

Australian Capital Territory

Housing Assistance Delegation 2022 (No 1)

Notifiable instrument NI2022–41

made under the

Housing Assistance Act 2007, section 17 (Housing commissioner – delegation)

1 Name of instrument

This instrument is the *Housing Assistance Delegation 2022 (No 1)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Delegation

I delegate my functions under the *Housing Assistance Act 2007* which are specified in columns 1 and 2 of the attached schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 3 and 4 of the schedule.

4 Revocation

This instrument revokes the *Housing Assistance Delegation 2016 (No 1)* NI2016–113, the *Housing Assistance Delegation 2019 (No 1)* NI2019–745, and the *Housing Assistance Delegation 2020 (No 1)* NI2020–189.

Catherine Rule
Commissioner for Social Housing
14 February 2022

Schedule

Housing Assistance Delegation 2022 (No 1)
made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Section	Function	Position description	Business unit
Act	All functions and powers of the Commissioner for Social Housing except the power to delegate itself (s.17).	Deputy Director-General	Community Services Directorate (CSD)
Act	All functions and powers: ➤ except the power to delegate itself (s.17),	Executive Group Manager	Housing ACT, CSD
Act	All functions and powers of the Commissioner for Social Housing except the power to delegate itself (s.17) and to: ➤ enter into negotiations for a joint venture without the Minister's and the Director-General's prior written approval (s.13(1)(a)); ➤ enter an agreement for a joint venture (s.13(1)(b)); ➤ give the Minister a written statement setting out detail of, and reasons for entering into, a joint venture (s.14(2)); ➤ enter into a contract for an amount exceeding \$5 million without the Minister's and the Director-General's prior written approval (s.15); ➤ issue housing operation guidelines (s.21); ➤ give assistance to a registered community housing provider (s.25B(1)); ➤ give the Minister a written report about assistance given to registered community housing providers under s.25B (s.25C(1)); and ➤ approve forms for the Act (s.39).	Executive Branch Managers	Policy and Business Transformation, Housing ACT, CSD Client Services, Housing ACT, CSD Infrastructure and Contracts, Housing ACT, CSD
10(2)	Enter into arrangements with entities to provide housing assistance.	Senior Officer Grade A (SOGA)	Policy and Business Transformation, Housing ACT, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position description	Business unit
		Senior Officer Grade B (SOGB)	Client Services, Housing ACT, CSD Infrastructure and Contracts, Housing ACT, CSD
11	Exercise and administering the following powers for services relating to housing assistance:		
	<ul style="list-style-type: none"> ➤ acquire, lease, control, manage and disposal of land ➤ sale, lease and purchase of housing and assets 	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing ACT, CSD
	<ul style="list-style-type: none"> ➤ construct, maintain, renovate and demolish housing and assets ➤ enter into arrangements with entities for the construction, maintenance, renovation or demolition of housing 	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC)	Infrastructure and Contracts, Housing ACT, CSD
	<ul style="list-style-type: none"> ➤ enter into contracts ➤ other powers necessary or convenient to be done for providing housing assistance 	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing ACT, CSD Client Services, Housing ACT, CSD Policy and Business Transformation, Housing ACT, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position description	Business unit
	<ul style="list-style-type: none"> ➤ enter into a tenancy or occupancy agreement ➤ exercise the housing commissioner’s powers under a tenancy or occupancy agreement 	<p>Senior Officer Grade A (SOGA)</p> <p>Senior Officer Grade B (SOGB)</p> <p>Senior Officer Grade C (SOGC)</p> <p>Administrative Services Officer Class 6 (ASO6)</p> <p>Administrative Services Officer Class 5 (ASO5)</p> <p>Administrative Services Officer Class 4 (ASO4)</p>	<p>Client Services, Housing ACT, CSD</p> <p>Homelessness services, Policy and Business Transformation, Housing ACT, CSD</p>
	<ul style="list-style-type: none"> ➤ set rents for individual dwellings or complexes (e.g. dwellings newly handed over or upgraded) 	<p>Senior Officer Grade A (SOGA)</p> <p>Senior Officer Grade B (SOGB)</p>	<p>Infrastructure and Contracts, Housing ACT, CSD</p> <p>Client Services, Housing ACT, CSD</p> <p>Homelessness services, Policy and Business Transformation, Housing ACT, CSD</p>
	<ul style="list-style-type: none"> ➤ powers relating to the administration of home purchase assistance arrangements and the loans portfolio 	<p>Under Treasurer E00916</p>	<p>Chief Minister, Treasury and Economic Development Directorate</p>

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Section	Function	Position description	Business unit
		Executive Group Manager E01003	Chief Minister, Treasury and Economic Development Directorate
	➤ powers relating to the execution of mortgage discharges and transfers on mortgagee exercising power of sale for the administration of home purchase assistance arrangements and the loans portfolio	Deputy Chief Solicitor Government Solicitor 2 Government Solicitor 3 Government Solicitor 4	ACT Government Solicitor Property and Commercial, ACT Government Solicitor
23	Review rent charged for housing rented under approved program at least once each year.	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Client Services, Housing ACT, CSD Infrastructure and Contracts, Housing ACT, CSD
24(2)	Require an applicant to give the further stated information to decide an application for housing assistance.	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5)	Client Services, Housing ACT, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position description	Business unit
		Administrative Services Officer Class 4 (ASO4)	
24(3)	Refuse an application for housing assistance if the applicant does not provide the information required under s. 24(2).	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing ACT, CSD Homelessness services, Policy and Business Transformation, Housing ACT, CSD
25(2)	Require the recipient of housing assistance to give the stated information needed for the purposes prescribed in s.25(2)	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing ACT, CSD Client Services, Housing ACT, CSD Policy and Business Transformation, Housing ACT, CSD
25(3)	Suspend or cancel all or part of the recipients housing assistance if information required is not provided under s.25(2)	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing ACT, CSD Client Services, Housing ACT, CSD

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Section	Function	Position description	Business unit
			Policy and Business Transformation, Housing ACT, CSD
31B	Give written notice of a reviewable decision in accordance with this provision	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Infrastructure and Contracts, Housing ACT, CSD Client Services, Housing ACT, CSD Policy and Business Transformation, Housing ACT, CSD
32(3)	Exercise the housing commissioner's powers under s33 in relation to a tenancy of unleased land placed under the housing commissioner's control subject to that tenancy	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC)	Client Services, Housing ACT, CSD Infrastructure and Contracts, Housing ACT, CSD Homelessness Services, Policy and Business Transformation, Housing ACT, CSD
33(2)	Exercise powers in relation to unleased land placed under the housing commissioner's control under s32, specified in the provision	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing ACT, CSD Client Services, Housing ACT, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position description	Business unit
		Senior Officer Grade C (SOGC)	Homelessness Services, Policy and Business Transformation, Housing ACT, CSD