



Housing Act 2003

Housing Regulation 2026

Current as at 1 September 2026

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Queensland

Housing Regulation 2026

Contents

		Page
Part 1	Preliminary	
1	Short title	5
2	Commencement	5
3	Definitions	5
4	Ancillary housing services—Act, s 8	5
Part 2	Housing services requirements—funded providers other than BTR providers and HIF providers	
Division 1	Introductory	
5	Housing services requirements—Act, s 33	5
6	Inconsistency with funding agreements	6
Division 2	Financial management and accountability requirements	
7	Using funding and receipts	6
8	Returning unspent receipts	6
9	Returning accumulated unspent receipts	7
10	Using funded property as security	8
11	Financial statements for ancillary housing service	8
12	Asset management plans	9
Division 3	Governance and service delivery	
13	Compliance with Queensland privacy principles	10
14	Eligibility assessment and allocations policy—social housing service	10
15	Application for social housing service	10
16	Eligibility policy for ancillary housing service	11
17	Rent policy for residential housing	11
18	Information about funded properties	12
19	Information about housing service	13
Part 3	Housing services requirements—BTR providers and HIF providers	
Division 1	Preliminary	

Contents

20	Definitions for part	14
21	What is the Build to Rent pilot project	14
22	What is the Housing Investment Fund program	14
23	Housing services requirements—Act, s 33	15
24	Inconsistency with funding agreements	15
Division 2	Financial management and accountability requirements	
25	Using funding and receipts	16
26	Using funded property as security	16
27	Financial statements for ancillary housing service	16
28	Asset management plans	17
Division 3	Governance and service delivery	
29	Compliance with Queensland privacy principles	17
30	Eligibility policy for social housing service	17
31	Allocations policy for social housing service	18
32	Eligibility policy for ancillary housing service	18
33	Rent policy for residential housing	19
34	Information about funded properties	20
35	Information about housing service	20
Part 4	Contracts register	
36	Contracts register	21
37	Recording particulars in contracts register	21
38	Keeping other information	22
39	Documents forming part of contracts register	22
40	Searching contracts register	22
41	Correcting contracts register	23
42	Requisitions	24
43	Registering death of joint purchaser	24
44	Registering personal representative	25
45	Registering person beneficially entitled	26
46	Registering other dealings	27
47	Form of registrable document	27
Part 5	Fees	
48	Fees	28
49	Expenses of taking possession	28
Part 6	Miscellaneous	
50	Prescribed housing service information—Act, s 18	28

Contents

51	Standard interest rate policy—Act, s 92	29
52	Prescribed non-profit organisations—Act, s 94I	30
53	End of transitional period—Act, s 156	30
54	Transferring or disposing of relevant assets—Act, s 159	32
55	Exempt providers—Act, sch 4	33
Part 7	Transitional provisions	
56	Definition for part	33
57	Saving of operation of transitional provisions	33
58	Deferral of obligation to implement new policies	33
59	References to expired policies	34
60	References to expired regulation	34
Schedule 1	Fees	35
Schedule 2	Dictionary	37

Housing Regulation 2026

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Housing Regulation 2026*.

2 Commencement

This regulation commences on 1 September 2026.

3 Definitions

The dictionary in schedule 2 defines particular words used in this regulation.

4 Ancillary housing services—Act, s 8

For section 8(5)(b)(vii) of the Act, a housing-related education or employment service is prescribed as an ancillary housing service.

Part 2 Housing services requirements—funded providers other than BTR providers and HIF providers

Division 1 Introductory

5 Housing services requirements—Act, s 33

For section 33 of the Act, this part prescribes the requirements relating to the provision of housing services for which a

funded provider, other than a BTR provider or HIF provider, receives funding.

6 Inconsistency with funding agreements

- (1) If a provision of this part is inconsistent with a term of a funding agreement—
 - (a) the provision prevails; and
 - (b) the term is void to the extent of the inconsistency.
- (2) Subsection (1) does not limit another provision of this regulation.

Division 2 Financial management and accountability requirements

7 Using funding and receipts

A funded provider must use the funding or receipts that the funded provider receives for a housing service in a way that complies with the funding agreement for the service.

8 Returning unspent receipts

- (1) This section applies if—
 - (a) a funding agreement with a funded provider is in effect; and
 - (b) the funded provider—
 - (i) is required, under the funding agreement, to spend an amount consisting of receipts for a housing service within a stated period; and
 - (ii) has not spent the amount before the end of the period.
- (2) The chief executive may, by notice, require the funded provider to pay the amount to the chief executive.

- (3) The funded provider must pay the amount to the chief executive within 8 weeks after the day the funded provider receives the notice.

