



Speech by

Hon. MARGARET KEECH

MEMBER FOR ALBERT

Hansard 20 April 2004

RESIDENTIAL SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Hon. M. M. KEECH (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (12.48 p.m.): I move—

That the bill be now read a second time.

The objective of this bill is to exempt independently operated student accommodation from the Residential Services (Accreditation) Act 2002.

On 23 August 2002, the government introduced a new regulatory regime for the private residential services sector. This sector includes three accommodation types: boarding houses, supported accommodation hostels and aged rental complexes.

The residents of this sector include some of the most vulnerable people in the Queensland community. As such, they are more susceptible to exploitation than most other groups in the community and often are unable to exercise the consumer choices that might otherwise allow them to avoid situations of long-term exploitation or abuse.

The Accreditation Act establishes minimum standards for buildings and services and includes an operator registration and accreditation process. Exemptions from the regulatory regime already exist for student accommodation such as university colleges and school boarding houses. Room-only student accommodation, operated by industry independently from either educational institutions or funding from the Department of Education and the Arts, does not fall within these exemptions, and has been inadvertently caught by the generic definition of a 'residential service' in the Accreditation Act.

Such accommodation was never intended to be captured under the Accreditation Act, as student accommodation is generally of a reasonable standard. In addition, students are not considered part of the same vulnerable consumer group which the Accreditation Act targets. Without this exemption, the application of the Accreditation Act would result in industry incurring costs and an administrative burden in having to meet legislative compliance requirements.

Government resources would also be diverted from focusing on the vulnerable target group of the legislation. It is therefore important for independently operated student accommodation to be exempt from the Accreditation Act. Independently operated student accommodation is also covered by the tenancy rights and obligations established in the Residential Services (Accommodation) Act 2002. Such accommodation is not regulated by the Residential Tenancies Act 1994.

Exemption of this student accommodation from the Accreditation Act, however, will also mean automatic exemption from the Accommodation Act because the Accommodation Act uses the Accreditation Act's definition of a 'residential service'. Whilst it is not considered necessary for student accommodation to be covered by registration and accreditation requirements, it is considered important to retain tenancy rights for students in this type of accommodation so that this sector is not left without basic legislated tenancy protections.

This bill therefore amends the Accommodation Act to ensure tenancy rights and obligations are preserved for residents of independently operated student accommodation. I have had the opportunity recently of visiting one such facility in Brisbane to gain a first hand understanding of the problems that are faced by providers as a result of their inclusion in the Residential Services (Accreditation) Act.

In summary, the bill benefits industry by removing the imposition of unintended regulatory requirements, ensures more efficient use of government resources in regulating the residential services sector and preserves tenancy rights for students in room-only independently operated student accommodation. I commend the bill to the House.