



Office of the
**Deputy Premier and Attorney General
Minister for Local Government
and Special Minister of State**

Our ref: FTP-00576, FT310289

Your ref: Petitions

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr Alice and George Streets
BRISBANE QLD 4001

Dear Mr Laurie

I refer to your letter of 17 February 2011 to Mr Peter Lawlor MP, forwarding a petition from the residents of AVEO Retirement Village, Robina, concerning a proposed amendment to the *Retirement Villages Act 1999* included in the draft Fair Trading and Other Legislation Amendment Bill 2011. Following recent ministerial changes, responsibility for fair trading has been transferred to me as Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State.

The petitioners request the House 'to oppose the increase in exit fees and asks that the State Labor Government consider the concerns of Retirement Villages on the electorate of Mudgeeraba and the State of Queensland'.

Pursuant to Standing Order 125, I provide the following Ministerial response to the petition:

The *Retirement Villages Act 1999* (the Act) provides a general legislative framework for the operation of retirement villages. Currently, the Act allows residents and operators to decide the terms of individual residence contracts, including the method of calculating the exit fee payable by the resident when they leave the village.

The proposed amendments included in the draft Fair Trading and Other Legislation Amendment Bill 2011 (the Bill) do not require any increase in exit fees.

These amendments are designed to provide clarity for residents and operators by requiring that when a pro rata (or 'proportional') method is to be used to calculate the exit fee, this must be stated in the contract, as must the method of calculation.

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I note some retirement village residents are seeking amendments to the Act to require that all exit fees be calculated on a daily pro rata basis.

A draft of the Bill was released for public consultation last year, and although the consultation period ended on 10 December 2010, I will take petitioner's comments and the concerns of retirement village residents regarding the calculation of exit fees into account in finalising the Bill.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Lucas', with a long horizontal flourish extending to the right.

PAUL LUCAS MP
Deputy Premier and Attorney-General,
Minister for Local Government
and Special Minister of State