

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Question No. 20

Senator Carr asked the following question at the hearing on 14 February 2006:

Following on from the reply to QoN 26 part a) from 31 October 2005:
What 'alternative courses of action' are being considered?

The answer to the honourable senator's question is as follows:

The draft Regulation Impact Statement considers four possible approaches to the regulation of the use of Residential Tenancy Databases (RTDs):

- 1) Self regulation through professional associations
- 2) Quasi-regulation, which could include measures such as industry codes of practice, guidance notes, industry-government agreements or accreditation schemes governing the use of RTDs
- 3) Nationally uniform regulation of the use of RTDs by States and Territories. All States and Territories would enact legislation based on an agreed nationally uniform model, with the Commonwealth taking supporting legislative action to clarify the application of the Privacy Act to RTDs. Jurisdictions that presently have explicit regulation would need to ensure their regulation is consistent with the nationally uniform regulation; or
- 4) Separate RTD regulatory frameworks in each State and Territory.