9 Returning accumulated unspent receipts

- (1) This section applies if—
- (a) a funding agreement with a funded provider is in effect; and
 - (b) the funding agreement relates to a funded property; and
 - (c) the funded provider is not required, under the funding agreement, to pay the chief executive amounts, consisting of receipts for a housing service, that the funded provider has not spent, either—
 - (i) while the funding agreement is in effect; or
 - (ii) when the funding agreement ends.
- (2) The chief executive may, by notice (a *payment notice*) given within 12 months after the end of a financial year (the *notice year*), require the funded provider to pay the chief executive an amount that is not more than the accumulated unspent receipts for the notice year.
- (3) If the funded property to which the funding agreement relates was not acquired, constructed or improved wholly using receipts for a housing service, the amount of the accumulated unspent receipts must be reduced by the offset percentage for the funded property.
- (4) The funded provider must pay the amount stated in the payment notice to the chief executive within 8 weeks after the day the funded provider receives the notice.
- (5) In this section—
- accumulated unspent receipts*, for a notice year, means an amount equal to the receipts amount less—
- (a) the spent amount; and
 - (b) the repaid amount.

offset percentage, for a funded property, means the amount of money other than receipts that is used to acquire, construct or improve the funded property, expressed as a percentage of the total cost of acquiring, constructing or improving the funded property.

Example—

A funding provider acquires a funded property for \$1,000,000, using \$750,000 of receipts and \$250,000 of the provider's own money. The offset percentage is 25%.

receipts amount means the amount of receipts, other than funding, for the housing service received by the funded provider, as at the end of the notice year.

repaid amount means the amount of receipts, other than funding, the funded provider has paid to the chief executive as at the end of the notice year.

spent amount means the amount of receipts, other than funding—

- (a) the funded provider has spent, as allowed under the funding agreement, as at the end of the notice year; or
- (b) the funded provider has retained, with the written approval of the chief executive, as at the end of the notice year.

10 Using funded property as security

A funded provider must not use funded property as security for a loan unless—

- (a) the funded provider is a registered provider; and
- (b) the chief executive gives the funded provider written approval to use the funded property as security for the loan.

11 Financial statements for ancillary housing service

- (1) This section applies to a funded provider that receives funding for an ancillary housing service.

- (2) The funded provider must prepare annual financial statements for each financial year in which the funded provider receives the funding.
- (3) If the funded provider is established under an Act, the annual financial statements must be in the form, and contain the information, required under the Act.
- (4) If the chief executive requests a copy of the annual financial statements, the funded provider must comply with the request.
- (5) The funded provider must comply with this section even if the funded provider—
 - (a) does not provide, or is not required to provide, the ancillary housing service for the whole of the financial year; or
 - (b) stops providing the ancillary housing service before complying with this section.

12 Asset management plans

- (1) A funded provider must keep, and implement, a management plan (an *asset management plan*) for each of the provider's funded properties.
- (2) The purpose of an asset management plan is—
 - (a) to maintain the long-term viability, and value, of the funded property; and
 - (b) to ensure the funded property is appropriate for—
 - (i) the type of housing service the funded provider provides; and
 - (ii) the needs of people using the housing service; and
 - (iii) the circumstances in which the funded provider provides the housing service.
- (3) An asset management plan must include financial strategies for the plan's implementation.
- (4) If the chief executive requests a copy of an asset management plan, the funded provider must comply with the request.

Division 3 Governance and service delivery

13 Compliance with Queensland privacy principles

A funded provider must comply with the *Information Privacy Act 2009*, chapter 2, parts 1 and 2 as if the funded provider were the department.

14 Eligibility assessment and allocations policy—social housing service

- (1) This section applies to a funded provider that receives funding to provide a social housing service.
- (2) The funded provider must implement—
 - (a) if assessing a person’s eligibility to receive or continue to receive the service—the Social Housing Eligibility Criteria; and
 - (b) if allocating the service—the Social Housing Allocations Policy.
- (3) In this section—

Social Housing Allocations Policy means the chapter of that name in the Social Housing Policy published on the department’s website.

Social Housing Eligibility Criteria means the chapter of that name in the Social Housing Policy published on the department’s website.

15 Application for social housing service

- (1) A funded provider may accept an application from a person for a social housing service only if the application is in the approved form.
- (2) If the funded provider is not an approved funded provider, the funded provider must, as soon as practicable, give the application to—

- (a) the chief executive; or
 - (b) an approved funded provider.
- (3) In this section—

approved funded provider means a funded provider the chief executive approves to receive an application for a social housing service.

16 Eligibility policy for ancillary housing service

- (1) This section applies to a funded provider that receives funding to provide an ancillary housing service.
- (2) The funded provider must—
- (a) keep an eligibility policy for the ancillary housing service; and
 - (b) implement the eligibility policy for the ancillary housing service consistently and fairly.
- (3) In this section—

eligibility policy, for an ancillary housing service, means a policy that—

- (a) states the criteria and procedures for deciding whether a person is eligible to receive the service; and
- (b) complies with the funding agreement for the service.

