

Australian Capital Territory

Housing Assistance (Rental Bonds Housing Assistance Program) Delegation 2005 (No 2)

Instrument of Delegation – NI2005–493

made under the

Housing Assistance Act 1987 (Division 2.2 Powers and functions of Commissioner, Section 10 Delegation).

Under Section 10 of the Housing Assistance Act 1987 (the Act) I revoke NI2005-10, notified on the Legislation Register on 20 January 2005; and I delegate those of my powers under the Rental Bonds Housing Assistance Program specified in column 1 of the attached Schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 2 of the Schedule and which position number is stated in the Addendum.

Sandra Lambert
Commissioner for Housing

Date: 8 December 2005

COLUMN 1 Provision and outline of power	COLUMN 2 Office (Position Numbers shown on Addendum)
All powers under the Rental Bonds Housing Assistance Program	Deputy Chief Executive; Executive Director; Director Housing ACT;
Clauses 5 and 6(2) – determine asset eligibility limit; determine liquid asset eligibility limit, determine assets of a kind which should be disregarded; determine income, or income of a kind, which should be disregarded; determine purposes for which excludable income may be expended	Deputy Chief Executive; Executive Director; Director Housing ACT;
Clause 6(3) and (4) - decide a person has earned, derived, received or become entitled to an amount of income, including compensation for income lost or foregone	SOGBs; SOGCs; ASO6s
Clause 7 – disregard current weekly income or average gross weekly income for preceding 26 weeks; decide that a period other than 26 weeks is appropriate	SOGBs, SOGCs; ASO 6s
Clause 8(2) – require information to be provided in relation to an application	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s; ASO3s
Clause 9(1) – decide whether an applicant meets the basic eligibility criteria	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 9(2) – determine that certain time limits imposed by law are not relevant	Deputy Chief Executive; Executive Director; Director Housing ACT
Clause 9(3) – decide to disregard any property in which an applicant has an interest	SOGBs; SOGCs; ASO6s
Clause 9(4)(a), (b) and (c) – determine that an applicant is eligible for assistance despite a debt or tenancy breach	SOGBs; SOGCs;
Clause 9(4)(d) – determine that applicant is ineligible as able to pay bond from own resources	SOGBs, SOGCs
Clause 9(4)(e) determine that applicant is ineligible because rent and repayments of loan not affordable	SOGB's
Clause 9(5) – decide that an applicant is eligible for assistance, misleading information, contrived schemes etc	SOGBs SOGCs
Clause 10 – provide assistance in the form of a loan and enter into loan agreement	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s

This is page 3 of the Schedule (including Addendum) to the Instrument of Delegation for the Rental Bonds Housing Assistance Program under the Housing Assistance Act 1987 signed by the Commissioner for Housing on 8 December 2005

Clause 11: Provide assistance by way of a grant of up to \$100	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 12(3) Determine that outstanding amounts not repayable in accordance with the loan agreement	Director, Housing ACT
Clause 13 - Disregard eligibility criteria if the applicant is suffering severe hardship	SOGBs; SOGCs
Clause 14(1) - request an applicant to provide further information in relation to an application	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 14(2) – decide whether to treat an application as withdrawn or to extend the period for the provision of further information	SOGBs; SOGCs; ASO6s
Clause 15(2) – notify an applicant of a decision	SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 16(4) – On receipt of a request for review : <ul style="list-style-type: none"> • review the decision the subject of the request for review, without referring to HRC - 	Deputy Chief Executive; Executive Director; Director Housing ACT
Clause 16(4) refer decision to HRC	SOGBs
Clause 16(4) Accept, vary or reject the recommendation of the HRC	Deputy Chief Executive; Executive Director; Director Housing ACT
Clause 16(5) – notify an applicant of the decision following review under clause 16(4)	SOGBs; SOGCs; ASO6s
Clause 17(4) – accept or refuse an application to extend the period within which to lodge a request for review	SOGBs; SOGCs
Clause 17(5) – notify the applicant of the decision under clause 17(4)	SOGBs; SOGCs; ASO6s
Clause 19 – approve a form for the purposes of the Program	Deputy Chief Executive; Executive Director; Director Housing ACT only

This is page 4 of the Schedule (including Addendum) to the Instrument of Delegation for the Rental Bonds Housing Assistance Program under the Housing Assistance Act 1987 signed by the Commissioner for Housing on 8 December 2005

**ADDENDUM TO SCHEDULE
OFFICES REFERRED TO IN SCHEDULE**

Deputy Chief Executive Position No E00268

Executive Director Position No E00270

Director Housing ACT Position No E00139

Senior Officer Grade B (SOGB)
10583, 04270, 10585

Senior Officer Grade C (SOGC)
Position Nos
10588, 10586, 10582, 04349, 03107, 10580, 10587

Administrative Services Officer Class 6 (ASO6)
Position Nos
03365, 09046, 03844, 06920, 09048, 03841, 07618, 03464, 03846, 10889, 09047, 03108, 11287, 09044, 03842, 22003

Administrative Services Officer Class 5 (ASO5)
Position Nos
10787, 09066, 09069, 09068, 09090, 09087, 09081, 43516, 09071, 03445, 09088, 09083, 09064, 09065, 09089, 09086, 09075, 09072, 09073, 09235, 11293, 03650, 03376, 06921, 11045, 03151, 03831, 09085, 09076, 09060, 09058, 09063, 11040, 09074, 09084, 04288, 09077, 09070, 09080, 09082, 09061, 09059, 09062, 26174, 09236, 09237, 09238, 09239, 09240, 03157

Administrative Services Officer Class 4 (ASO4)
Position Nos
10478, 03417, 03537, 03357, 03353, 11481, 10913, 03828, 11306, 03530, 03485, 03452, 07590, 03418, 03790, 03358, 10793, 03830, 03405, 03342, 03484, 03782, 03478, 11392, 10836, 10861, 11053, 03528, 19901, 04458, 03465, 03455, 04454, 03488, 03392, 03550, 12595, 10801, 03547, 03546, 10480, 10855, 11305, 03414, 19895, 03483, 03539, 10792, 04451, 03456, 19897, 11414, 11438, 03414, 19895, 03483, 03539, 10792, 04451, 03456, 19897, 11414, 11438

Administrative Services Officer Class 3 (ASO3)
Position Nos
11445, 19898, 03459, 11449, 03431, 08130, 8074, 13487, 11942, 11967, 19899, 03458, 03490