

LEGISLATIVE COUNCIL

CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015

(Amendments to be proposed in Committee by Ms SPRINGLE)

1. Clause 24, lines 24 to 26, omit all words and expressions on these lines and insert—
  - "(da) by electronic communication in accordance with the **Electronic Transactions (Victoria) Act 2000**, subject to the following conditions—
    - (i) the person has given informed consent in writing to the serving or giving of the notice or other document by electronic communication; and
    - (ii) the consent has not been given under a term, or part of a term, in the tenancy agreement to which the notice or other document relates and has not in any other way been made a condition of entering into that tenancy agreement; and
    - (iii) the notice or other document is sent to the email address or other electronic address nominated by the person in the written consent; or".
2. Clause 24, after line 26 insert—
  - '( ) After section 506(1) of the **Residential Tenancies Act 1997** insert—
    - "(1A) A person may withdraw consent to receiving a notice or other document by electronic communication at any time by giving notice of the withdrawal of that consent to the person to whom it was given.".'.
3. Clause 24, lines 27 to 31, omit subclause (2).
4. Clause 24, after line 31 insert—
  - '( ) In section 506(3)(c) of the **Residential Tenancies Act 1997**, before "in the manner" insert "subject to subsection (3B),".'.
5. Clause 24, page 18, after line 2 insert—
  - '( ) After section 506(3) of the **Residential Tenancies Act 1997** insert—
    - "(3A) Despite any provision in the **Electronic Transactions (Victoria) Act 2000**, a notice to vacate given under Part 6 must not be given by electronic communication.
    - (3B) The Tribunal must not order a notice to vacate given under Part 6 to be given by electronic communication.".'.