

Queensland



Subordinate Legislation 1992 No. 25

Rental Bond Act 1989

RENTAL BOND REGULATION 1992

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Short title

1. This regulation may be cited as the *Rental Bond Regulation 1992*.

Commencement

2. The provisions of this regulation, except sections 1, 2 and 6, commence on 1 April 1992.

Repeal

3. The *Rental Bond Regulation 1989* is repealed.

Definition

4. In this regulation—

“**approved form**” means the form approved by the Minister under section 6.

Interpretation—meaning of holding a bond

5. In this regulation, a reference to the Authority holding a rental bond is a reference to the Authority—

- (a) having been paid the amount of a rental bond under section 19 of the Act; and
- (b) not having paid out all of the amount under Part 4 of the Act.

Minister to approve forms

6.(1) If this regulation allows or requires a person to give a form to the Authority in the approved form, the Minister must approve a form for that purpose.

(2) A person may request the Minister to give to the person a document setting out an approved form.

(3) The Minister must promptly comply with the request.

Approved forms to be used

7. The prescribed form for—

- (a) an application under section 25 of the Act for payment out of an amount of rental bond; and
- (b) a report under section 36(1) of the Act as to the state of repair and general condition of premises;

is the relevant approved form.

Bond lodgement

8.(1) A person who pays the amount of a rental bond to the Authority under section 19 of the Act must give to the Authority, with the amount, a bond lodgement form in the approved form.

(2) A person who pays the amount of a rental bond to the Authority in instalments under section 21 of the Act must give to the Authority—

- (a) with the first instalment—a bond lodgement form in the approved form; and
- (b) with each subsequent instalment—an advice of remittance in the approved form.

Transfer of bond

9.(1) If—

- (a) a landlord and a tenant have entered into a residential tenancy agreement; and
- (b) the Authority is holding a rental bond in relation to the agreement;

the landlord and the tenant may jointly request the Authority to hold the rental bond in relation to another residential tenancy agreement, in place of the first agreement.

(2) A request made under subsection (1) must be in the approved form.

(3) The Authority must agree to the request if it is satisfied that the landlord and the tenant have complied with this section.

(4) If the Authority agrees to a request under this section—

- (a) in relation to the first residential tenancy agreement—the amount of the rental bond is taken to have been paid by the Authority under section 26(a) of the Act; and
- (b) in relation to the second residential tenancy agreement—
 - (i) for the purpose of section 36 of the Act, the landlord is taken to have required payment of a rental bond by the tenant; and
 - (ii) the amount of the rental bond is taken to have been paid to the Authority under section 19 of the Act.

Change of landlord or landlord's agent

10. If, in relation to a residential tenancy agreement—

- (a) the Authority is holding a rental bond; and
- (b) a person ceases to be a landlord or landlord's agent;

the person must, within 14 days, notify the Authority in the approved form—

- (c) that he or she has ceased to be the landlord or landlord's agent; and
- (d) if the person is aware at the time of ceasing to be a landlord or landlord's agent that another person has become the landlord or landlord's agent—of the name of the other person.

Change of particulars of landlord or landlord's agent

11. A person required to notify a tenant under section 50(2) of the Act must do so in the approved form.

Change of tenant

12.(1) If, in relation to a residential tenancy agreement—

- (a) the Authority is holding a rental bond; and
- (b) a person becomes or ceases to be a tenant;

the persons mentioned in subsection (2) must, within 14 days, give to the Authority a notice, in the approved form, that the person has become or ceased to be a tenant.

(2) The persons required to give the notice under subsection (1) are—

- (a) the landlord or, if there is a landlord's agent, the landlord's agent; and
- (b) the person (if any) who became a tenant; and
- (c) the person (if any) who ceased being a tenant; and
- (d) any other tenant who is aware of the change in tenancy at the time that the change occurs.

Period for which receipt must be kept

13. For the purpose of section 35 of the Act, the prescribed time for which a landlord or a landlord's agent must keep a receipt given under section 34 of the Act is 6 years from the date of the receipt.

Authorisation of persons signing for landlord's agents

14. If a landlord's agent authorises a person to sign, on behalf of the landlord's agent, a form allowed or required to be given under the Act or this regulation, the landlord's agent must immediately—

- (a) notify the Authority, in the approved form, of the name of the person; and
- (b) give to the Authority a specimen signature of the person.

ENDNOTES

1. Made by the Governor in Council on 27 February 1992.
2. Published in the Gazette on 29 February 1992.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Housing and Local Government (Rental Bond Authority).