

2004

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Mrs Helen Cross)

## **Residential Property (Awareness of Asbestos) Amendment Bill 2004**

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### **A Bill for**

An Act to amend the *Civil Law (Sale of Residential Property) Regulations 2004*  
and the *Residential Tenancies Act 1997*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

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2004 080B

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

1 **1 Name of Act**

2 This Act is the *Residential Property (Awareness of Asbestos)*  
3 *Amendment Act 2004*.

4 **2 Commencement**

5 This Act commences on—

6 (a) the day the *Civil Law (Sale of Residential Property)*  
7 *Regulations 2004*, regulation 7 (3) commences; or

8 (b) if regulation 7 (3) has already commenced—the day after this  
9 Act's notification day.

10 *Note* The naming and commencement provisions automatically commence on  
11 the notification day (see Legislation Act, s 75 (1)).

12 **3 Legislation amended**

13 This Act amends the *Civil Law (Sale of Residential Property)*  
14 *Regulations 2004*.

15 *Note* This Act also amends the *Residential Tenancies Act 1997* (see s 7).

16 **4 New regulation 7 (2A)**

17 *insert*

18 (2A) The report must also state—

19 (a) whether there is asbestos or an asbestos product in any building  
20 on the property; and

21 (b) if there is asbestos or an asbestos product in a building—

22 (i) the exact location of the asbestos or asbestos product; and

23 (ii) the kind of asbestos or asbestos product in the location;  
24 and

1 (c) whether access to part of a building was limited or not  
2 available during the inspection.

3 **5 Regulation 7 (7), new definitions**

4 *insert*

5 *asbestos*—see the *Dangerous Substances (General) Regulations*  
6 *2004*, regulation 151.

7 *asbestos product* means anything that contains asbestos.

8 **6 Regulation 7**

9 *renumber subregulations when regulations next republished under*  
10 *Legislation Act.*

11 **7 Residential Tenancies Act 1997, new section 12 (3) (d)**  
12 **and (4)**

13 *insert*

14 (d) if there is asbestos or an asbestos product in the premises that  
15 are the subject of the proposed residential tenancy agreement—

16 (i) the exact location of the asbestos or asbestos product; and

17 (ii) the kind of asbestos or asbestos product in the location.

18 (4) In this section:

19 *asbestos*—see the *Dangerous Substances (General) Regulations*  
20 *2004*, regulation 151.

21 *asbestos product* means anything that contains asbestos.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2004.

**2 Notification**

Notified under the Legislation Act on 2004.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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