

**LEGISLATIVE COUNCIL**

**Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015**

**Second print**

**Proposed amendments**

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- No. 1      **Circumstances in which Tribunal retains discretion**  
Page 5, Schedule 1 [8], proposed section 154D (1), line 34. Omit “The”. Insert instead “Subject to subsection (3), the”.
- No. 2      **Circumstances in which Tribunal retains discretion**  
Page 6, Schedule 1 [8], proposed section 154D (2), lines 7–9. Omit all words on those lines.
- No. 3      **Circumstances in which Tribunal retains discretion**  
Page 6, Schedule 1 [8], proposed section 154D (3), lines 10–13. Omit all words on those lines. Insert instead “Subject to subsection (3), the Tribunal must make a termination order on the application of a landlord if”.
- No. 4      **Circumstances in which Tribunal retains discretion**  
Page 6, Schedule 1 [8], proposed section 154D. Insert after line 39:  
    (3) However:  
        (a) subsection (1) (a) does not apply if the application for the termination order is based on an act of a person who although not a tenant is occupying or jointly occupying the residential premises and not on an act of the tenant, and  
        (b) subsections (1) and (2) do not apply if the Tribunal is satisfied that the termination order would be likely to result in undue hardship being suffered by a child, a person in whose favour an apprehended violence order could be made or a person suffering from a disability within the meaning of the *Anti-Discrimination Act 1977* who is occupying or jointly occupying the social housing premises, and  
        (c) subsection (2) does not apply if the tenant satisfies the Tribunal that there are other exceptional circumstances that justify the order not being made.
- No. 5      **Circumstances in which Tribunal retains discretion**  
Page 7, Schedule 1 [8], proposed section 154D (5), line 6. Omit “decides not to make a termination order under”. Insert instead “does not make a termination order as a consequence of”.