

FT301

RESIDENTIAL TENANCIES ACT 1987

RESIDENTIAL TENANCIES AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Residential Tenancies Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Residential Tenancies Regulations 1989** are referred to as the principal regulations.

[* *Published in Gazette of 9 August 1989 at pp. 2563-85.*
For amendments to 20 July 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 223.]

Regulation 5C inserted

3. After regulation 5B of the principal regulations the following regulation is inserted —

“

Exemptions for employment-linked tenancy agreements

- 5C. (1) A residential tenancy agreement by which —
- (a) an employer grants to an employee a right to occupy premises;
 - (b) employment with that employer is a condition of the employee having that right;
 - (c) the rent is calculated as a proportion of the employee's salary or wage; and
 - (d) the employee receives a pay slip or salary advice detailing the rent component deducted from the wage or salary,

is prescribed under section 6 (a) of the Act as a residential tenancy agreement to which section 30 (1) of the Act shall not apply.

(2) If the method of payment of rent under a residential tenancy agreement described in subregulation (1) is by direct deduction of a percentage of the employee's wage or salary by the employer, that residential tenancy agreement is also prescribed under section 6 (a) of the Act as a residential tenancy agreement to which section 33 of the Act shall not apply.

”

Regulation 19 amended

4. Regulation 19 (1) of the principal regulations is amended by deleting “6 per cent” and substituting the following —

“ 5 % ”.

Schedule 2 amended

5. Schedule 2 to the principal regulations is amended in clause 15 in the paragraph commencing “INTEREST” by deleting “6 per cent” in the 2 places where it occurs and substituting in each case the following —

“ 5 % ”.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.