

Queensland



*Rental Bond Act 1989*

# **RENTAL BOND REGULATION 1992**

**Reprinted as in force on 20 January 1994  
(includes amendments up to SL No. 520 of 1993)**

**Reprint No. 2**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy**

# Information about this reprint

This regulation is reprinted as at 20 January 1994. As required by section 5 of the Reprints Act 1992, it—

- shows the law as amended by all amendments that commenced on or before that day; and
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

As required by section 6 of the Reprints Act 1992, the reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

The opportunity has also been taken, under section 7 of the Reprints Act 1992, to do the following—

- correct spelling, and use different spelling consistent with current legislative drafting practice, as permitted by section 26(2) of that Act;
- use punctuation consistent with current legislative drafting practice as permitted by section 27 of that Act.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A Table of previous reprints is included in the Endnotes.

**Also see Endnotes for—**

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

# Queensland



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## **RENTAL BOND REGULATION 1992**

[as amended by all amendments that commenced on or before 20 January 1994<sup>2</sup>]

### **Short title**

1. This regulation may be cited as the *Rental Bond Regulation 1992*<sup>3-5</sup>.

### **Commencement**

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

### **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 lodgment**

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 lodgment 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 lodgment 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.

### **Exemption from s 23A of the Act**

**12A.** A residential tenancy agreement with an entity specified in the Schedule is exempt from the requirements of section 23A of the Act, subject to the condition that the entity must not require a rental bond of more than the amount specified in the Schedule for the entity.

### **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.

**SCHEDULE****RENTAL BOND EXEMPTIONS**

section 12A

	\$
1. Council of the Shire of Broadsound .....	400.00
2. Council of the Shire of Cloncurry .....	400.00
3. Collinsville Coal Company Pty Ltd .....	300.00
4. Northern Regional Health Authority—	
(a) for a 2 bedroom residential premises .....	560.00
(b) for a 3 bedroom residential premises .....	760.00

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in section 5(c) of the Reprints Act 1992. Accordingly, this reprint includes all amendments that commenced operation on or before 20 January 1994. Future amendments of the Rental Bond Regulation 1992 may be made in accordance with this reprint under section 49 of the Reprints Act 1992.

### 3 Table of previous reprints

Reprint No.	Amendments included	Reprint date
1	none	1 June 1992

### 4 List of legislation

#### **Rental Bond Regulation 1992 SL No. 25**

pubd Gaz 29 February 1992 pp 1252–6

ss 1–2, 6 commenced on date of publication

remaining provisions commenced 1 April 1992 (see s 2)

as amended by—

#### **Rental Bond Amendment Regulation (No. 1) 1993 SL No. 520**

notfd Gaz 17 December 1993 pp 1812–21

commenced on date of notification

## **5 List of annotations**

### **Key to abbreviations in list of annotations**

<b>amd</b>	=	<b>amended</b>
<b>Chap</b>	=	<b>Chapter</b>
<b>cl</b>	=	<b>clause</b>
<b>def</b>	=	<b>definition</b>
<b>Div</b>	=	<b>Division</b>
<b>hdg</b>	=	<b>heading</b>
<b>ins</b>	=	<b>inserted</b>
<b>om</b>	=	<b>omitted</b>
<b>prec</b>	=	<b>preceding</b>
<b>pres</b>	=	<b>present</b>
<b>prev</b>	=	<b>previous</b>
<b>(prev)</b>	=	<b>previously</b>
<b>prov</b>	=	<b>provision</b>
<b>Pt</b>	=	<b>Part</b>
<b>RA</b>	=	<b>Reprints Act 1992</b>
<b>renum</b>	=	<b>renumbered</b>
<b>Sdiv</b>	=	<b>Subdivision</b>
<b>sub</b>	=	<b>substituted</b>

**Provisions not included in reprint, or amended by amendments not included in reprint, are underlined**

### **Repeal**

**s 3** om (see s 40 RA)

### **Exemption from s 23A of the Act**

**s 12A** ins 1993 SL No. 520 s 3

### **SCHEDULE—RENTAL BOND EXEMPTIONS**

ins 1993 SL No. 520 s 4