

Australian Capital Territory

# Housing Assistance Delegation 2023 (No 1)

Notifiable instrument NI2023–786

made under the

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

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**1 Name of instrument**

This instrument is the *Housing Assistance Delegation 2023 (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 2020 (No 1)* NI2022–41.

Catherine Rule  
Commissioner for Social Housing  
30 November 2023

## Schedule

Housing Assistance Delegation 2023 (No 1)  
made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	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 Assistance, 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	Housing and Homelessness Programs, Housing Assistance, CSD  Client Services, Housing Assistance, CSD  Infrastructure and Contracts, Housing Assistance, CSD

## Schedule

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made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	Business unit
10(2)	Enter into arrangements with entities to provide housing assistance.	Senior Officer Grade A (SOGA)  Senior Officer Grade B (SOGB)	Housing and Homelessness Programs, Housing Assistance, CSD  Client Services, Housing Assistance, CSD  Infrastructure and Contracts, Housing Assistance, CSD
11	Exercise and administering the following powers for services relating to housing assistance:		
	<ul style="list-style-type: none"> <li>➤ acquire, lease, control, manage and disposal of land</li> <li>➤ sale, lease and purchase of housing and assets</li> </ul>	Senior Officer Grade A (SOGA)  Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing Assistance, CSD
	<ul style="list-style-type: none"> <li>➤ construct, maintain, renovate and demolish housing and assets</li> <li>➤ enter into arrangements with entities for the construction, maintenance, renovation or demolition of housing</li> </ul>	Senior Officer Grade A (SOGA)  Senior Officer Grade B (SOGB)  Senior Officer Grade C (SOGC)	Infrastructure and Contracts, Housing Assistance, CSD
	<ul style="list-style-type: none"> <li>➤ enter into contracts</li> </ul>	Senior Officer Grade A (SOGA)	Infrastructure and Contracts, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	Business unit
	<ul style="list-style-type: none"> <li>➤ other powers necessary or convenient to be done for providing housing assistance</li> </ul>	Senior Officer Grade B (SOGB)	Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, CSD
	<ul style="list-style-type: none"> <li>➤ enter into a tenancy or occupancy agreement</li> <li>➤ exercise the housing commissioner’s powers under a tenancy or occupancy agreement</li> </ul>	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)  Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, CSD
	<ul style="list-style-type: none"> <li>➤ set rents for individual dwellings or complexes (e.g. dwellings newly handed over or upgraded)</li> </ul>	Senior Officer Grade A (SOGA)	Infrastructure and Contracts, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	Business unit
		Senior Officer Grade B (SOGB)  Senior Officer Grade C (SOGC)	
	➤ powers relating to the administration of home purchase assistance arrangements and the loans portfolio	Under Treasurer E00916	Chief Minister, Treasury and Economic Development Directorate
		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 Executive Group Manger – Legal Practice	ACT Government Solicitor
		Government Solicitor 3 Government Solicitor 4	
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)	Housing and Homelessness Programs, Housing Assistance, CSD Finance, Corporate, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	Business unit
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)  Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, CSD
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)	Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Section	Function	Position level/ position number	Business unit
		Administrative Services Officer Class 6 (ASO6)  Administrative Services Officer Class 5 (ASO5)	
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)  Senior Officer Grade C (SOGC)	Infrastructure and Contracts, Housing Assistance, CSD  Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, 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 Assistance, CSD  Client Services, Housing Assistance, CSD  Housing and Homelessness Programs, Housing Assistance, CSD
31B	Give written notice of a reviewable decision in accordance with this provision	Senior Officer Grade A (SOGA)	Infrastructure and Contracts, Housing Assistance, CSD

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Section	Function	Position level/ position number	Business unit
		Senior Officer Grade B (SOGB)	Client Services, Housing Assistance, CSD
		Senior Officer Grade C (SOGC)	Housing and Homelessness Programs, Housing Assistance, CSD
		Administrative Services Officer Class 6 (ASO6)	
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)	Client Services, Housing Assistance, CSD
		Senior Officer Grade B (SOGB)	Infrastructure and Contracts, Housing Assistance, CSD
		Senior Officer Grade C (SOGC)	Housing and Homelessness Programs, Housing Assistance, 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)	Infrastructure and Contracts, Housing Assistance, CSD
		Senior Officer Grade B (SOGB)	Client Services, Housing Assistance, CSD
		Senior Officer Grade C (SOGC)	Housing and Homelessness Programs, Housing Assistance, CSD