

Housing Assistance (Affordable and Community Housing Providers) Registration Determination 2009 (No 1)

Disallowable instrument DI2009–214

made under the

Housing Assistance Act 2007, s 25A (Affordable and community housing providers- registration)

EXPLANATORY STATEMENT

An ACT regulatory framework for not for profit housing providers was introduced through amendment to the *Housing Assistance Act 2007* (the Act). The regulatory powers are vested in the Commissioner for Social Housing (the Housing Commissioner) as established in the Act. The amendment to the *Housing Assistance Act 2007* commenced on 2 March 2009.

The framework empowers the Housing Commissioner to register, monitor the activities of, intervene in the activities of and de-register housing providers.

The *Housing Assistance Act 2007* (the Act) provides for the Housing Commissioner to determine a process for the registration of housing providers. The determination is a Disallowable Instrument.

Following is a description of the provisions of the determination:

Clause	Provision
1 and 2	Name of instrument and commencement date specified.
3	Object of the determination specified.
4	Specifies definitions relating to the determination.
5 (1)	Specifies that entities seeking registration will be required to apply for registration, that the application must be on an approved form and specifies the information required to accompany the application.
5 (2)	Specifies the actions of the Housing Commissioner on receipt of a valid application.
5 (3)	Specifies that the Housing Commissioner may request further information, a meeting and/or a site visit.
6	Refers to the eligibility criteria for registration as an Affordable Housing provider.

7	Refers to the eligibility criteria for registration as a Community Housing provider.
8	Refers to the requirement for an Affordable Housing provider to demonstrate to the Housing Commissioner that it is operating within an acceptable level of risk. It specifies that each entity will be required to provide a Risk Management Plan in relation to specified areas. It further states that the Housing Commissioner will review the Plan, make an interim assessment, may seek a meeting to gather further information and will then make a final assessment.
9	Refers to the need for a Community Housing provider to satisfy the Standards and other eligibility criteria. It specifies that each entity will be required to provide evidence demonstrating compliance with the standards. It further states that the Housing Commissioner will review the evidence, make an interim assessment, may seek a meeting to gather further information and will then make a final assessment.
10	Specifies that the Housing Commissioner must give written notice of a decision to register an entity and that registration could be subject to conditions.
11	Specifies that a decision to refuse to register an entity as a housing provider is a reviewable decision