulation 2018

Subordinate Legislation 2018 No. 108

made under the
Land Act 1994

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1 Short title

This regulation may be cited as the *Land (Deferred Rent) Amendment Regulation 2018*.

2 Regulation amended

This regulation amends the *Land Regulation 2009*.

3 Amendment of s 40D (Governor in Council may defer rent or instalment)

Section 40D—

insert—

- (3) If rent or instalments are deferred, penalty interest does not apply for—
 - (a) the period of the deferral; or
 - (b) if the rent or instalments are deferred for 2 or more consecutive periods—the total of the period of the deferrals.

4 Insertion of new s 40DA

After section 40D—

insert—

40DA Minister may extend deferred payment day for rent or instalment

- (1) This section applies in relation to the payment of rent or an instalment deferred for 2 or more consecutive periods under section 40D.
- (2) If the Minister considers it appropriate in the circumstances, the Minister may extend the deferred payment day for the rent or instalment to a day not more than 5 years after the day on which the last of the periods ends.
- (3) If the Minister extends the deferred payment day, the Minister must give the lessee or licensee a

written notice stating—

- (a) the day to which payment of the deferred rent or instalment has been extended; and
 - (b) the terms of payment of the deferred rent or instalment.
- (4) If the Minister extends the deferred payment day, penalty interest does not apply for the period of the extension.
- (5) In this section—

deferred payment day, for rent or an instalment, means the day to which payment of the rent or instalment was deferred under section 40D.

5 Amendment of s 40E (Minister may defer rent or instalment)

Section 40E(4), from ‘the penalty’—

omit, insert—

penalty interest does not apply for—

- (a) the period of the deferral; or
- (b) if the rent or instalments are deferred for 2 or more consecutive periods—the total of the period of the deferrals.

6 Amendment of s 40F (Change of circumstances)

(1) Section 40F(1)—

omit, insert—

- (1) If the Minister considers the financial circumstances of a lessee who has been granted a relevant extension or deferral have changed to the extent that the extension or deferral should no longer apply, the Minister may revoke the extension or deferral for future rental periods or instalment payments.

- (2) Section 40F(2), ‘deferral’—
omit, insert—
relevant extension or deferral
- (3) Section 40F(3), after ‘instalments’—
insert—
for a relevant extension or deferral
- (4) Section 40F—
insert—
(4) In this section—
relevant extension or deferral means—
- (a) an extension of a deferred payment day for rent or an instalment under section 40DA; or
 - (b) a deferral for hardship under section 40E.

ENDNOTES

- 1 Made by the Governor in Council on 26 July 2018.
- 2 Notified on the Queensland legislation website on 27 July 2018.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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