



New South Wales

# Residential Tenancies Amendment (Protection of Personal Information) Bill 2025

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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Residential Tenancies Amendment (Protection of Personal Information) Bill 2025**

No , 2025

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### **A Bill for**

An Act to amend the *Residential Tenancies Act 2010* to adopt the Australian Privacy Principles for residential tenancy entities; to provide for additional measures to protect personal information about tenants held by residential tenancy entities and residential tenancy database operators; and for other purposes.

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**EXAMINED**

*Speaker*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

*Clerk of the Parliaments*

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<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Residential Tenancies Amendment (Protection of Personal Information) Act 2025</i> .	3
	4
<b>2 Commencement</b>	5
This Act commences as follows—	6
(a) for Schedule 1[13]—on the date of assent to this Act,	7
(b) otherwise—on a day or days to be appointed by proclamation.	8

## Schedule 1      Amendment of Residential Tenancies Act 2010 No 42

### [1]      Section 3 Definitions

Insert in alphabetical order in section 3(1)—

***exclusive supply network*** means—

- (a) an arrangement under which—
  - (i) the supply of a relevant service to residential premises is arranged other than by the tenant of the residential premises, and
  - (ii) the tenant is unable to choose an alternative supplier of the relevant service, or would be required to install infrastructure for the delivery of the service or to pay a network connection charge, to be able to choose an alternative supplier, and

**Note—** An exclusive supply network is sometimes referred to as an embedded network.

- (b) another arrangement for the supply of a relevant service prescribed by the regulations.

***holds***, in relation to personal information, has the same meaning as in the *Privacy Act 1988* of the Commonwealth.

***personal information*** has the same meaning as in the *Privacy Act 1988* of the Commonwealth.

***relevant service*** means the following—

- (a) electricity,
- (b) gas,
- (c) hot water,
- (d) chilled water,
- (e) internet access,
- (f) another service prescribed by the regulations.

***rent record***—see section 37(1).

### [2]      Section 22 Offence relating to terms of residential tenancy agreements

Omit the penalty. Insert instead—

Maximum penalty—

- (a) for an individual—50 penalty units, or
- (b) otherwise—300 penalty units.

### [3]      Section 22B

Insert after section 22A—

#### 22B      Disclosure of certain matters in advertising

- (1) A landlord or landlord's agent must not advertise or otherwise offer for rent residential premises that include an exclusive supply network unless the following is stated in the advertisement or offer—

- (a) the fact the residential premises include an exclusive supply network,
- (b) the relevant service supplied under the exclusive supply network,
- (c) other information prescribed by the regulations.

Maximum penalty—

(a)	for an individual—50 penalty units, or	1
(b)	otherwise—200 penalty units.	2
(2)	A landlord or landlord’s agent must not include in an advertisement or other offer relating to residential premises offered for rent digitally generated or altered images that would be reasonably likely to mislead or deceive a person unless the following is stated in the advertisement or offer—	3
(a)	the fact the images are digitally generated or altered,	4
(b)	other information prescribed by the regulations.	5
	Maximum penalty—	6
(a)	for an individual—50 penalty units, or	7
(b)	otherwise—200 penalty units.	8
(3)	The Secretary may issue guidelines in relation to determining whether digitally generated or altered images would be reasonably likely to mislead or deceive a person.	9
(4)	It is a defence to an offence under subsection (1) if a landlord’s agent shows that the agent did not know, and could not reasonably have found out, the matters required to be stated.	10
(5)	A landlord or landlord’s agent must not advertise or otherwise offer residential premises for rent unless the information required by the regulations is stated in the advertisement or offer.	11
	Maximum penalty—	12
(a)	for an individual—50 penalty units, or	13
(b)	otherwise—200 penalty units.	14
(6)	The regulations may prescribe the form and way in which information under this section must be stated.	15
<b>[4]</b>	<b>Section 23 Limit on amounts payable by tenant before agreement</b>	16
	Omit section 23(1) and (2), penalties. Insert instead—	17
	Maximum penalty—	18
(a)	for an individual—50 penalty units, or	19
(b)	otherwise—200 penalty units.	20
<b>[5]</b>	<b>Section 26 Disclosure of information to tenants generally</b>	21
	Insert after section 26(2A)—	22
(2B)	<b>Disclosure of exclusive supply network</b>	23
	If a residential tenancy agreement relates to residential premises that include an exclusive supply network, the landlord or landlord’s agent must disclose the following before the tenant enters into the residential tenancy agreement—	24
(a)	the fact the residential premises include an exclusive supply network,	25
(b)	the relevant service supplied under the exclusive supply network,	26
(c)	other information prescribed by the regulations.	27
(2C)	The regulations may prescribe the form and way in which information must be disclosed under subsection (2B).	28
<b>[6]</b>	<b>Section 26(3)</b>	29
	Omit “(2) and (2A)(b)”. Insert instead “(2), (2A)(b) and (2B)”.	30

