

Queensland



Subordinate Legislation 1995 No. 37

State Housing Act 1945

**STATE HOUSING AMENDMENT
REGULATION (No. 1) 1995**

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Short title

1. This regulation may be cited as the *State Housing Amendment Regulation (No. 1) 1995*.

Commencement

2. This regulation commences on 3 April 1995.

Regulation amended

3. This regulation amends the *State Housing Regulation 1986*.

Replacement of s 4 (Interpretation)

4. Section 4—

omit, insert—

‘Definitions

‘4. In this regulation—

“**residential tenancy agreement**” means a residential tenancy agreement to which the *Residential Tenancies Act 1994* applies.’.

Amendment of s 9 (Letting or leasing of dwelling-houses pursuant to section 26)

5. Section 9—

insert—

‘(5) Subsections (2), (3) and (4) do not apply to a residential tenancy agreement.

‘(6) However, subsection (5) does not apply to the requirement in subsection (2) that houses are to be let on a weekly tenancy.’.

Amendment of s 12 (Payment books)

6. Section 12—

insert—

‘(5) This section does not apply to a residential tenancy agreement.’.

Insertion of new Part 3

7. After Part 2—

insert—

‘PART 3—APPLICATION OF RESIDENTIAL TENANCIES ACT 1994

‘Application of Part

‘**15.(1)** This Part applies to a residential tenancy agreement entered into under the Act between the Commission and another person.

‘(2) In the operation of the Act to the agreement, a provision of the Act that is inconsistent with the *Residential Tenancies Act 1994* does not apply to the agreement to the extent of the inconsistency.

‘(3) The following sections apply without limiting this section—

- section 16 (Change to operation of s 43 of the Act (Lessee or tenant wrongfully holding over))
- section 17 (Change to operation of s 43A of the Act (Justice to issue warrant for possession))
- section 18 (Change to exercise of Commission’s powers under the Act).

‘Change to operation of s 43 of the Act (Lessee or tenant wrongfully holding over)

‘**16.** Section 43 of the Act does not apply to a residential tenancy agreement.

‘Change to operation of s 43A of the Act (Justice to issue warrant for possession)

‘17. Section 43A of the Act does not apply to a residential tenancy agreement.

‘Change to exercise of Commission’s powers under the Act

‘18. In the application of the Act to a residential tenancy agreement, the Commission may exercise a power conferred on it under the Act only to the extent the exercise of the power is not inconsistent with the *Residential Tenancies Act 1994*.’.

ENDNOTES

1. Made by the Governor in Council on 23 February 1995.
2. Notified in the Gazette on 24 February 1995.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Housing, Local Government and Planning.