

AGED PERSONS HOSTELS AMENDMENT ACT 1976

No. 92 of 1976

An Act to amend the *Aged Persons Hostels Act 1972-1974*.

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

1. (1) This Act may be cited as the *Aged Persons Hostels Amendment Act 1976*.¹ Short title
and citation.

(2) The *Aged Persons Hostels Act 1972-1974*² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Aged Persons Hostels Act 1972-1976*.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commence-
ment.

3. (1) Section 6 of the Principal Act is amended by omitting sub-sections (2) and (3) and substituting the following sub-section:— Grants to
organ-
izations.

“(2) The amount of a grant under this section shall be paid at such time as is, or by such instalments and at such times as are, determined by an agreement between the Director-General and the prescribed organization or, in the absence of agreement, by the Director-General.”.

(2) Notwithstanding the amendment made by sub-section (1), an agreement in force for the purposes of sub-section 6 (2) of the Principal Act immediately before the commencement of this Act continues in force as if made for the purposes of sub-section 6 (2) of the Principal Act as amended by this Act.

4. Section 9 of the Principal Act is amended by omitting from sub-section (1) the words “approval of the hostel under section 5 of this Act” and substituting the words “the making of the grant or within such further period as the Director-General fixes having regard to the circumstances of a particular case”. Terms and
conditions of
grants.

5. Section 10 of the Principal Act is amended by adding at the end thereof the following sub-section:— Period of
operation.

“(2) Where—

(a) an approval under section 5 was given, within the period referred to in sub-section (1), with respect to a building

proposed to be erected on a particular site proposed to be acquired by the organization concerned; and

- (b) the Director-General is satisfied that, by reason of exceptional circumstances beyond the control of the organization, the organization has been unable to acquire that site,

the Director-General may, in his discretion, at the request of the organization, vary the approval by substituting a reference to another site for the reference to the first-mentioned site and, thereupon, that approval has effect as so varied.”

6. The Principal Act is amended by adding at the end thereof the following section:—

Delegation.

“13. (1) The Director-General may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to an officer of the Australian Public Service any of his powers under this Act, other than this power of delegation.

“(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Director-General.

“(3) A delegation under this section does not prevent the exercise of a power by the Director-General.”

Formal
amend-
ments.

7. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 7

FORMAL AMENDMENTS

1. The following provisions of the Principal Act are amended by omitting the words “of this Act” (wherever occurring):—

Sections 3 (1) (definition of “approved hostel”), 8, 9 (1) and 12 (2).

2. The Principal Act is further amended as set out in the following table:—

Provision	Amendment
Section 3 (1) (definition of “qualifying subsidized home”)	Omit “the twenty-second day of October, One thousand nine hundred and fifty-seven”, substitute “22 October 1957”.
(definition of “qualifying unsubsidized home”)	Omit “the fifteenth day of August, One thousand nine hundred and seventy-two”, substitute “15 August 1972”.
Section 10	Omit “of this Act” (first occurring).

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NOTES

1. Act No. 92, 1976; assented to 20 September 1976.
2. Act No. 76, 1972, as amended by No. 131, 1974.