<b>[7] Section 35 Tenant must be offered way to pay rent that is free and convenient</b>	1
Omit section 35(2)–(5), penalties. Insert instead—	2
Maximum penalty—	3
(a) for an individual—50 penalty units, or	4
(b) otherwise—200 penalty units.	5
<b>[8] Section 35(7), penalty</b>	6
Insert at the end of section 35(7)—	7
Maximum penalty—	8
(a) for an individual—50 penalty units, or	9
(b) otherwise—200 penalty units.	10
<b>[9] Section 37 Rent records</b>	11
Insert at the end of section 37(1)—	12
Maximum penalty—	13
(a) for an individual—50 penalty units, or	14
(b) otherwise—200 penalty units.	15
<b>[10] Section 37(2), penalty</b>	16
Insert at the end of section 37(2)—	17
Maximum penalty—	18
(a) for an individual—50 penalty units, or	19
(b) otherwise—200 penalty units.	20
<b>[11] Section 37(3), penalty</b>	21
Insert at the end of section 37(3)—	22
Maximum penalty—	23
(a) for an individual—50 penalty units, or	24
(b) otherwise—200 penalty units.	25
<b>[12] Section 37A</b>	26
Insert after section 37—	27
<b>37A Landlord must give rent record on termination</b>	28
(1) A landlord or landlord’s agent must, on the termination of a residential tenancy agreement, give the tenant a written statement setting out the particulars of the rent record for the tenancy period.	29 30 31
(2) The landlord or agent must give the written notice—	32
(a) within the prescribed period after the termination of the residential tenancy agreement, or	33 34
(b) if no period is prescribed—within 7 days after the termination.	35
Maximum penalty—	36
(a) for an individual—50 penalty units, or	37
(b) otherwise—200 penalty units.	38
(3) The regulations may provide for the following—	39

	(a) the information required to be included in or excluded from the statement in specified circumstances,	1
	(b) a requirement the statement be given in the form and way approved by the Secretary,	2
	(c) the circumstances that require the statement to be given within a period other than 7 days,	3
	(d) if the statement must be given within a period other than 7 days—the prescribed period.	4
[13]	<b>Section 73B Keeping of pets with landlord's consent</b>	5
	Insert after section 73B(1)—	6
	(1A) A tenant who, within 7 days after entering into a residential tenancy agreement, applies under section 73C for the landlord's consent to keep an animal at the residential premises may keep the animal at the premises until the landlord gives the tenant a written response under section 73D.	7
[14]	<b>Section 187 Orders that may be made by Tribunal</b>	8
	Insert after section 187(2)(b)—	9
	(b1) economic loss suffered by a person as a result of a contravention of a provision of Part 11, Division 1A or 1B or the regulations made under Part 11, Division 1A, 1B or 3,	10
[15]	<b>Section 187(2)(c)</b>	11
	Omit “ambiguous or out-of-date”.	12
	Insert instead “ambiguous, out-of-date, incomplete, irrelevant or misleading”.	13
[16]	<b>Part 11, heading</b>	14
	Omit the heading. Insert instead—	15
	<b>Part 11 Privacy and protection of personal information</b>	16
[17]	<b>Section 209 Definitions</b>	17
	Insert in alphabetical order—	18
	<i>APP entity</i> has the same meaning as in the <i>Privacy Act 1988</i> of the Commonwealth.	19
	<i>Australian Privacy Principle</i> has the same meaning as in the <i>Privacy Act 1988</i> of the Commonwealth.	20
	<i>contravene</i> , in relation to an Australian Privacy Principle, includes to do or fail to do an act, or engage or fail to engage in a practice, that breaches the Australian Privacy Principle.	21
	<i>identity verification information</i> , in relation to a tenant, means personal information about the tenant that is prescribed by the regulations.	22
	<i>organisation</i> has the same meaning as in the <i>Privacy Act 1988</i> of the Commonwealth.	23
	<i>public sector agency</i> has the same meaning as in the <i>Privacy and Personal Information Protection Act 1998</i> .	24
	<i>residential tenancy entity</i> —see section 210A(1).	25