17 Rent policy for residential housing

- (1) This section applies to a funded provider that receives funding to provide a housing service for residential use.
- (2) The funded provider must—
- (a) keep a rent policy for the housing; and
 - (b) implement the rent policy consistently and fairly.
- (3) The funded provider must comply with subsection (2) even if rent is not paid for the housing.

- (4) However, if a tenant pays rent for the housing, the funded provider must keep a record of the calculation of rent payments for the tenant for the period—
- (a) starting on the day the tenant is required to start paying rent; and
 - (b) ending on the day that is 6 months after the last day the tenant is required to pay rent.
- (5) In this section—
- rent policy***, for housing for residential use, means a policy that—
- (a) states the criteria and procedures relating to rent payable by a tenant for the housing, including, for example, about—
 - (i) setting the amount of rent; and
 - (ii) calculating rent payments; and
 - (iii) collecting rent; and
 - (iv) managing rent arrears; and
 - (b) provides for—
 - (i) explaining the calculation of rent payments to the tenant and dealing with queries about rent; and
 - (ii) giving the tenant a choice of ways to pay rent; and
 - (iii) preventing the tenant from getting into serious arrears of rent; and
 - (c) complies with the funding agreement for the housing.

tenant means an individual to whom housing is provided for residential use.

18 Information about funded properties

- (1) This section applies to a funded provider that receives funding to provide a social housing service.

- (2) The chief executive may require the funded provider, within the period stated by the chief executive, to give the chief executive information, in the approved form, about each funded property for the service.
- (3) If the information given to the chief executive changes, the funded provider must give details of the change, in the approved form, to the chief executive as soon as practicable.

19 Information about housing service

- (1) This section applies to a funded provider that receives funding to provide a housing service.
- (2) The chief executive may, by notice, require the funded provider to give the following information to the chief executive—
 - (a) information, including, for example, financial information, about the housing service;
 - (b) information about the use of a funded property for the housing service;
 - (c) non-identifying information about a client of the funded provider;
 - (d) any other information relating to the funding the chief executive considers appropriate.
- (3) The funded provider must comply with the request within the period stated in the notice.
- (4) In this section—

client—

 - (a) means a person who—
 - (i) is receiving a housing service from the funded provider; or
 - (ii) has applied to the funded provider for a housing service; and
 - (b) includes a tenant.

Part 3 Housing services requirements—BTR providers and HIF providers

Division 1 Preliminary

20 Definitions for part

In this part—

BTR provider means an entity approved by the State as having the appropriate financial standing, technical capacity and capability to participate in the Build to Rent pilot project.

Build to Rent pilot project see section 21.

HIF provider means an entity approved by the State as having the appropriate financial standing, technical capacity and capability to participate in the Housing Investment Fund program.

Housing Investment Fund program see section 22.

21 What is the *Build to Rent pilot project*

The ***Build to Rent pilot project*** is the pilot project administered by the State that seeks to deliver affordable housing to low to moderate income earners by providing rent subsidies to developers to encourage the development of affordable housing in Queensland.

22 What is the *Housing Investment Fund program*

- (1) The ***Housing Investment Fund program*** is the program administered by the State that—
 - (a) seeks to deliver community housing and affordable housing to low to moderate income earners; and

- (b) provides subsidies, one-off capital grants and other support to encourage developers, builders, tenancy managers, institutional investors and superannuation funds to develop, finance and operate community housing and affordable housing in Queensland.
- (2) In this section—
community housing means a community housing service provided by a registered provider.

23 Housing services requirements—Act, s 33

For section 33 of the Act, this part prescribes the requirements relating to the provision of housing services for which a funded provider who is a BTR provider or HIF provider receives funding.

Note—

A BTR provider or HIF provider is an exempt provider under schedule 4 of the Act. See section 55.

24 Inconsistency with funding agreements

- (1) If a provision of this part is inconsistent with a term of a funding agreement—
 - (a) the provision prevails; and
 - (b) the term is void to the extent of the inconsistency.
- (2) Subsection (1) does not limit another provision of this regulation.

Division 2 Financial management and accountability requirements

25 Using funding and receipts

A BTR provider or HIF provider must use the funding or receipts that the provider receives for a housing service in a way that complies with the funding agreement for the service.

26 Using funded property as security

An HIF provider must not use funded property as security for a loan unless the chief executive gives the HIF provider written approval to use the funded property as security for the loan.

27 Financial statements for ancillary housing service

- (1) This section applies to an HIF provider that receives funding for an ancillary housing service.
- (2) The HIF provider must prepare annual financial statements for each financial year in which the provider receives the funding.
- (3) If the HIF provider is established under an Act, the annual financial statements must be in the form, and contain the information, required under the Act.
- (4) If the chief executive requests a copy of the annual financial statements, the HIF provider must comply with the request.
- (5) The HIF provider must comply with this section even if the provider—
 - (a) does not provide, or is not required to provide, the ancillary housing service for the whole of the financial year; or
 - (b) stops providing the ancillary housing service before complying with this section.

