



National Rental Affordability Scheme Amendment (Administrative Processes) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 13 July 2017

Peter Cosgrove
Governor-General

By His Excellency's Command

Christian Porter
Minister for Social Services

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1 Name

This instrument is the *National Rental Affordability Scheme Amendment (Administrative Processes) Regulations 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	15 July 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *National Rental Affordability Scheme Act 2008*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

National Rental Affordability Scheme Regulations 2008

1 Subregulation 16(1D)

Repeal the subregulation, substitute:

- (1D) To the extent that the rental dwelling is not rented during an NRAS year (the *relevant NRAS year*) that falls within the incentive period—the dwelling must not be vacant for:
- (a) a period of more than 26 weeks during the relevant NRAS year (whether or not the period is continuous); or
 - (b) a continuous period of more than 26 weeks that:
 - (i) begins no more than 26 weeks before the end of the previous NRAS year; and
 - (ii) ends in the relevant NRAS year.

2 Regulation 23 (heading)

Repeal the heading, substitute:

23 Variation of certain conditions

3 Regulation 23

Before “The”, insert “(1)”.

4 At the end of regulation 23

Add:

- (2) The Secretary may, with the agreement of an approved participant for an approved rental dwelling, vary a condition of the reservation of the allocation in relation to the dwelling that relates to the size of the dwelling.

5 In the appropriate position in Part 6

Insert:

Division 1—Amendments made by the National Rental Affordability Scheme Amendment (Administrative Processes) Regulations 2017

34 Application—vacancy periods

Subregulation 16(1D) of the *National Rental Affordability Scheme Regulations 2008*, as inserted by item 1 of Schedule 1 to the *National Rental Affordability Scheme Amendment (Administrative Processes) Regulations 2017*, applies in relation to the NRAS year beginning on 1 May 2016 and each later NRAS year.

35 Application—variation of conditions of the reservation of an allocation

Subregulation 23(2) of the *National Rental Affordability Scheme Regulations 2008*, as inserted by item 4 of Schedule 1 to the *National Rental Affordability Scheme Amendment (Administrative Processes) Regulations 2017*, applies in relation to a reservation of an allocation made before the commencement of this regulation if, immediately before that commencement, the allocation has not been revoked.