<b>[18] Section 209, definition of “personal information”</b>	1
Omit the definition.	2
<b>[19] Section 209, definition of “residential tenancy database”</b>	3
Omit the definition. Insert instead—	4
<i>residential tenancy database</i> means a database—	5
(a) containing personal information about a person in connection with the person’s—	6
(i) former occupation of residential premises under a residential tenancy agreement, and	7
(ii) breach of the residential tenancy agreement, and	8
(b) the purpose of which is for use by landlords or agents of landlords for checking a person’s tenancy history to decide whether a residential tenancy agreement should be entered into with the person.	9
<b>[20] Section 210 Application of Part</b>	10
Omit the section.	11
<b>[21] Part 11, Divisions 1A and 1B</b>	12
Insert after Division 1—	13
<b>Division 1A Australian Privacy Principles</b>	14
<b>210 Australian Privacy Principles</b>	15
The Australian Privacy Principles, as in force from time to time, are adopted.	16
<b>210A Application of Australian Privacy Principles</b>	17
(1) In this part, <i>residential tenancy entity</i> means the following persons unless the person is a public sector agency—	18
(a) a landlord,	19
(b) an agent of a landlord,	20
(c) a person employed or engaged by a landlord or agent of a landlord to collect, hold, use or disclose tenants’ personal information in relation to the rental of residential premises, the administration and management of tenancies or matters arising from tenancies, including in relation to the following—	21
(i) advertising or showing residential premises for rent,	22
(ii) receiving and administering applications for tenancies and verifying tenant identification,	23
(iii) offering to enter into, preparing and entering into residential tenancy agreements,	24
(iv) providing services before and when residential tenancy agreements are entered into relating to the commencement of the tenancies and tenant transitions,	25
(v) administering residential tenancy agreements,	26
(vi) another function or activity prescribed by the regulations relating to the rental of residential premises, the administration and management of tenancies or matters arising from tenancies,	27



	(d)	a person employed or engaged by a tenant to collect, hold, use or disclose personal information about the tenant in relation to the rental of residential premises or the administration and management of tenancies for the purpose of sharing the information, directly or indirectly, with a landlord or agent of a landlord in connection with a tenancy, an application for a tenancy or a residential tenancy agreement,	1 2 3 4 5 6
	(e)	another person prescribed by the regulations.	7
	<b>Note—</b>	The <i>Privacy and Personal Information Protection Act 1998</i> requires public sector agencies to comply with the information protection principles provided for by that Act.	8 9 10
(2)		The Australian Privacy Principles apply to a residential tenancy entity in relation to personal information about a tenant.	11 12
(3)		For subsection (2), the Australian Privacy Principles apply to a residential tenancy entity in the same way as the Principles apply under the <i>Privacy Act 1988</i> of the Commonwealth to—	13 14 15
	(a)	an APP entity that is an organisation under that Act, and	16
	(b)	an entity that is treated under that Act as if it were an organisation.	17
(4)		To apply the Australian Privacy Principles in accordance with this section—	18
	(a)	the <i>Privacy Act 1988</i> of the Commonwealth, sections 6, 6A(1), 8 and Part III, Division 2 apply, and	19 20
	(b)	a reference in the Australian Privacy Principles or the provisions referred to in paragraph (a) to an APP entity that is an organisation under that Act must be read as a reference to a residential tenancy entity.	21 22 23
(5)		A residential tenancy entity must not, in relation to personal information about a tenant, contravene an Australian Privacy Principle.	24 25
		Maximum penalty—	26
	(a)	for an individual—100 penalty units, or	27
	(b)	otherwise—450 penalty units.	28
(6)		A person found guilty or acquitted of an offence against the <i>Privacy Act 1988</i> of the Commonwealth cannot be found guilty of an offence against this part in relation to the same act or omission.	29 30 31
<b>Division 1B Privacy and protection of personal information</b>			32
<b>210B</b>	<b>Application in addition to Australian Privacy Principles</b>		33
	This division applies in addition to the Australian Privacy Principles.		34
<b>210C</b>	<b>Direct collection of personal information</b>		35
(1)		A landlord or agent of a landlord who intends to collect personal information about a tenant must offer the tenant a way of giving the information directly to the landlord or agent.	36 37 38
		Maximum penalty—	39
	(a)	for an individual—50 penalty units, or	40
	(b)	otherwise—200 penalty units.	41
(2)		A residential tenancy entity may collect personal information about a tenant only directly from the tenant.	42 43
		Maximum penalty—	44
	(a)	for an individual—50 penalty units, or	45

