

2025

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Peter Cain)

# Residential Tenancies (Posting Termination) Amendment Bill 2025

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## A Bill for

An Act to amend the *Residential Tenancies Act 1997*

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

- 1     **1     Name of Act**
- 2             This Act is the *Residential Tenancies (Posting Termination)*
- 3             *Amendment Act 2025*.
- 4     **2     Commencement**
- 5             This Act commences on the 7th day after its notification day.
- 6             *Note*     The naming and commencement provisions automatically commence on
- 7                     the notification day (see [Legislation Act](#), s 75 (1)).
- 8     **3     Legislation amended**
- 9             This Act amends the [Residential Tenancies Act 1997](#).
- 10    **4     Posting termination clause**
- 11    **Schedule 2, section 2.1, clause 102 (1) and (2)**
- 12             *substitute*
- 13             (1) The residential tenancy agreement may be terminated—
- 14                 (a) if the lessor or the lessor’s domestic partner is posted to the ACT
- 15                     in the course of their employment—by the lessor giving the
- 16                     tenant at least 8 weeks notice to vacate the premises; or
- 17                 (b) if the tenant is posted away from the ACT in the course of their
- 18                     employment—by the tenant giving the lessor at least 8 weeks
- 19                     notice of the tenant’s intention to vacate.
- 20             (2) A notice under subclause (1) must be accompanied by—
- 21                 (a) evidence of the posting; and
- 22                 (b) if the person being posted is the lessor’s domestic partner—
- 23                     evidence of the domestic partnership.
- 24             **Example—evidence of posting**
- 25             a letter from the employer of the person being posted confirming the details of the
- 26             posting

**Examples—evidence of domestic partnership**

- a declaration made under the *Civil Unions Act 2012*
- a marriage certificate issued under the *Marriage Act 1961* (Cwlth)
- a statutory declaration made by the person being posted in relation to their domestic partnership with the lessor
- a letter from the employer of the person being posted confirming that the employer recognises that person as the lessor's domestic partner

**5 New part 20***insert*

## Part 20 Transitional—Residential Tenancies (Posting Termination) Amendment Act 2025

### 165 Application of posting termination clause to residential tenancy agreement entered into before commencement day

- (1) This section applies to a residential tenancy agreement that—
  - (a) was entered into before the commencement day; and
  - (b) contains the posting termination clause.
- (2) The posting termination clause as in force immediately before the commencement day continues to apply to the residential tenancy agreement.
- (3) In this section—
 

*commencement day* means the day the *Residential Tenancies (Posting Termination) Amendment Act 2025*, section 4 commences.

*posting termination clause* means the clause in schedule 2, section 2.1.

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## 1

Presentation speech made in the Legislative Assembly on 6 May 2025.

## 2

Notified under the [Legislation Act](#) on 2025.

## 3

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