TASMANIA

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RESIDENTIAL TENANCY AMENDMENT BILL 2009

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RESIDENTIAL TENANCY AMENDMENT BILL 2009

(Brought in by the Minister for Corrections and Consumer Protection, the Honourable Lisa Maria Singh)

A BILL FOR

An Act to amend the *Residential Tenancy Amendment Act 2005*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Residential Tenancy Amendment Act 2009*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent but, if this Act does not receive the Royal Assent before the day on which the *Residential Tenancy Amendment Act 2005* commences, this Act is taken to have commenced on the day before that Act commences.

3. Principal Act

In this Act, the *Residential Tenancy Amendment Act 2005** is referred to as the Principal Act.

4. Section 14 amended (Schedule 3 inserted)

Section 14 of the Principal Act is amended by omitting clauses 2, 3, 4 and 5 of Schedule 3 and substituting the following clauses:

2. Application of former Act to existing security deposit

If immediately before the commencement day an owner holds a security deposit in respect of a pre-existing residential tenancy agreement, the former Act continues to apply to all matters concerning or relating to the security deposit as if the *Residential Tenancy Amendment Act 2005* had not been enacted.

3. Disputes and appeals under former Act

The former Act continues to apply –

(a) in respect of a dispute under section 28 of the former Act in relation to the amount of the security deposit returned to the tenant by the owner after the termination of a pre-existing

*No. 59 of 2005

residential tenancy agreement; and

(b) in respect of an appeal from the determination of the Commissioner under section 29 of the former Act relating to any such dispute.