

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

**RESIDENTIAL TENANCIES ACT REGULATIONS 1998**

**EXPLANATORY MEMORANDUM**

**Circulated by the authority of  
Gary Humphries MLA  
Minister for Justice and Community Safety**



## ACT GOVERNMENT

### Residential Tenancies Act Regulations 1998

#### Regulations 1, 2 and 3

Regulation 1 and 2 are formal requirements. Regulation 1 provides for the citation of the Regulations. Regulation 2 ensures that the Regulations commence at the same time as the *Residential Tenancies Act 1997* ("the Act"). Regulation 3 provides for the interpretation of the term "the Act", the Act means the *Residential Tenancies Act 1997*.

#### Regulation 4

Regulation 4 deals with interest earned from the investment of rental bond monies held on trust. The Regulation provides that the interest may only be used for the purposes stated in paragraphs 28(2)(a) to (e) of the Act, that is

- providing lessor and tenant information programs;
- providing dispute resolution services for residential tenancy disputes;
- facilitating assistance in the provision of residential accommodation, whether or not that accommodation is provided pursuant to the Residential Tenancies Act;
- researching issues of concern to lessors and tenants; and
- reimbursing the costs incurred by the Director when instituting, defending or taking over proceedings that relate to a residential tenancy dispute.

#### Regulation 5

Regulation 5 prescribes methods of service for termination notices under the Act. These methods of service are personal service and postal service.

#### Regulation 6

Regulation 6 deals with the particulars to be stated in applications under section 73 of the Act for the resolution of a residential tenancy dispute. The particulars deal with the information normally required in such an application, such as the name and address of the applicant, whether the applicant is the lessor or tenant, the address of the premises to which the residential tenancy agreement relates to and the nature of the relief sought to resolve the dispute.

#### Regulation 7

Regulation 7 deals with mediation under section 75 of the Act. It provides that a mediator who has been referred a residential tenancy dispute under section 75 of the