

# Residential Tenancies (Fund) Bill

No.

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# LEGISLATIVE ASSEMBLY

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Read 1° 30 October 1991

*(Brought in by Mr McCutcheon and Mr Kennan)*

## A BILL

to amend the **Residential Tenancies Act 1980** to enable payments to be made out of the Residential Tenancies Fund for purposes related to housing, and to amend the **Caravan Parks and Movable Dwellings Act 1988** and the **Rooming Houses Act 1990** and for other purposes.

### **Residential Tenancies (Fund) Act 1991**

The Parliament of Victoria enacts as follows:

#### **1. Purpose**

5 The main purpose of this Act is to amend the **Residential Tenancies Act 1980** to enable payments to be made out of the Residential Tenancies Fund for purposes related to housing.

#### **2. Commencement**

This Act comes into operation on a day to be proclaimed.

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Section headings appear in bold italics and are not part of the Act (see **Interpretation of Legislation Act 1984**).

**3. Functions of Director**

In section 11 (1) (f) of the **Residential Tenancies Act 1980** omit “, and to provide financial assistance from the Fund to,”.

**4. New sections 53A, 53B and 53C inserted** 5

After section 53 of the **Residential Tenancies Act 1980** insert—

**“53A. Payments out of Fund for particular purposes**

(1) The Minister may authorise payments out of the Fund to provide financial assistance to government departments, statutory authorities, municipal councils and other persons or bodies engaged in— 10

- (a) providing information about this Act; or
- (b) programs for educating or informing the public about this Act; or 15
- (c) conducting research into matters relating to tenancy agreements.

(2) The Minister may authorise payments out of the Fund to the Minister administering the **Housing Act 1983** to provide financial assistance for housing projects and support services for tenants other than tenants in housing owned by or vested in the Director of Housing. 20  
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**53B. Ministers to fix total payments**

(1) The Minister and the Minister administering the **Housing Act 1983** may jointly fix the amount to be paid out of the Fund under section 53A (2) in any year. 30

(2) The total amount paid out of the Fund under section 53A (2) in any year must not exceed the amount fixed under sub-section (1) in respect of that year.

- 5 (3) If the amount paid out of the Fund under section 53A (2) in any year is less than the total amount fixed under sub-section (1) in respect of that year the remaining amount remains in the Fund and may be paid out for that purpose in a later year or years.

**53C. *Restriction on fixing of amounts***

10 The Ministers must not fix an amount under section 53B in respect of any year unless they are satisfied that there will be sufficient money in the Fund for the purposes of section 53A (2) after all other payments which will be required or authorised to be made under section 51 in respect of that year have been provided for.”.

15 **5. *Loans from Fund***

In section 54 (1) and (2) of the **Residential Tenancies Act 1980**, for “Director” (wherever occurring) substitute “Minister”.

20 **6. *Amendment of Caravan Parks and Movable Dwellings Act 1988***

In section 60A of the **Caravans Parks and Movable Dwellings Act 1988** for “The Director may provide” substitute “The Minister may authorise the provision of”.

**7. *Amendment of Rooming Houses Act 1990***

25 In section 53 of the **Rooming Houses Act 1990** for “The Director may provide” substitute “The Minister may authorise the provision of”.