	(b) otherwise—200 penalty units.	1
(3)	Subsection (2) does not apply if—	2
	(a) the tenant consents to the information being collected in another way, or	3
	(b) the regulations permit the information to be collected in another way.	4
(4)	The regulations may prescribe ways personal information may be, or must not be, collected directly from a tenant.	5
	<b>Note—</b> A <i>tenant</i> is defined in this Act as including a prospective tenant.	6
		7
<b>210D</b>	<b>Tenancy application</b>	8
(1)	A residential tenancy entity may collect personal information relating to an application for a tenancy only in the approved form.	9
	Maximum penalty—	10
	(a) for an individual—50 penalty units, or	11
	(b) otherwise—300 penalty units.	12
(2)	Subject to subsection (3), a residential tenancy entity must not accept a tenancy application from a person before the person inspects the residential premises.	13
	Maximum penalty—	14
	(a) for an individual—50 penalty units, or	15
	(b) otherwise—200 penalty units.	16
(3)	Subsection (2) does not apply if the person states in writing that the person is unable to, or does not wish to, inspect the residential premises before submitting the application.	17
		18
		19
<b>210E</b>	<b>Collection of identity verification information</b>	20
	A residential tenancy entity may collect identity verification information about a tenant only if the landlord—	21
	(a) intends to enter into a residential tenancy agreement with the tenant, and	22
	(b) before collecting the information, notifies the tenant in writing of the landlord's intent.	23
	Maximum penalty—	24
	(a) for an individual—50 penalty units, or	25
	(b) otherwise—200 penalty units.	26
<b>210F</b>	<b>Personal information collected in contravention of requirements</b>	27
(1)	A residential tenancy entity that holds personal information, or documents or other evidence containing personal information, collected in contravention of the requirements of this part or the regulations must not use the information, documents or evidence, including to—	28
	(a) verify a tenant's identity, or	29
	(b) determine—	30
	(i) a tenant's ability to pay the rent payable under a residential tenancy agreement, or	31
	(ii) whether a tenant otherwise is reasonably likely to fulfil the obligations of a tenant of residential premises under this Act and the regulations.	32
	Maximum penalty—	33
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(a)	for an individual—50 penalty units, or	1
(b)	otherwise—200 penalty units.	2
(2)	A residential tenancy entity referred to in subsection (1) must destroy the information, documents or evidence within 2 business days after becoming aware the collection of the information, documents or evidence was in contravention of the requirements of this part or the regulations.	3
	Maximum penalty—	4
(a)	for an individual—50 penalty units, or	5
(b)	otherwise—200 penalty units.	6
(3)	Despite subsections (1) and (2), the regulations may provide for the following—	7
(a)	circumstances in which, and the purposes for which, information, documents or evidence referred to in subsection (1) may be used,	8
(b)	the period for which the information, documents or evidence may be held before being destroyed,	9
(c)	circumstances in which the information, documents or evidence are not required to be destroyed.	10
<b>210G</b>	<b>Tribunal orders</b>	11
(1)	The Tribunal may, on application by a person, make one or more of the following orders if satisfied a residential tenancy entity has contravened a provision of Division 1A, this division or the regulations made under Division 1A, this division or Division 3—	12
(a)	an order restricting the collection, use or disclosure of personal information by the residential tenancy entity,	13
(b)	an order requiring the residential tenancy entity to give a person access to personal information about the person held by the entity,	14
(c)	an order requiring the residential tenancy entity to destroy, amend or de-identify personal information as specified in the order.	15
(2)	The Tribunal must give a copy of the order to a person affected by the order.	16
<b>[22]</b>	<b>Section 210H</b>	17
	Insert before section 211—	18
<b>210H</b>	<b>Application of division</b>	19
	This division does not apply to a residential tenancy database kept by an entity, including the Secretary of a Government department or the head of a government department in another State or Territory, for use only by the entity or the entity's staff.	20
<b>[23]</b>	<b>Section 211 Notice of database and listing</b>	21
	Insert at the end of section 211(2)—	22
	Maximum penalty—	23
(a)	for an individual—50 penalty units, or	24
(b)	otherwise—200 penalty units.	25
<b>[24]</b>	<b>Section 212 Listing can be made only for particular breaches by particular persons</b>	26
	Omit “unambiguous.” from section 212(d). Insert instead—	27

