

# Housing Assistance Act 1973

No. 30 of 1973

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## AN ACT

To grant Financial Assistance to the States by way of Loans for the purpose of commencing the Erection of additional Houses in the Financial Year ending on 30th June, 1973.

[Assented to 15 May 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

Short title.

1. This Act may be cited as the *Housing Assistance Act 1973*.

Commence-  
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Inter-  
pretation.

3. In this Act, unless the contrary intention appears—

“approved person” means a person included in a class of persons whom the appropriate Minister of State of the State in which those persons live considers to be in need of assistance in connexion with the provision of dwellings for leasing;

“housing authority”, in relation to a State, means—

- (a) in the case of New South Wales—The Housing Commission of New South Wales;
- (b) in the case of Victoria—the Housing Commission constituted under the *Housing Act* 1958 of that State as amended and in force for the time being;
- (c) in the case of Queensland—The Queensland Housing Commission;
- (d) in the case of South Australia—the South Australian Housing Trust;
- (e) in the case of Western Australia—The State Housing Commission constituted under the *State Housing Act*, 1946 of that State as amended and in force for the time being; and
- (f) in the case of Tasmania—the Director of Housing holding office under the *Homes Act*, 1935 of that State as amended and in force for the time being;

“prescribed period” means the period commencing on the date of commencement of this Act and ending on 30th June, 1973.

4. (1) There is payable to each State, during the prescribed period, for the purpose of financial assistance by way of loan, the amount specified in the Schedule opposite to the name of that State.

Loans to States for purpose of housing.

(2) Payments under this section shall be made in such amounts, and at such times during the prescribed period, as the Minister determines.

5. A grant of financial assistance to a State under section 4 is subject to the condition that the State will comply with the provisions of sections 6, 7, 8 and 9.

Loans to be subject to conditions.

6. (1) Subject to this section, a State to which an amount is paid under section 4 shall, during the prescribed period, pay that amount to the housing authority of the State and shall ensure that that amount is expended by that housing authority during the prescribed period on—

Purpose of loans.

- (a) the erection of dwellings to which this paragraph applies by the housing authority; and
- (b) the purchase, or purchase and renovation, of dwellings to which this paragraph applies by the housing authority.

(2) Paragraph (1) (a) applies to dwellings—

- (a) that are erected for leasing to approved persons; and

(b) the erection of which—

- (i) commenced or commences before 1st July, 1973; and
- (ii) would not, but for the financial assistance to the State under this Act or the expectation of that assistance, have been commenced before 1st July, 1973.

(3) Paragraph (1) (b) applies to dwellings—

- (a) that were or are purchased for leasing to approved persons; and
- (b) the agreements for the purchase of which—
  - (i) were or are entered into before 1st July, 1973; and
  - (ii) would not, but for the financial assistance under this Act or the expectation of that assistance, have been entered into before 1st July, 1973.

**Repayment  
of loans.**

7. (1) Interest from the date on which each amount is paid to a State under section 4 accrues at the rate of four per centum per annum on so much of the amount as is outstanding from time to time.

(2) The amount, or the sum of the amounts, paid to a State under section 4 together with the interest accruing on that amount or the sum of those amounts after 30th June, 1973, is payable to the Commonwealth by the State by fifty-three equal annual instalments.

(3) A State shall pay to the Commonwealth—

- (a) the amount of the interest that accrues in accordance with sub-section (1) in respect of an amount in respect of the period commencing on the date on which the amount was paid to the State under section 4 and ending on 30th June, 1973, on or before that last-mentioned date; and
- (b) the first of the annual instalments referred to in sub-section (2) on or before 30th June, 1974, and a further instalment on or before each subsequent 30th June.

**Conditions  
as to leasing  
and sale.**

8. (1) Where any moneys paid to a State under section 4 have been expended by the housing authority of the State on—

- (a) the erection of a dwelling; or
- (b) the purchase, or purchase and renovation, of a dwelling;

that dwelling is a prescribed dwelling in relation to the State for the purpose of this section.

(2) A State shall ensure that a prescribed dwelling is not leased to a person other than an approved person, and is not sold to any person unless the Minister has consented in writing to the sale of the dwelling.

(3) In this section, a reference to the sale of a prescribed dwelling shall be read as including a reference to the sale of the land on which a prescribed dwelling is erected.

9. A State to which a grant of financial assistance under section 4 is made shall, as soon as practicable after the end of the prescribed period, furnish to the Minister—

Furnishing  
of certificates  
and  
information.

- (a) a certificate by the Auditor-General of the State stating whether the amounts paid to the State under section 4 were paid to, and expended by, the housing authority of the State in accordance with section 6; and
- (b) such other information (if any) as the Minister requires in relation to the manner in which those amounts were applied by the housing authority of the State.

10. Payments for the purposes of this Act shall be made out of the Consolidated Revenue Fund, which is appropriated accordingly.

Appropriation.

SCHEDULE								Section 4
								\$
New South Wales	..	..	..	..	..	..	..	3,500,000
Victoria	..	..	..	..	..	..	..	1,500,000
Queensland	..	..	..	..	..	..	..	350,000
South Australia	..	..	..	..	..	..	..	500,000
Western Australia	..	..	..	..	..	..	..	400,000
Tasmania	..	..	..	..	..	..	..	300,000
								<u>6,550,000</u>