

1993

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

**LANDLORD AND TENANT ACT 1949
LANDLORD AND TENANT REGULATIONS (AMENDMENT)**

EXPLANATORY MEMORANDUM

**Circulated by Authority of the Minister for Housing and
Community Services**

Terry Connolly MLA

LANDLORD AND TENANT REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

The *Landlord and Tenant Act 1949* ('the Act') regulates the relationship between lessors (landlords) and lessees (tenants) by controlling rents and other payments in connection with leased premises and by providing mechanisms for the recovery of possession of premises.

Part IIAA of the Act also provides an arrangement for the protection of moneys paid by lessees to lessors as a bond. The moneys that are paid to the Director of Rental Bonds under the Act are required, by section 62K, to be paid into the Trust Fund kept under section 82 of the *Audit Act 1989*. The interest from those moneys is required by section 62AL to be applied firstly to paying into Consolidated Revenue an amount equivalent to any appropriations made for the purposes of administering the rental bonds scheme, and secondly, to any prescribed purpose.

The Landlord and Tenant Regulations (Amendment) prescribes the purpose for which the interest in excess of the appropriation will be applied.

Details of the regulations are as follows.

Regulation 1 provides that the Landlord and Tenant Regulations (Amendment) will commence on 1 October 1993.

Regulation 2 inserts a new regulation 5. New regulation 5 specifies the provision of information and advisory services to tenants as a prescribed purpose to which excess interest from the Trust Fund may be applied.