Western Australia

Distress for Rent Abolition Act 1936

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Distress for Rent Abolition Act 1936

An Act to abolish distress for rent and for other relative purposes.

1. Short title

This Act may be cited as the *Distress for Rent Abolition Act 1936*.

2. Abolition of distress for rent due

After the commencement of this Act no distress for rent shall be levied or made.

*[**3.** Deleted: No. 14 of 2025 s. 19(2).]*

4. Restriction of remedies of mortgagee or annuitant against tenant

In lieu of the power of distress for rent contained in section 112 of the *Transfer of Land Act 1893*, as against the tenant or occupier for arrears of any interest or annuity therein referred to, the person to whom the interest or annuity is due may, subject to the proviso in the said section as to liability, recover the same in any court of competent jurisdiction as a debt from the occupier or tenant of the land mentioned in the mortgage or charge.

5. Saving of right to recover by action

Nothing in this Act shall prejudice or affect the right of a person to whom rent is due to recover the same as a debt from the person liable to pay the same in any court of competent jurisdiction.

*[**6.** Deleted: No. 59 of 2004 s. 141.]*

Notes

This is a compilation of the *Distress for Rent Abolition Act 1936* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Short title	Number and year	Assent	Commencement
Distress for Rent Abolition Act 1936	38 of 1936	11 Dec 1936	11 Dec 1936
Distress for Rent Abolition Act Amendment Act 1941	14 of 1941	7 Nov 1941	7 Nov 1941
Residential Tenancies Act 1987 s. 89	128 of 1987	21 Jan 1988	1 Oct 1989 (see s. 2 and *Gazette* 18 Aug 1989 p. 2748)
Reprint 1: The *Distress for Rent Abolition Act 1936* as at 4 July 2003 (includes amendments listed above)			
Courts Legislation Amendment and Repeal Act 2004 s. 141	59 of 2004	23 Nov 2004	1 May 2005 (see s. 2 and *Gazette* 31 Dec 2004 p. 7128)
Statutes (Repeals and Minor Amendments) Act 2025 s. 19	14 of 2025	25 Sep 2025	26 Sep 2025 (see s. 2(b))

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