	unambiguous, and	1
	(e) the personal information is relevant to the matters described in paragraphs (a) to (c).	2
		3
<b>[25]</b>	<b>Section 212, penalty</b>	4
	Insert at the end of section 212—	5
	Maximum penalty—	6
	(a) for an individual—50 penalty units, or	7
	(b) otherwise—400 penalty units.	8
<b>[26]</b>	<b>Section 213 Further restriction on listing</b>	9
	Omit section 213(1) and (3), penalties. Insert instead—	10
	Maximum penalty—	11
	(a) for an individual—50 penalty units, or	12
	(b) otherwise—200 penalty units.	13
<b>[27]</b>	<b>Sections 213(3) and 213A</b>	14
	Omit “landlord’s agent” wherever occurring. Insert instead “agent of a landlord”.	15
<b>[28]</b>	<b>Section 213A Further restriction on listing—domestic violence</b>	16
	Omit the penalty. Insert instead—	17
	Maximum penalty—	18
	(a) for an individual—50 penalty units, or	19
	(b) otherwise—200 penalty units.	20
<b>[29]</b>	<b>Section 214 Ensuring quality of listing—landlord’s and agent’s obligation</b>	21
	Omit “incomplete, ambiguous or out-of-date” from section 214(1).	22
	Insert instead “ambiguous, out-of-date, incomplete, irrelevant or misleading”.	23
<b>[30]</b>	<b>Section 214(2) and (2A)</b>	24
	Omit section 214(2). Insert instead—	25
	(2) The landlord or agent must give written notice of the following to the database operator that operates the database—	26
	(a) that the information is inaccurate, ambiguous, out-of-date, incomplete, irrelevant or misleading,	27
	(b) if the information is inaccurate, ambiguous, incomplete or misleading—how the information must be amended to make the information accurate, unambiguous, complete and not misleading,	28
	(c) if the information is out-of-date or irrelevant—that the information is out-of-date or irrelevant and must be removed.	29
	(2A) The landlord or agent must give the written notice—	30
	(a) within the prescribed period after becoming aware the information is inaccurate, ambiguous, out-of-date, incomplete, irrelevant or misleading, or	31
	(b) if no period is prescribed—as soon as practicable after becoming aware.	32
	Maximum penalty—	33
	(a) for an individual—50 penalty units, or	34
		35
		36
		37
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		39
		40
		41