28 Asset management plans

- (1) An HIF provider must keep, and implement, a management plan (an *asset management plan*) for each of the HIF provider's funded properties.
- (2) The purpose of an asset management plan is to—
 - (a) maintain the long-term viability, and value, of the funded property; and
 - (b) ensure the funded property is appropriate for—
 - (i) the type of housing service the HIF provider provides; and
 - (ii) the needs of people using the housing service; and
 - (iii) the circumstances in which the HIF provider provides the housing service.
- (3) An asset management plan must include financial strategies for the plan's implementation.
- (4) If the chief executive requests a copy of an asset management plan, the HIF provider must comply with the request.

Division 3 Governance and service delivery

29 Compliance with Queensland privacy principles

A BTR provider or HIF provider must comply with the *Information Privacy Act 2009*, chapter 2, parts 1 and 2 as if the provider were the department.

30 Eligibility policy for social housing service

- (1) This section applies to a BTR provider or HIF provider that receives funding to provide a social housing service.
- (2) The BTR provider or HIF provider must—
 - (a) keep an eligibility policy for the social housing service; and

- (b) implement the eligibility policy for the social housing service consistently and fairly.
- (3) In this section—
eligibility policy, for a social housing service, means a policy that—
 - (a) states the criteria and procedures for deciding whether a person is eligible to receive the service; and
 - (b) complies with the funding agreement for the service.

31 Allocations policy for social housing service

- (1) This section applies to a BTR provider or HIF provider that receives funding to provide a social housing service.
- (2) The BTR provider or HIF provider must—
 - (a) keep an allocations policy for the social housing service; and
 - (b) implement the allocations policy for the social housing service consistently and fairly.
- (3) In this section—
allocations policy, for a social housing service, means a policy that—
 - (a) states the criteria and procedures for deciding whether the service is to be allocated to a person eligible to receive the service; and
 - (b) complies with the funding agreement for the service.

32 Eligibility policy for ancillary housing service

- (1) This section applies to an HIF provider that receives funding to provide an ancillary housing service.
- (2) The HIF provider must—
 - (a) keep an eligibility policy for the ancillary housing service; and

- (b) implement the eligibility policy for the ancillary housing service consistently and fairly.
- (3) In this section—
eligibility policy, for an ancillary housing service, means a policy that—
 - (a) states the criteria and procedures for deciding whether a person is eligible to receive the service; and
 - (b) complies with the funding agreement for the service.

33 Rent policy for residential housing

- (1) This section applies to a BTR provider or HIF provider that receives funding to provide a housing service for residential use.
- (2) The BTR provider or HIF provider must—
 - (a) keep a rent policy for the housing service; and
 - (b) implement the rent policy for the housing service consistently and fairly.
- (3) The BTR provider or HIF provider must comply with subsection (2) even if rent is not paid for the housing service.
- (4) However, if a tenant pays rent for the housing service, the BTR provider or HIF provider must keep a record of the calculation of rent payments for the tenant for the period required under the funding agreement.
- (5) In this section—
rent policy, for a housing service for residential use, means a policy that—
 - (a) states the criteria and procedures relating to rent paid by a tenant for the service, including, for example, about—
 - (i) setting the amount of rent; and
 - (ii) calculating rent payments; and
 - (iii) collecting rent; and

- (iv) managing rent arrears; and
- (b) provides for—
 - (i) explaining the calculation of rent payments to the tenant and dealing with their queries about rent; and
 - (ii) giving the tenant a choice of ways to pay rent; and
 - (iii) preventing the tenant from getting into serious arrears of rent; and
- (c) complies with the funding agreement for the service.

tenant means an individual to whom a housing service is provided for residential use.

34 Information about funded properties

- (1) This section applies to an HIF provider that receives funding to provide a social housing service.
- (2) The chief executive may, by notice, require the HIF provider to give the chief executive stated information about each funded property for the service.
- (3) The HIF provider must comply with the request within the period stated in the notice.
- (4) If the information given to the chief executive changes, the HIF provider must give details of the change to the chief executive as soon as practicable.

35 Information about housing service

- (1) This section applies to an HIF provider that receives funding to provide a housing service.
- (2) The chief executive may, by notice, require the HIF provider to give the following information to the chief executive—
 - (a) information, including, for example, financial information, about the housing service;

- (b) information about the use of a funded property for the housing service;
 - (c) non-identifying information about a client of the HIF provider;
 - (d) any other information about the funding the chief executive considers appropriate.
- (3) The HIF provider must comply with the request within the period stated in the notice.
- (4) In this section—
- client*—
- (a) means a person who—
 - (i) is receiving a housing service from the HIF provider; or
 - (ii) has applied to the HIF provider for a housing service; and
 - (b) includes a tenant.

