

Queensland



Subordinate Legislation 1994 No. 387

Retail Shop Leases Act 1994

RETAIL SHOP LEASES REGULATION 1994

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**GOODS OR SERVICES FOR BUSINESSES PRESCRIBED AS
RETAIL BUSINESSES**

Short title

1. This regulation may be cited as the *Retail Shop Leases Regulation 1994*.

Businesses prescribed as retail businesses

2. A business whose whole or predominant activity is, or is a combination of, the sale, hire or supply of goods or services mentioned in the Schedule is a retail business.

Prescribed particulars of disclosure statement—Act, s 22

3. A disclosure statement must contain the following particulars—

- (a) names of the lessor and lessee;
- (b) address and description of the leased shop;
- (c) term of the lease;
- (d) date the lease starts;
- (e) details of any option to renew the lease;
- (f) amount of the initial rent calculated yearly (other than rent based on turnover) or the method of calculating the initial rent;
- (g) details of any rent free or reduced rent period;
- (h) details of any rent review (whether during the term of the lease or a period covered by an option to renew the lease);
- (i) mention of any provisions of the lease relating to—
 - (i) the giving of information to the lessor about turnover of the lessee's business; and
 - (ii) the payment of turnover rent;
- (j) details of payments to be made by the lessee under the lease for the lessor's outgoings;
- (k) details of the lessee's liability to make payments under section 48(2) (Lessee's liability for costs associated with preparation etc. of lease) of the Act;

- (l) details of the lessee's liability to pay promotion amounts;
- (m) date or estimated date when the leased shop will be available for fit out by the lessee;
- (n) details of the lessee's liability for fit out costs of the leased shop;
- (o) details of the fit out costs of the leased shop to be paid by the lessor;
- (p) details of the trading hours for the leased shop;
- (q) details of any provision in the lease for relocation of the lessee to different premises;
- (r) lessee's permitted use of the leased shop and whether or not the use is exclusive to the lessee;
- (s) mention of the agreements to be entered into by the lessor and lessee in relation to the lease;
- (t) if the leased shop is, or is to be, situated in a retail shopping centre—
 - (i) the shop's area or estimated area; and
 - (ii) the centre's lettable area or estimated lettable area; and
 - (iii) details of any future changes to the centre approved by the relevant local government; and
 - (iv) details of the lessee's entitlement to use part of the centre's common areas for trading.

Fee for dispute notice

4. The fee under section 55(2) (Lodgment of retail tenancy disputes) of the Act is \$100.00.

SCHEDULE**GOODS OR SERVICES FOR BUSINESSES
PRESCRIBED AS RETAIL BUSINESSES**

section 2

Alcoholic beverages (other than beverages for drinking on the premises)

Amusement and entertainment services

Antiques

Artworks or crafts and allied equipment or supplies

Barbecue equipment

Beauty treatments or cosmetics

Biscuits, cakes or other baked goods

Books

Bridal wear sales or hire

Camping equipment

Clocks or watches

Clothing or allied services or accessories

Coins

Confectionery or nuts

Costumes or formal wear hire

Curtains

Delicatessen goods

Dinnerware

Disposal goods

Drapery

Dry cleaning or laundry services

SCHEDULE (continued)

Duty free goods
Electronic equipment or supplies
Equestrian wear
Fast photo processing
Floor coverings
Flowers or allied goods or services
Footwear or footwear repairs
Fruit and vegetables
Furniture
Games or hobbies goods or services
Gifts or novelties
Greeting cards, gift wrapping or allied products
Groceries
Haberdashery
Hairdressing services
Hardware or building supplies
Health or vitamin goods or services
Hearing aids
Hot bread kitchen goods
Hot water systems
Household or electrical appliances or repairs
Ice cream
Interior decorations
Jewellery or precious stones
Key cutting or engraving
Kitchenware

SCHEDULE (continued)

Leather goods
Lighting goods
Manchester
Meat or meat products
Motor vehicle accessories
Music or musical equipment or goods
Newsagency goods or services
Office equipment
Optical goods or services
Paint and wallpaper goods or services
Pets and pet supplies
Pharmaceutical goods
Photographic equipment or supplies
Pools, spas or allied equipment or supplies
Prints or posters
Restaurant, cafeteria, coffee lounge or other eating place services
Rubber stamps
Seafood
Second-hand goods
Silverware or glassware
Soft furnishings
Souvenirs
Sporting goods or accessories
Stamps
Stationery
Takeaway food

SCHEDULE (continued)

Television, video equipment or household appliance hire

Tobacco

Toys

Travel agency services or travel booking services

Umbrellas and allied goods

Video tape or prerecorded music hire.

ENDNOTES

1. Made by the Governor in Council on 27 October 1994.
2. Notified in the Gazette on 28 October 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Business, Industry and Regional Development.