



NORTHERN TERRITORY OF AUSTRALIA

No. 11 of 1987

AN ACT

to amend the *Housing Act*

[Assented to on 25 June, 1987]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Housing Amendment Act 1987*.

2. COMMENCEMENT

(1) Sections 1 and 2 shall come into operation on the day on which the Administrator's assent to this Act is declared.

(2) The remaining provisions of this Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Housing Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 5 of the Principal Act is amended -

- (a) by omitting the definition of "Chairman";
- (b) by inserting after the definition of "Commission" the following:

"'Commissioner' means the person appointed as Commissioner under section 8(1) and includes a person appointed under section 10 to act as Commissioner when so acting"; and

Housing Amendment

- (c) by omitting the definitions of "deputy", "Deputy Chairman" and "member".

5. REPEAL AND SUBSTITUTION

Sections 7 to 13, inclusive, of the Principal Act are repealed and the following substituted:

"7. COMPOSITION OF COMMISSION

"(1) The Commission shall be constituted by the Commissioner.

"(2) The establishment of the Commission is not affected by reason only of there being a vacancy in the office of the Commissioner.

"8. APPOINTMENT OF COMMISSIONER

"(1) The Minister may, by notice in writing, appoint a person to be the Commissioner.

"(2) The Minister may at any time terminate the appointment of the Commissioner.

"9. CONDITIONS OF COMMISSIONER, &c.

"The Commissioner shall -

- (a) be paid such salary, allowances and expenses; and

- (b) subject to section 8(2), hold office on such terms and conditions,

as the Administrator determines.

"10. ACTING COMMISSIONER

"The Minister may, by notice in writing, appoint a person to act from time to time as the Commissioner during the absence from duty of the Commissioner or a vacancy in the office of the Commissioner.

"11. DISCLOSURE OF INTEREST

"(1) Where the Commissioner has a direct or indirect pecuniary interest in a matter being or to be considered by the Commission he shall, as soon as practicable after he becomes aware of a potential conflict of interest because of that pecuniary interest, disclose the nature of it to the Minister, and the Commission shall, subject to subsection (2), refrain from further consideration of, or from considering, that matter.

Housing Amendment

"(2) The Minister may, after considering the nature of the pecuniary interest disclosed to him under subsection (1) by the Commissioner, direct the Commission to continue its consideration of, or to consider, the matter which caused the Commissioner to make that disclosure."

6. DELEGATION

Section 14 of the Principal Act is amended -

- (a) by omitting "the Chairman" (wherever occurring) and substituting "the Minister"; and
- (b) by omitting "to an employee within the meaning of the *Public Service Act*" and substituting "to a person".

7. MINISTER TO DETERMINE RENTS

Section 23 of the Principal Act is amended by omitting "each dwelling" and substituting "a dwelling or a class of dwelling".

8. REPEAL OF PART VI

Part VI of the Principal Act is repealed.

9. PROTECTION OF PERSONS ACTING FOR COMMISSION

Section 30 of the Principal Act is amended by omitting "A member or person" and substituting "A person".

10. FALSE STATEMENT IN DOCUMENTS

Section 31 of the Principal Act is amended by omitting "or to a member or person" and substituting "or to a person".

11. MINISTER MAY DETERMINE AMOUNT AT WHICH A DWELLING SHALL BE SOLD

Section 35 of the Principal Act is amended by omitting "determine the amount at which a dwelling" and substituting the following:

"determine -

- (a) the amount; or
- (b) the method of determining the amount, at which a dwelling".

12. REPEAL

Section 40 of the Principal Act is repealed.

Housing Amendment

13. CHAIRMAN TO BE COMMISSIONER

The person who immediately before the commencement of this Act (other than sections 1 and 2) was the Chairman of the Commission shall be the Commissioner as if he were appointed under section 8 of the Principal Act, as amended by this Act, on that commencement.