Part 4 Contracts register

36 Contracts register

- (1) The chief executive must keep a contracts register.
- (2) The chief executive may keep the contracts register in the form the chief executive considers appropriate.

37 Recording particulars in contracts register

- (1) This section applies if a section contract is lodged with the chief executive.
- (2) The chief executive must record the following particulars in the contracts register—
 - (a) particulars about the section contract, including, for example, the name of the purchaser;

- (b) particulars about a registrable document or other document relating to the section contract, including, for example, when the chief executive recorded the document in the register;
- (c) any other particulars about the section contract that the chief executive considers should be recorded to ensure the register is an accurate, comprehensive and usable record of the contract, including, for example—
 - (i) when the section contract ends; and
 - (ii) the reason for the section contract ending.

Examples for subparagraph (ii)—

- 1 The amount payable under the section contract has been fully paid.
- 2 The purchaser breached the terms of the section contract.

38 Keeping other information

The chief executive may keep, separately from the contracts register, any information the chief executive considers necessary or desirable for the effective or efficient operation of the register.

39 Documents forming part of contracts register

A document—

- (a) forms part of the contracts register when the document is lodged; and
- (b) is registered when particulars about the document are recorded in the contracts register.

40 Searching contracts register

- (1) After paying the fee stated in schedule 1, a person may—
 - (a) search and get a copy of—

- (i) particulars about a section contract that are recorded in the contracts register; or
 - (ii) a document that was lodged but not registered (whether or not the document has been cancelled); or
 - (iii) a registered document; or
 - (iv) information kept under section 38; and
- (b) have a copy of a thing mentioned in paragraph (a) certified by the chief executive to be an accurate copy.
- (2) However, a person may not search or get a copy of a document that the chief executive has disposed of under the *Public Records Act 2023*.
- (3) The chief executive may certify a copy of a document mentioned in subsection (1)(a).
- (4) A copy of a document that purports to have been certified by the chief executive is, in a proceeding, evidence of the document.
- (5) In this section—
registered document means a registrable document or other document, particulars of which have been recorded in the contracts register under section 37.

41 Correcting contracts register

- (1) The chief executive may correct the contracts register if satisfied—
 - (a) the register is incorrect; and
 - (b) the correction will not prejudice a purchaser's rights.
- (2) For that purpose, the chief executive may correct—
 - (a) a particular in the register; or
 - (b) a document that forms part of the register.
- (3) If the chief executive corrects the contracts register, the chief executive must record in the register—

- (a) the state of the register before it was corrected; and
- (b) the day it was corrected; and
- (c) the reason it was corrected.

42 Requisitions

- (1) This section applies if a person applies to the chief executive to lodge a document under this part.
- (2) The chief executive may, by notice (a *requisition*), require the person to—
 - (a) re-execute, complete or correct the document if the chief executive considers the document is wrong, incomplete or defective; or
 - (b) give the chief executive another document or information to support the person's application within a stated period.
- (3) The requisition may require the other document or information to be verified by a statutory declaration or affidavit.
- (4) The chief executive may extend the period for complying with the requisition.
- (5) The chief executive may refuse to deal with the document until the person—
 - (a) complies with the requisition; and
 - (b) pays the fee stated in schedule 1.

43 Registering death of joint purchaser

- (1) A person may ask the chief executive to register the death of a joint purchaser.
- (2) After receiving a written request to register the death of a joint purchaser, the chief executive may register the death.

44 Registering personal representative

- (1) A person may ask the chief executive to register—
 - (a) the death of a purchaser under a section contract; and
 - (b) the person as the purchaser's personal representative.
- (2) After receiving a written request to register a person as the purchaser's personal representative, the chief executive may register the person as the purchaser's personal representative.
- (3) However, the chief executive may register the person as the purchaser's personal representative only if—
 - (a) the person has obtained a grant of representation for the purchaser and gives the chief executive the grant or a copy of the grant issued by the Supreme Court; or
 - (b) paragraph (a) does not apply and each of the following is satisfied—
 - (i) the purchaser died without a will;
 - (ii) letters of administration of the purchaser's estate have not been granted in Queensland within 6 months after the purchaser's death;
 - (iii) the gross value of the purchaser's estate in Queensland on the day of the purchaser's death was not more than \$150,000;
 - (iv) the chief executive believes the person has a right to obtain a grant of representation; or
 - (c) paragraph (a) does not apply and both of the following are satisfied—
 - (i) the purchaser died with a will;
 - (ii) the chief executive believes the person has a right to obtain a grant of representation.
- (4) A person registered as a personal representative without a grant of representation for the purchaser has the same interest in the section contract as if the person had a grant of representation.