	(b) otherwise—200 penalty units.	1
<b>[31]</b>	<b>Section 215 Ensuring quality of listing—database operator’s obligation</b>	2
	Omit “complete and unambiguous” from section 215(1)(a).	3
	Insert instead “unambiguous, complete and not misleading”.	4
<b>[32]</b>	<b>Section 215(2)</b>	5
	Omit the subsection. Insert instead—	6
	(2) The database operator must amend the personal information in the stated way, or remove the information—	7
	(a) within the prescribed period after the notice is given, or	8
	(b) if no period is prescribed—as soon as practicable.	9
	Maximum penalty—	10
	(a) for an individual—50 penalty units, or	11
	(b) otherwise—400 penalty units.	12
<b>[33]</b>	<b>Section 215(3)</b>	13
	Insert after section 215(2)—	14
	(3) The regulations may provide for the period within which the personal information must be amended or removed.	15
<b>[34]</b>	<b>Section 216</b>	16
	Omit the section. Insert instead—	17
	<b>216 Confirmation or copies of listed personal information</b>	18
	(1) A landlord or agent of a landlord must, if asked in writing by a person—	19
	(a) confirm whether or not the landlord or agent has listed personal information about the person in a residential tenancy database, and	20
	(b) if the landlord or agent has listed personal information about the person—give the person a copy of the information.	21
	Maximum penalty—	22
	(a) for an individual—50 penalty units, or	23
	(b) otherwise—200 penalty units.	24
	(2) A database operator must, if asked in writing by a person—	25
	(a) confirm whether or not the operator holds personal information about the person, including whether or not personal information about the person is in the residential tenancy database operated by the operator, and	26
	(b) if the operator holds personal information about the person—give the person a copy of the information and specify the information about the person that is in the residential tenancy database, if any.	27
	Maximum penalty—	28
	(a) for an individual—50 penalty units, or	29
	(b) otherwise—200 penalty units.	30
	(3) A landlord, agent of a landlord or database operator—	31

(a)	must give the person the confirmation and a copy of the information, if any—	1
	(i) within the prescribed period after the request is made, or	2
	(ii) if no period is prescribed—as soon as practicable, and	3
(b)	must not charge a fee for giving the confirmation or a copy of the information.	4
	Maximum penalty—	5
(a)	for an individual—50 penalty units, or	6
(b)	otherwise—200 penalty units.	7
(4)	This section does not require a landlord, agent of a landlord or database operator to give a person a copy of the information if the landlord, agent or database operator has previously given the information to the person under this section.	8
(5)	It is a defence to an offence under this section if a landlord, agent of a landlord or database operator shows the landlord, agent or database operator was not able to contact the person who made the request after taking reasonable steps to make contact.	9
(6)	A person who wishes to seek information from a landlord, agent of a landlord or database operator may nominate an individual to exercise the person's functions under this section on behalf of the person.	10
(7)	The nomination must—	11
	(a) be in the form prescribed by the regulations, or	12
	(b) if no form is prescribed—be in the form of a statutory declaration made by the person nominating the individual.	13
(8)	The nominated individual is authorised to exercise the person's functions under this section.	14
(9)	The regulations may provide for the following—	15
	(a) the form and way in which a request under subsection (1) or (2) may or must be made,	16
	(b) the form and way in which a confirmation or a copy of information may or must be given under subsection (1) or (2),	17
	(c) the period within which the confirmation and a copy of the information, if any, must be given under subsection (3),	18
	(d) despite subsection (4), circumstances in which a landlord, agent of a landlord or database operator must give a copy of information to a person to whom the information has previously been given under this section,	19
	(e) what constitutes or does not constitute reasonable steps under subsection (5).	20
<b>[35] Section 217 Disputes about listings</b>		21
	Omit section 217(2)(a). Insert instead—	22
	(a) the residential tenancy database includes personal information about the applicant that—	23
	(i) is inaccurate, ambiguous, out-of-date, incomplete, irrelevant or misleading, or	24

