

LEGISLATIVE COUNCIL

COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020

(Amendments to be proposed in Committee by Dr RATNAM)

1. Clause 46, page 163, after line 8 insert—
 "(ia) the need to avoid homelessness during the COVID-19 pandemic;".
2. Clause 46, page 164, lines 3 and 4, omit ", and any outstanding arrears of rent,".
3. Clause 46, page 164, after line 6 insert—
 "(1A) The Tribunal must not make an order under subsection (1) if the order would result in severe hardship to the tenant.
 (1B) The Tribunal must not make an order under subsection (1) that requires the tenant to repay any outstanding arrears of rent.".
4. Clause 46, page 181, lines 27 and 28, omit ", and any outstanding arrears of rent,".
5. Clause 46, page 181, after line 29 insert—
 "(1A) The Tribunal must not make an order under subsection (1) if the order would result in severe hardship to the resident.
 (1B) The Tribunal must not make an order under subsection (1) that requires the resident to repay any outstanding arrears of rent.".
6. Clause 46, page 190, lines 31 and 32, omit "and any outstanding arrears of rent or the hiring charge,".
7. Clause 46, page 190, after line 34 insert—
 "(1A) The Tribunal must not make an order under subsection (1) if the order would result in severe hardship to the resident.
 (1B) The Tribunal must not make an order under subsection (1) that requires the resident to repay any outstanding arrears of rent or the hiring charge.".
8. Clause 46, page 199, lines 23 and 24, omit ", and any outstanding arrears of rent,".
9. Clause 46, page 199, after line 26 insert—
 "(1A) The Tribunal must not make an order under subsection (1) if the order would result in severe hardship to the site tenant.
 (1B) The Tribunal must not make an order under subsection (1) that requires the site tenant to repay any outstanding arrears of rent.".
10. Clause 46, page 212, lines 19 and 20, omit ", and any outstanding arrears of rent,".

11. Clause 46, page 212, after line 22 insert—
 - "(1A) The Tribunal must not make an order under subsection (1) if the order would result in severe hardship to the SDA resident.
 - (1B) The Tribunal must not make an order under subsection (1) that requires the SDA resident to repay any outstanding arrears of rent."
12. Clause 46, page 219, lines 24 and 25, omit "having regard to section 498ZZHA," and insert ", having regard to the need to avoid homelessness during the COVID-19 pandemic and to section 498ZZHA,".
13. Clause 46, page 221, lines 25 and 26, omit "having regard to section 498ZZHA," and insert ", having regard to the need to avoid homelessness during the COVID-19 pandemic and to section 498ZZHA,".
14. Clause 46, page 224, lines 3 and 4, omit "having regard to section 498ZZHA," and insert ", having regard to the need to avoid homelessness during the COVID-19 pandemic and to section 498ZZHA,".
15. Clause 46, page 232, after line 18 insert—
 - "(3) Regulations under section 603(1) that provide for mediation or conciliation of an eligible dispute must impose a time limit by which the mediation or conciliation must be completed, being not more than 5 business days from the day on which a party makes an application under the Scheme in relation to the eligible dispute."
16. Clause 46, page 235, after line 2 insert—
 - "(3) Regulations under section 603(1) that provide for the making of an order that a tenant, resident, site tenant or SDA resident enter into and abide by a payment plan for the payment of rent or hiring charge, or a reduced amount of rent or hiring charge, must require the chief dispute resolution officer not to make such an order if—
 - (a) the order would result in severe hardship to the tenant, resident, site tenant or SDA resident; or
 - (b) the order requires the tenant, resident, site tenant or SDA resident to repay any outstanding arrears of rent or hiring charge."