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

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
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| 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 (s14(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, CSDClient Services, Housing ACT, CSDInfrastructure 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 |
|  |  | 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: |  |  |
|  | * acquire, lease, control, manage and disposal of land
* sale, lease and purchase of housing and assets
 | Senior Officer Grade A (SOGA) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) |  |
|  | * construct, maintain, renovate and demolish housing and assets
 | Senior Officer Grade A (SOGA) | Infrastructure and Contracts, Housing ACT, CSD |
|  | * enter into arrangements with entities for the construction, maintenance, renovation or demolition of housing
 | Senior Officer Grade B (SOGB) |  |
|  |  | Senior Officer Grade C (SOGC) |  |
|  | * enter into contracts
 | Senior Officer Grade A (SOGA) | Infrastructure and Contracts, Housing ACT, CSD |
|  | * other powers necessary or convenient to be done for providing housing assistance
 | Senior Officer Grade B (SOGB) | Client Services, Housing ACT, CSD |
|  |  |  | Policy and Business Transformation, Housing ACT, CSD |
|  | * enter into a tenancy or occupancy agreement
 | Senior Officer Grade A (SOGA) | Client Services, Housing ACT, CSD |
|  | * exercise the housing commissioner’s powers under a tenancy or occupancy agreement
 | Senior Officer Grade B (SOGB) | Homelessness services, Policy and Business Transformation, Housing ACT, CSD |
|  |  | Senior Officer Grade C (SOGC) |  |
|  |  | Administrative Services Officer Class 6 (ASO6) |  |
|  |  | Administrative Services Officer Class 5 (ASO5) |  |
|  |  | Administrative Services Officer Class 4 (ASO4) |  |
|  | * set rents for individual dwellings or complexes (e.g. dwellings newly handed over or upgraded)
 | Senior Officer Grade A (SOGA) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Client Services, Housing ACT, CSDHomelessness services, Policy and Business Transformation, Housing ACT, CSD |
|  | * powers relating to the administration of home purchase assistance arrangements and the loans portfolio
 | Under TreasurerE00916 | Chief Minister, Treasury and Economic Development Directorate |
|  |  | Executive Group ManagerE01003 | 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 | ACT Government Solicitor |
|  |  | Government Solicitor 2Government Solicitor 3Government Solicitor 4  | 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) | Client Services, Housing ACT, CSD  |
|  |  | Senior Officer Grade B (SOGB) | 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) | Client Services, Housing ACT, CSD |
|  |  | 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) |  |
| 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) | Client Services, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Homelessness services, Policy and Business Transformation, Housing ACT, CSD |
|  |  | Senior Officer Grade C (SOGC) |  |
|  |  | Administrative Services Officer Class 6 (ASO6) |  |
| 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) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | 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) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Client Services, Housing ACT, CSD |
|  |  |  | 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) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Client Services, Housing ACT, CSD |
|  |  | Senior Officer Grade C (SOGC) | Policy and Business Transformation, Housing ACT, 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 ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade C (SOGC) | 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) | Infrastructure and Contracts, Housing ACT, CSD |
|  |  | Senior Officer Grade B (SOGB) | Client Services, Housing ACT, CSD |
|  |  | Senior Officer Grade C (SOGC) | Homelessness Services, Policy and Business Transformation, Housing ACT, CSD |