

No. S 20, Friday, 25 August 1989

AUSTRALIAN CAPITAL TERRITORY

HOUSING ASSISTANCE ACT 1987

VARIATION

Under section 12 of the Housing Assistance Act 1987 I vary the Public Rental Housing Assistance Program, as published in Commonwealth Gazette No GN 34 on 23 December 1987, and amended by a Variation published in Commonwealth Gazette No S 235 on 12 August 1988, as follows:

1. By inserting in clause 3(1), after the definition of 'ACT Housing Assistance Fund', the following:  
  
    'Administrative Appeals Tribunal' means the Australian Capital Territory Administrative Appeals Tribunal established by section 4 of the Administrative Appeals Tribunal Act 1989;
2. By omitting clause 21(1) and substituting the following:  
  
    '21(1) In this clause, a reference to a decision of the Commissioner shall be read as a reference to a decision of the Commissioner on an application made under this Program, other than a decision deemed to be a decision of the Commissioner by virtue of subsection 44(10) of the Administrative Appeals Tribunal Act 1989.'
3. By omitting subclause 21(9) and substituting the following  
  
    '(9) In subclause (8), 'decision' has the same meaning as in the Administrative Appeals Tribunal Act 1989.'
4. By omitting paragraph 22(2)(b) and substituting the following:  
  
    '(b) may, subject to the Administrative Appeals Tribunal Act 1989, if he or she is dissatisfied with a decision made by the Commissioner upon that reconsideration affirming, revoking or varying the first-mentioned decision, make application to the Administrative Appeals Tribunal for review of the decision so made.'
5. By omitting paragraph 22(3)(a) and substituting the following:  
  
    '(a) a statement to the effect that a person affected by the decision may, pursuant to section 26 of the Administrative Appeals Tribunal Act 1989, request a statement setting out the reasons for the decision; and'

6. By omitting subclause 23(1) and substituting the following:

'23(1) A person shall not, directly or indirectly, except in the performance of their duties, or in the exercise of their powers or functions, under this Program, or pursuant to the Freedom of Information Act 1989, and while they are, or after they cease to be, an officer, make a record of, or divulge or communicate to any person, any information with respect to the affairs of another person acquired by them in the performance of their duties, or in the exercise of their powers or functions, under this Program.'

Dated this 27<sup>th</sup> day of July 1989.



TONY RAYMOND WATERS  
ACTING COMMISSIONER FOR HOUSING  
ACT

AUSTRALIAN CAPITAL TERRITORY

HOUSING ASSISTANCE ACT 1987

APPROVAL

Under section 12 of the Housing Assistance Act 1987 I approve the variation to the Public Rental Housing Assistance Program made by the Commissioner for Housing by instrument dated 1989.

Dated this 22 day of AUGUST 1989.



ELLNOR GRASSBY  
MINISTER FOR HOUSING  
AND URBAN SERVICES