

VARIATION TO KICKSTART HOUSING ASSISTANCE PROGRAM
DETERMINATION NO. 33 OF 1997

Under section 12 of the *Housing Assistance Act 1987*, I make a variation to the KickStart Housing Assistance Program as follows:

Interpretation

1. In this instrument, "Program" means the KickStart Housing Assistance Program no. 211 of 1996, published in Australian Capital Territory Special Gazette No. S242 of 1996, dated 25 September 1996.

Variation

2. Subclause 2.1 of the Program is varied as follows;
 - (a) omit the definition of "Income";
 - (b) add the following definition;

""new dwelling" means a property which has not previously been occupied as a residential dwelling." ; and
 - (c) omit from the definition of "Property" the words ", and which has been notified to the Commissioner as such".
3. Clause 3 of the Program is varied as follows:
 - (a) omit subclause 3.1 and substitute the following:

"3.1 Subject to this clause 3, an Applicant is eligible for Assistance if he or she:
 - (a) is a tenant of public rental housing in the Australian Capital Territory seeking to purchase the property he or she currently rents; or
 - (b) seeks to purchase a new dwelling in the Australian Capital Territory valued at \$140,000 or less;and is approved for a housing loan by an Approved Lender in relation to the purchase of that property."
 - (b) omit paragraph 3.2(c) and substitute the following:

- "(c) the Applicant does not hold any interest in real property in Australia and has not held any such interest within the period of two years prior to the date of application;
 - (ca) the Applicant intends to reside on the property to be purchased with the grant;"
 - (c) omit from paragraphs 3.2(e) and 3.3(c) "Income" and substitute "income";
 - (d) add at the end of paragraph 3.3(a) "or";
 - (e) omit paragraph 3.3(b);
 - (f) omit subclause 3.4; and
 - (g) omit from subclause 3.5 "the Commissioner" and substitute "an Approved Lender, on behalf of the Commissioner,".
4. Clause 4 of the Program is varied as follows:
- (a) omit from subclause 4.2 "the Commissioner" (first occurring) and substitute "an Approved Lender on behalf of the Commissioner";
 - (b) omit from subclause 4.2 "the Commissioner" (second occurring) and substitute "the Approved Lender";
 - (c) omit from subclauses 4.3, 4.4 and 4.5 "The Commissioner" and substitute in each case "An Approved Lender, on behalf of the Commissioner,"; and
 - (d) omit subclause 4.6.
5. Clause 5 of the Program is varied by omitting subclauses 5.1 to 5.5 (inclusive) and substituting the following:
- "5.1 The Applicant shall promptly provide an Approved Lender, on behalf of the Commissioner, with such information in writing as the Approved Lender reasonably requires in relation to the purchase of the Property."
6. Clause 6 of the Program is varied as follows:
- (a) omit the words "**Availability of**" from the clause heading; and
 - (b) omit subclause 6.1 and substitute the following:

"6.1 Assistance under this Program is available to an eligible Applicant in the form of a grant of \$5,000 for the purpose of meeting in part the Applicant's obligation to pay the balance of the purchase price of the Property on settlement."

7. Clause 7 of the Program is varied by omitting subclause 7.1.

8. Clause 8 of the Program is varied by omitting subclauses 8.1 to 8.3 (inclusive) and substituting the following:

"8.1 An Applicant shall cease to be eligible for Assistance if:

(a) the Applicant's approval for a loan is withdrawn or revoked by the Approved Lender, whether because the Applicant has failed to meet any time limit imposed by the Approved Lender in that regard or for any other reason; or

(b) the contract for purchase of the Property is rescinded or terminated

8.2 If an Applicant ceases to be eligible for Assistance after payment of Assistance has been made, the Applicant shall repay to the Commissioner, within 14 days of the Commissioner's written demand, the amount of the Assistance or such part of that amount as the Commissioner may demand."

9. Subclause 9.1 of the Program is varied by omitting "not more than two" and substituting "one or more".

Transitional

10. The variations to the Program made by clauses 2 to 8 (inclusive) of this Instrument do not apply to an application for Assistance made before the effective date of this Instrument.

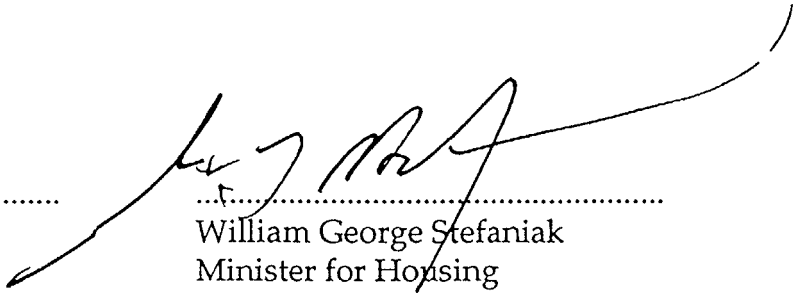
Date. 29/11/1997

Menderson
delegate for
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Suzanne Margaret Birtles
Commissioner for Housing

APPROVAL

Under section 12 of the Housing Assistance Act 1987, I approve the variation to the KickStart Housing Assistance Program made by the Commissioner for Housing by instrument dated January 1997.

Date: 29/1/97


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William George Stefaniak
Minister for Housing