	(ii) is held in contravention of the requirements of this part or the regulations, or	1
		2
	(iii) has been listed on the database for longer than the applicable period specified in section 218(1), or	3
		4
<b>[36]</b>	<b>Section 218 Limit on period of listing</b>	5
	Omit section 218(1)(a). Insert instead—	6
	(a) if the Australian Privacy Principles or the regulations require the operator to remove the personal information within a stated period of less than 3 years—	7
		8
	(i) the stated period, or	9
		10
	(ii) if different periods are stated—the shorter of the stated periods, or	11
		12
<b>[37]</b>	<b>Section 218(1), penalty</b>	13
	Insert at the end of section 218(1)—	14
	Maximum penalty—	15
	(a) for an individual—50 penalty units, or	16
	(b) otherwise—400 penalty units.	17
<b>[38]</b>	<b>Section 218(4)</b>	18
	Omit the subsection.	19
<b>[39]</b>	<b>Part 11, Division 3</b>	20
	Insert after Division 2—	21
	<b>Division 3 Regulations—privacy and protection of personal information</b>	22
		23
<b>218A</b>	<b>Regulations—privacy and protection of personal information</b>	24
	(1) The regulations may provide for the following—	25
	(a) restrictions or prohibitions on the collection of tenants' personal information by residential tenancy entities, including restrictions or prohibitions in relation to—	26
		27
	(i) the types of personal information that may be collected, and	28
		29
	(ii) the collection of personal information in specified circumstances or for specified purposes,	30
		31
	(b) the methods by which specified types of tenants' personal information may be, or must not be, collected by residential tenancy entities, including authorising the Secretary to approve the form and way in which information is collected,	32
		33
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	(c) restrictions on the documents or other evidence containing personal information residential tenancy entities may request from tenants, including—	36
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	(i) limiting the number and types of documents or other items of evidence that may be requested from tenants, and	39
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	(ii) requiring residential tenancy entities to permit tenants to choose which of the documents or other items of evidence specified in the regulations to give to the entities,	41
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| (d) | without limiting paragraphs (a) to (c), authorisation of the use of digital identity verification services, systems or tools to verify the identity of tenants,   | 1<br>2<br>3                |
| (e) | prohibitions on the use or disclosure of tenants' personal information by residential tenancy entities or database operators to market financial products or services,  | 4<br>5<br>6                |
| (f) | other restrictions or prohibitions on the use and disclosure of tenants' personal information by residential tenancy entities or database operators, including restrictions or prohibitions that apply despite the consent of the tenants to the use or disclosure,   | 7<br>8<br>9<br>10          |
| (g) | notification requirements in relation to the collection, use, management and destruction of tenants' personal information by residential tenancy entities or database operators,  | 11<br>12<br>13             |
| (h) | requirements for the security of tenants' personal information held by residential tenancy entities or database operators,  | 14<br>15                   |
| (i) | the methods by which residential tenancy entities may seek consent from tenants in relation to the collection, use or disclosure of personal information about the tenants,   | 16<br>17<br>18             |
| (j) | requirements for the destruction of tenants' personal information held by residential tenancy entities, including prescribing the maximum lengths of time specified types of personal information, or personal information held in specified circumstances or for specified purposes, may be held before being destroyed, | 19<br>20<br>21<br>22<br>23 |
| (k) | requirements in relation to providing access to, or correcting, tenants' personal information held by residential tenancy entities or listed in residential tenancy databases, including the methods by which tenants may request access to or the correction of personal information,                                    | 24<br>25<br>26<br>27       |
| (l) | the application of specified provisions of Division 1B or the regulations to public sector agencies, including prescribing the circumstances in which, and the public sector agencies to which, the provisions apply,   | 28<br>29<br>30             |
| (m) | matters relating to giving and receiving information and communications required under this Act to be in writing, including requiring residential tenancy entities and database operators to accept electronic communications,  | 31<br>32<br>33<br>34       |
| (n) | record-keeping requirements for residential tenancy entities and database operators relating to the requirements of this part,  | 35<br>36                   |
| (o) | matters relating to the provision of information by residential tenancy entities or database operators to the Secretary, at the times and in the form and way approved by the Secretary, for the purposes of monitoring the operation of this part.   | 37<br>38<br>39<br>40       |
| (2) | Despite section 224(3), a regulation made under this section may create an offence punishable by a penalty not exceeding 450 penalty units.   | 41<br>42                   |