

1997

THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

HOUSING ASSISTANCE ACT 1987

VARIATION TO

RENT RELIEF PROGRAM

NO. 74 OF 1997

EXPLANATORY STATEMENT

(Circulated by authority of
Bill Stefaniak MLA
Minister for Housing)

VARIATION TO RENT RELIEF PROGRAM

AUTHORITY

Section 12 of the Housing Assistance Act 1987 empowers the Commissioner for Housing to prepare in the form of an instrument in writing a housing assistance program or variation to a program.

A program or variation may not be implemented without the approval of the responsible Minister. Following approval, the program or variation is required to be notified in the Gazette and laid before the Legislative Assembly, in accordance with Section 6 of the Subordinate Laws Act 1989.

BACKGROUND

The Rent Relief Program is a housing assistance program operating under the Housing Assistance Act 1987. The Program was published in ACT Gazette No 26 on 15 November 1989 and varied from time to time, as specified at clause 1 of the Instrument. This Program is required to operate in accordance with the principles of the Commonwealth State Housing Agreement.

The variation was prepared by the Commissioner for Housing, approved by the Minister for Housing, and notified in ACT Gazette No. on .

The Rent Relief Program and the Public Rental Housing Assistance Program are complementary forms of housing assistance. In general, applicants eligible for assistance under the Rent Relief Program are those registered on the waiting list for public rental housing, who are renting privately as an interim measure while they await the allocation of a public dwelling.

PURPOSE AND CONSEQUENCES

The purpose of this variation is to give effect to government policy to refocus the program to one under which only bond assistance is provided, in order to better target the limited resources available for housing assistance available to eligible persons. Subject to transitional arrangements, rent subsidy and other forms of assistance under the program have been withdrawn.

SPECIFIC CHANGES

Following are details of changes to the Rent Relief Program as specified in the Instrument.

Clause 1 provides details of the program being varied, including previous variations, and is self explanatory.

Clause 2 varies the Object of the program to address its changed focus from a program providing rent subsidy and other forms of assistance to one providing bond assistance.

Clause 3 varies subclause 3 (1) of the program by omitting the definition of "student" which is no longer relevant.

Clause 4 amends the eligibility criteria specified at subclause 5 of the program by:

- broadening paragraph (1)(j) to include an applicant who is a public tenant as well as one who is on the waiting list for public housing;
- adding "and" to the text at the end of paragraph (1)(m);
- omitting paragraph (1)(n) which excluded public tenants from eligibility;
- making minor textual changes to paragraph (1)(o);
- omitting paragraph (1)(p) which excluded students from eligibility;
- omitting subclauses 6 and 7 which are no longer relevant.

Clause 5 varies clause 6 of the program by omitting subclause (1) referring to rent subsidy assistance which, subject to transitional arrangements, has been withdrawn.

Clause 6 varies clause 7 of the program by:

- making a minor textual change to paragraph (1)(a);
- making the provision of a form of assistance specified under paragraph (1)(b) subject to subclause (2)--see dot point 4 hereunder;
- omitting paragraph (1)(c) relating to a form of assistance which has been withdrawn;
- omitting redundant subclause (2) and replacing it with new subclause (2) which specifies the conditions under which a loan is provided to assist an applicant to meet their ongoing rental obligations under a private tenancy after being allocated priority public housing.

Clause 7 puts in place transitional provisions aimed at preserving for limited periods eligibility under the program for rent subsidy in respect of existing beneficiaries. In summary these provisions will:

- allow existing beneficiaries to continue receiving rent subsidy for the remainder of the period for which they had been approved under the previous arrangements; and

- permit further rent subsidy assistance to be granted until 30 June 1997 in cases where the existing approval period expires before that date.

The transitional provisions also provide for applications for assistance by way of loans and rent subsidy that had been received, but not processed, prior to the date of effect of this Instrument to be assessed under the previous eligibility criteria

Clause 8 omits clause 10 of the program relating to rent subsidy assistance which has been withdrawn, subject to the transitional arrangements outlined above.