

Queensland



**RESIDENTIAL TENANCIES
AMENDMENT BILL (No. 2)
1998**

Queensland



**RESIDENTIAL TENANCIES
AMENDMENT BILL (No. 2) 1998**

TABLE OF PROVISIONS

Section	Page
1 Short title	4
2 Commencement	4
3 Act amended	4
4 Replacement of s 77 (Payments above maximum amount)	4
77 Payments above maximum amount	4
5 Amendment of s 91A (Water service charge for premises other than moveable dwelling premises)	5
6 Amendment of s 231 (Meaning of “urgent application”)	5
7 Amendment of s 233 (Making dispute resolution request)	5
8 Amendment of sch 3 (Dictionary)	5

1998

A BILL

FOR

An Act to amend the Residential Tenancies Act 1994

Residential Tenancies Amendment (No. 2)

The Parliament of Queensland enacts—

1

Short title

2

Clause **1.** This Act may be cited as the *Residential Tenancies Amendment Act (No. 2) 1998*.

3

4

Commencement

5

Clause **2.** This Act is taken to have commenced on 1 December 1998 immediately after the commencement on that day of the provisions mentioned in the *Residential Tenancies Amendment Act 1998*, section 2(3).

6

7

8

Act amended

9

Clause **3.** This Act amends the *Residential Tenancies Act 1994*.

10

Replacement of s 77 (Payments above maximum amount)

11

Clause **4.** Section 77—

12

omit, insert—

13

‘Payments above maximum amount

14

‘**77.(1)** A person must not require payment of, or accept, a rental bond more than, or amounts as rental bond totalling more than—

15

16

(a) if paragraph (b) does not apply—the maximum rental bond for the agreement; or

17

18

(b) if the lessor is the tenant’s employer and gives the tenant a rental subsidy—the amount fixed under subsection (2).

19

20

Maximum penalty—20 penalty units.

21

‘**(2)** For subsection (1)(b), the amount is the greater of the following amounts—

22

23

(a) \$400;

24

(b) the maximum rental bond for the agreement.

25

Residential Tenancies Amendment (No. 2)

‘(3) Subsection (1) does not apply if the weekly rent under the agreement is more than—

- (a) the amount prescribed under a regulation; or
- (b) if an amount is not prescribed—\$300.’.

Amendment of s 91A (Water service charge for premises other than moveable dwelling premises)

Clause 5. Section 91A(4)—

omit, insert—

‘(4) The tenant has to pay an amount for the outgoings only if—

- (a) the premises are individually metered for the water supply; or
- (b) water is supplied to the premises by delivery by vehicle.’.

Amendment of s 231 (Meaning of “urgent application”)

Clause 6. Section 231(5), after seventh dot point—

insert—

- section 222 (Order about abandonment)’.

Amendment of s 233 (Making dispute resolution request)

Clause 7.(1) Section 233(3)—

omit.

(2) Section 233(4)—

renumber as section 233(3).

Amendment of sch 3 (Dictionary)

Clause 8. Schedule 3, definition “**maximum rental bond**” paragraph (a)—

omit, insert—

- ‘(a) for movable dwelling premises—

Residential Tenancies Amendment (No. 2)

- (i) if the tenancy is a long tenancy (moveable dwelling) and
electricity supplied to the premises is supplied in the lessor's
name and individually metered—3 weeks; or 1
2
3
- (ii) otherwise—2 weeks; or'. 4
5