

TASMANIA

**RESIDENTIAL TENANCY AMENDMENT BILL
2015**

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RESIDENTIAL TENANCY AMENDMENT BILL 2015

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
21 April 2015

*(Brought in by the Minister for Human Services, the
Honourable Jacqueline Anne Petrusma)*

A BILL FOR

An Act to amend the *Residential Tenancy Act 1997*

Be it enacted by Her 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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Residential Tenancy Amendment Act 2015*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

Residential Tenancy Amendment Act 2015
Act No. of

s. 3

Part 2 – Amendment of Residential Tenancy Act 1997

**PART 2 – AMENDMENT OF RESIDENTIAL TENANCY
ACT 1997**

3. Principal Act

In this Part, the *Residential Tenancy Act 1997** is referred to as the Principal Act.

4. Section 39 amended (Effect of notice of termination)

Section 39 of the Principal Act is amended as follows:

- (a) by omitting paragraph (ab) from subsection (1);
- (b) by omitting paragraph (c) from subsection (4) and substituting the following paragraph:
 - (c) a date, specified in a notice of termination in respect of the premises, is a date that is not 14 days or more after the notice is served on the owner –
- (c) by omitting from subsection (4) “21 days” second occurring and substituting “14 days”.

*No. 82 of 1997

Residential Tenancy Amendment Act 2015
Act No. of

Part 2 – Amendment of Residential Tenancy Act 1997

s. 5

5. Section 57 amended (Locks and security devices)

Section 57 of the Principal Act is amended by omitting subsection (2B) and substituting the following subsection:

- (2B) A tenant may, without the authority of an order of the Court or the consent of the owner of the residential premises, add, alter or remove any lock or other security device –
- (a) if –
- (i) an FVO, within the meaning of the *Family Violence Act 2004*, is in force under that Act; or
- (ii) a PFVO, within the meaning of the *Family Violence Act 2004*, is in force under that Act; and
- (b) the FVO or PFVO was made for the purpose of protecting the tenant.

Residential Tenancy Amendment Act 2015
Act No. of

s. 6

Part 3 – Amendment of Residential Tenancy Amendment Act 2013

**PART 3 – AMENDMENT OF RESIDENTIAL TENANCY
AMENDMENT ACT 2013**

6. Principal Act

In this Part, the *Residential Tenancy Amendment Act 2013** is referred to as the Principal Act.

7. Section 19 amended (Part 3B inserted)

Section 19 of the Principal Act is amended by omitting from paragraph (b)(ii) of new section 36L “4 functioning heating elements” and substituting “3 functioning heating elements”.

8. Section 26 amended (Section 55A inserted)

Section 26 of the Principal Act is amended by omitting from new section 55A “ of the premises that displays any object in the premises that may identify the tenant or another person or that belongs to the tenant” and substituting “, film or video recording of the premises that displays any object in the premises that may identify the tenant or another person”.

*No. 45 of 2013

Residential Tenancy Amendment Act 2015
Act No. of

Part 4 – Repeal of Act

s. 9

PART 4 – REPEAL OF ACT

9. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.