

LEGISLATIVE COUNCIL

RESIDENTIAL TENANCIES AMENDMENT (PUBLIC HOUSING) BILL 2011

(Amendments to be proposed in Committee by Ms MIKAKOS)

1. Clause 3, line 6, omit "The" and insert "Subject to this section, the".
2. Clause 3, after line 26 insert—
 - "(3) The Director of Housing must not give a notice under subsection (1) unless the tenant is charged with an offence in relation to the conduct for which the notice is given.
 - (4) For the purposes of subsection (3), a tenant is not charged with an offence if—
 - (a) the prosecution of the charge is discontinued under section 177 of the **Criminal Procedure Act 2009**; or
 - (b) the charge is withdrawn; or
 - (c) the proceeding for the charge is permanently stayed."
3. Clause 3, line 27, omit "(3)" and insert "(5)".
4. Clause 3, page 3, line 19, omit "has committed" and insert "is charged with".
5. Clause 3, page 3, line 20, after "offence" insert "committed".
6. Clause 3, page 3, lines 25 to 30, omit all words and expressions on these lines and insert—
 - '(3) For the purposes of subsection (1), a tenant is not charged with an offence if—
 - (a) the prosecution of the charge is discontinued under section 177 of the **Criminal Procedure Act 2009**; or
 - (b) the charge is withdrawn; or
 - (c) the proceeding for the charge is permanently stayed.".'