- (5) The validity of an act done, or payment made, in good faith under the section contract by a person registered as personal representative is not affected by a later grant of representation for the purchaser.
- (6) If the person (the *grantee*) who obtains a grant of representation for the purchaser is different from the person registered as personal representative for the purchaser, the registered person must—
 - (a) account to the grantee for an interest in the section contract that the registered person controlled before the grant was made; and
 - (b) take all action necessary to vest the interest in the contract that remains under the registered person's control in the grantee.
- (7) In a section contract, a reference to a purchaser includes a reference to the purchaser's personal representative, to the extent there is no contrary intention in the section contract.

45 Registering person beneficially entitled

- (1) A person who is beneficially entitled under a will to a purchaser's interest in a section contract may ask the chief executive to register a transmission of the purchaser's interest to the person.
- (2) After receiving a written request to register the transmission, the chief executive may register the transmission.
- (3) However, the chief executive may register the transmission only if—
 - (a) the purchaser's personal representative gives written approval; and
 - (b) the chief executive is satisfied the person is beneficially entitled to the interest.

46 Registering other dealings

- (1) The chief executive may register particulars about each of the following dealings if a request to register the dealing is lodged—
 - (a) a change or correction of the name of a purchaser under a section contract;
 - (b) a court order affecting (directly or indirectly) a purchaser's interest in a section contract;
 - (c) a court order setting aside a court order mentioned in paragraph (b);
 - (d) a power of attorney;
 - (e) a revocation of a power of attorney;
 - (f) a transmission of a purchaser's interest in a section contract under a law about bankruptcy;
 - (g) a disclaimer of an interest in a section contract under a law about bankruptcy;
 - (h) an assignment of a purchaser's interest in a section contract;
 - (i) a severance of a joint tenancy between joint purchasers under a section contract.
- (2) The request must—
 - (a) be in writing; and
 - (b) if the request is a registrable document—be in the form (if any) that the chief executive approves under section 47.

47 Form of registrable document

- (1) The chief executive may approve the form of a registrable document.
- (2) If the chief executive has approved the form of a registrable document, the chief executive may register information in a registrable document only if—

- (a) the document is in the approved form; or
- (b) the chief executive considers it appropriate, in the circumstances, to register information in a document that is not in the approved form.

Part 5 Fees

48 Fees

The fees payable under the Act are stated in schedule 1.

49 Expenses of taking possession

- (1) This section applies if—
 - (a) the chief executive takes possession of land under a section contract; and
 - (b) the section contract provides for an amount to be paid to the chief executive for the expenses of taking possession.
- (2) The purchaser under the section contract must pay the chief executive the chief executive's actual expenses of taking possession.
- (3) The chief executive may recover an amount mentioned in subsection (2) as a debt payable by the purchaser to the chief executive.

Part 6 Miscellaneous

50 Prescribed housing service information—Act, s 18

- (1) For section 18(1) of the Act, housing service information is prescribed if the information—
 - (a) has been given by a residential tenant to the chief executive or a funded provider; and

- (b) is about any of the following—
 - (i) the number of people (each an **occupant**) who live in the housing provided under the housing service at any time during the tenancy period;
 - (ii) the identity, and income, of each occupant;
 - (iii) when each occupant became an occupant;
 - (iv) when each occupant stopped being an occupant.

- (2) In this section—

residential tenancy agreement means either of the following within the meaning of the *Residential Tenancies and Rooming Accommodation Act 2008*—

- (a) a residential tenancy agreement;
- (b) a rooming accommodation agreement.

residential tenant means a person to whom the State or a funded provider has provided a housing service under a residential tenancy agreement.

tenancy period means the period when people live in the housing provided under the housing service, under the residential tenancy agreement, including any renewal or extension of the agreement.

51 Standard interest rate policy—Act, s 92

- (1) This section prescribes the interest rate policy for section 92(3) of the Act.
- (2) A declared standard fixed interest rate must not be—
 - (a) more than the highest of the bank standard fixed interest rates, for the period, that applies on the chosen day; or
 - (b) less than the lowest of the bank standard fixed interest rates, for the period, that applies on the chosen day.
- (3) A declared standard variable interest rate must not be—
 - (a) more than the highest of the bank standard variable interest rates that applies on the chosen day; or

(b) less than the lowest of the bank standard variable interest rates that applies on the chosen day.

(4) In this section—

bank standard fixed interest rates, for a period, means the standard fixed interest rates that the major banks charge for a home loan for the period.

bank standard variable interest rates means the standard variable interest rates that the major banks charge for a home loan.

chosen day means a day, chosen by the chief executive at the time of declaring a standard interest rate, that is within 1 month before the chief executive sets the rate.

home loan means a loan secured by a mortgage over a residential property that the mortgagor lives in.

major banks means—

- (a) Australia and New Zealand Banking Group Limited ACN 005 357 522; and
- (b) Commonwealth Bank of Australia ACN 123 123 124; and
- (c) National Australia Bank Limited ACN 004 044 937; and
- (d) Westpac Banking Corporation ACN 007 457 141.

