



Housing Assistance Amendment Act 1992

No. 202 of 1992

An Act to amend the *Housing Assistance Act 1989*

[Assented to 21 December 1992]

The Parliament of Australia enacts:

Short title etc.

1.(1) This Act may be cited as the *Housing Assistance Amendment Act 1992*.

5 (2) In this Act, “Principal Act” means the *Housing Assistance Act 1989*¹.

Commencement

2. This Act commences on the day on which it receives the Royal Assent.

10 Interpretation

3. Section 3 of the Principal Act is amended by omitting “*Agreement*” from the definition of “1984 Act” and substituting “*Assistance*”.

Principal appropriation

4. Section 7 of the Principal Act is amended:

(a) by omitting from subsection (3) “, third and fourth” and substituting “and third”;

(b) by inserting after subsection (3) the following subsection: 5

“(3A) For the purpose of making payments under this Act, the Consolidated Revenue Fund is appropriated in the following amounts:

(a) \$1,059,200,000 in respect of the fourth grant year;

(b) \$1,080,890,000 in respect of the fifth grant year; 10

(c) \$1,010,641,000 in respect of the sixth grant year;

(d) \$1,017,863,000 in respect of the seventh grant year.”.

5. The Principal Act is amended by inserting after section 7 the following section:

Commonwealth funds to be carried forward 15

“7A.(1) If the amount of a grant in respect of the fourth, fifth, sixth or seventh grant year has not been fully paid to a State in that grant year, the Minister may, after consulting with the State Minister, determine that the amount remaining unpaid, or part of it, is to be carried over for payment to the State in the next grant year. 20

“(2) If a determination is made under subsection (1) in respect of the fourth, fifth or sixth grant year, section 7 has effect as if the amount specified in paragraph (3A)(b), (c) or (d), as the case requires, were increased by the amount to be carried over.”.

Allocation among the States of untied grants after first grant year 25

6. Section 13 of the Principal Act is amended:

(a) by omitting paragraph (1)(b) and substituting the following paragraph:

“(b) except for the purposes of subsection (5A), the Australian Capital Territory is not to be taken to be a State before 1 July 1993.”; 30

(b) by inserting after subsection (5) the following subsections:

“(5A) In the fourth grant year not more than \$75,000,000 may be allocated to such of the States as the Minister considers appropriate, having regard to proposals for employment generation in the housing industry submitted by State Ministers. 35

“(5B) In the fifth grant year not more than \$25,000,000 may be allocated to such of the States as the Minister considers appropriate, having regard to proposals for employment generation in the housing industry submitted by State Ministers.”; 40

(c) by omitting from subsection (7) “The balance” and substituting “Subject to subsection (7B), the balance”;

(d) by inserting after subsection (7) the following subsections:

5 “(7A) If the operation of subsection (5A) or (5B) has resulted in a State gaining, in respect of the fourth or fifth grant year, a smaller or larger share of untied grants than the share to which it would otherwise have been entitled, subsection (7B) applies to that State.

10 “(7B) The Minister is to ensure that the allocation of untied grants in respect of the sixth and seventh grant years is such as to ensure that the total amount of untied grants allocated to a State to which this subsection applies in respect of the fourth, fifth, sixth and seventh grant years is as nearly as practicable what it would have been if subsections (5A) and (5B) had not operated.”.

Grants to be matched by State

7. Section 15 of the Principal Act is amended by adding at the end the following subsection:

20 “(4) For the purposes of any provision of a housing agreement relating to the provision of matching funds by a State:

(a) the total of the amounts received by the State under subsections 13(5A) and (5B) is to be taken to be allocated in equal amounts in respect of the sixth and seventh grant years; and

25 (b) if:
(i) the amount of a grant has not been fully paid to a State in a grant year; and
(ii) the Minister, under subsection 7A(1), has determined that the amount remaining unpaid, or part of it, is to be carried over;

30 the amount of the grant is taken to be reduced by the amount remaining unpaid and the amount allocated to the State in respect of the next grant year is taken to be increased by the amount carried over.”.

NOTE

1. No. 7, 1990.

[*Minister's second reading speech made in—
House of Representatives on 4 November 1992
Senate on 10 November 1992*]