52 Prescribed non-profit organisations—Act, s 94I

For section 94I of the Act, definition *non-profit organisation*, paragraph (b), Homes For Homes Limited ACN 143 151 544 is prescribed.

53 End of transitional period—Act, s 156

- (1) For section 156 of the Act, definition *transitional period*, paragraph (b)(i), the day prescribed is—

- (a) for an accommodation provider that is a relevant entity—30 June 2019; or
 - (b) for any other accommodation provider—31 December 2018.
- (2) In this section—

relevant entity means—

- (a) ABIS Community Co-Operative Society Limited ABN 57 050 218 568; or
- (b) Aboriginal Corporation for Malanbarra Midja Housing & Welfare ABN 56 681 553 317; or
- (c) Camu Community Co-Operative Society Ltd ABN 86 464 271 448; or
- (d) Gladstone Aboriginal & Islanders Co-operative Society Ltd ABN 90 298 378 833; or
- (e) Gungarde Community Centre Aboriginal Corporation ABN 45 180 964 190; or
- (f) The Hinchinbrook Aboriginal & Islander Housing Co-Operative Society Ltd ABN 56 284 560 043; or
- (g) an indigenous local government; or
- (h) Kabi Kabi Aboriginal Corporation ABN 76 721 521 447; or
- (i) Longreach Aboriginal & Torres Strait Islanders Corporation for Housing and Business ABN 53 873 216 837; or
- (j) Maryborough Aboriginal Corporation for Housing & Cultural Development ABN 50 649 697 383; or
- (k) Ngoonbi Community Services Indigenous Corporation ABN 40 047 335 486; or
- (l) S.P.K. Housing Group Limited ABN 41 060 733 744; or
- (m) St. George Aboriginal Housing Company Limited ABN 54 010 079 679; or

- (n) Umpi Korumba Aboriginal and Torres Strait Islanders Corporation for Housing ABN 64 042 106 493.

54 Transferring or disposing of relevant assets—Act, s 159

- (1) For section 159(2) of the Act, this section prescribes the way an accommodation provider must transfer or otherwise dispose of each of the provider's relevant assets.
- (2) The accommodation provider must consult with the chief executive about the most appropriate way of transferring or otherwise disposing of the relevant asset, before transferring or otherwise disposing of the asset.
- (3) The accommodation provider may transfer or otherwise dispose of the relevant asset—
 - (a) by transferring, surrendering or assigning the provider's interest in the asset to—
 - (i) the chief executive; or
 - (ii) a registered provider, with the chief executive's written consent; or
 - (b) in another way, with the chief executive's written consent.
- (4) Also, if the relevant asset is relevant property that is not a lease, the accommodation provider may dispose of the relevant asset by paying the value of the chief executive's interest in the property to the department.
- (5) The chief executive may impose a condition on a written consent given under this section if the chief executive considers the condition is reasonably necessary to protect the asset.
- (6) The accommodation provider must comply with the condition.
- (7) In this section—

lease means a lease of relevant property by the chief executive, or Queensland Housing Commission, to the accommodation provider for a relevant housing service.

55 Exempt providers—Act, sch 4

For schedule 4 of the Act, definition *exempt provider*, paragraph (b), a BTR provider and an HIF provider are each prescribed as being eligible to receive funding to provide—

- (a) a particular social housing service in this jurisdiction; or
- (b) any social housing service in this jurisdiction.

Part 7 Transitional provisions

56 Definition for part

In this part—

expired regulation means the expired *Housing Regulation 2015*.

57 Saving of operation of transitional provisions

Sections 39 and 40 of the expired regulation are declared to be laws to which the *Acts Interpretation Act 1954*, section 20A applies.

58 Deferral of obligation to implement new policies

- (1) The requirement under section 14 of this regulation to implement the Social Housing Eligibility Criteria and Social Housing Allocations Policy does not apply until 14 September 2026.
- (2) Despite its expiry, section 14 of the expired regulation continues to apply from the commencement until 14 September 2026 to a funded provider that receives funding to provide a social housing service.

59 References to expired policies

In a document, including, for example, a funding agreement—

- (a) a reference to the Social Housing Eligibility Criteria under section 14 of the expired regulation may, if the context permits, be taken to be a reference to the Social Housing Eligibility Criteria under section 14 of this regulation; and
- (b) a reference to the Allocations Policy for Funded Social Housing Providers under section 14 of the expired regulation may, if the context permits, be taken to be a reference to the Social Housing Allocations Policy under section 14 of this regulation.

60 References to expired regulation

In a document, a reference to the expired regulation may, if the context permits, be taken to be a reference to this regulation.

Schedule 1 Fees

section 48

Part 1 Applications and consents

	Fee units
1 Fee for an application for a loan (Act, s 101(2)(b))—	
(a) for building residential premises	914.00
(b) for buying existing residential premises	789.25
(c) for carrying out building and related works for existing residential premises	789.25
2 Fee for consent to a transfer, between the parties to a section contract or a mortgage, of an interest in the contract or mortgage (Act, s 101(2)(b))	337.15

Part 2 Contracts register

	Fee units
3 Fee for lodging a registrable document under part 4 (Act, s 101(2)(b))—	
(a) for the first document relating to a section contract that is lodged	146.45
(b) for each additional document relating to a section contract that is lodged at the same time as a document mentioned in paragraph (a)	33.50
4 Fee for searching each of the following (s 40(1))—	
(a) the contracts register	16.65
(b) a document mentioned in section 40(1)(a)(ii) or (iii)	16.65

Schedule 1

	Fee units
(c) information kept under section 38	16.65
5 Fee for a copy of the particulars, a document or the information mentioned in section 40(1)(a) (s 40(1))	16.65
6 Fee for a certified copy of the particulars, a document or the information mentioned in section 40(1)(a) (s 40(1))	33.50
7 Fee for sending a person a copy of the particulars, a document or the information mentioned in section 40(1)(a) by post, email or other electronic means (s 40(1))	13.15
8 Fee for a requisition for a document lodged with the chief executive (s 42(5)(b))	41.95

Part 3 Other fees

	Fee units
9 Administration fee if a payment is required under the Act (including a payment mentioned in an instrument made under the Act) and a financial institution dishonours the payment (Act, s 101(2)(b))	18.90
10 Fee for the chief executive paying an insurance premium on behalf of a borrower or purchaser under a section contract or a mortgage (Act, s 101(2)(b))	46.20
11 Fee payable by a person for requesting the chief executive to produce a document to another person (Act, s 101(2)(b))	97.45

Schedule 2 Dictionary

section 3

BTR provider see section 20.

Build to Rent pilot project see section 21.

contracts register means the register of section contracts that the chief executive keeps under section 36(1).

funded property, of a funded provider providing a housing service, means—

- (a) land that the chief executive, or another funded provider, transfers to the funded provider; or
- (b) land that the funded provider acquires, wholly or partly, using funding or receipts for the housing service; or
- (c) land held by the funded provider on which housing has been constructed, or other improvements have been made, wholly or partly by—
 - (i) the chief executive; or
 - (ii) using funding or receipts for the housing service; or
- (d) property that the chief executive leases to the funded provider for the provision of the housing service; or
- (e) property that the funded provider leases using, wholly or partly, funding or receipts for the housing service; or
- (f) improvements to land, other than land owned by the department, made using funding or receipts for the housing service; or
- (g) receipts for the housing service; or
- (h) an amount mentioned in—
 - (i) section 8(1); or
 - (ii) section 9.

HIF provider see section 20.

Housing Investment Fund program see section 22.

implement, a document, means implement and comply with the contents of the document.

indigenous local government see the *Local Government Act 2009*, schedule 4.

joint purchaser means a person who purchases a property as a joint tenant under a section contract.

keep, a document, means—

- (a) prepare the document; and
- (b) keep the document up-to-date.

power of attorney means—

- (a) a general power of attorney made under the *Powers of Attorney Act 1998*; or
- (b) an enduring power of attorney under the *Powers of Attorney Act 1998*; or
- (c) a power of attorney made other than under the *Powers of Attorney Act 1998*, whether before or after its commencement; or
- (d) a similar document under the law of another jurisdiction.

purchaser means a purchaser under a section contract.

receipts, for a housing service that a funded provider provides, means—

- (a) funding paid to the funded provider by the chief executive; or
- (b) an amount, other than funding, that the funded provider receives for providing the service, including, for example, rent and fees; or
- (c) the proceeds of sale of a funded property; or
- (d) interest on an amount mentioned in paragraph (a), (b) or (c).

registrable document means a request to register—

- (a) a change or correction of the name of a purchaser under a section contract; or
- (b) a court order affecting, whether directly or indirectly, a purchaser's interest in a section contract; or
- (c) a court order setting aside a court order mentioned in paragraph (b); or
- (d) a power of attorney; or
- (e) a revocation of a power of attorney; or
- (f) the death of a joint purchaser; or
- (g) the death of a purchaser under a section contract; or
- (h) a person as the purchaser's personal representative; or
- (i) a transmission of a purchaser's interest in a section contract to a person beneficially entitled under a will; or
- (j) a transmission of a purchaser's interest in a section contract under a law about bankruptcy; or
- (k) a disclaimer of an interest in a section contract under a law about bankruptcy; or
- (l) an assignment of a purchaser's interest in a section contract; or
- (m) the severance of a joint tenancy of joint purchasers.

residential premises means—

- (a) a residence; or
- (b) premises where a residential service is provided; or
- (c) other premises that provide residential accommodation.

residential service see the *Residential Services (Accreditation) Act 2002*, section 4.

section contract means a contract entered into under—

- (a) section 113 of the Act; or
- (b) section 24(1AA), (1AB) and (1A) of the repealed Act.