

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 11 August 1992

HOUSING RESTRUCTURING BILL

Proposed Amendments

Hon. JOHN LUXTON, in Committee, to move as follows:

Clause 1: To insert in subclause (2) after the word "subsections" (line 12 on page 3), the expression "(2A)".

To insert after subclause (2) (after line 14 on page 3) the following subclause:

(2A) Sections 39 and 54 of this Act shall be deemed to have come into force on the 31st day of March 1989.

To omit from subclause (3) the expression "and 81" (line 15 on page 3), and substitute the expression "81, and 82".

Clause 2. Subclause (1). To insert in the definition of the term "State housing assets" after the expression "section 2" (line 21 on page 5) the expression "(1)".

To insert in the definition of the term "State housing liabilities" after the expression "section 2" (line 36 on page 5) the expression "(1)".

To add, as subclause (3), (after line 44 on page 5) the following subclause:

(3) References in this Act to State housing land within the meaning of subsection (1) of section 2 of the Housing Act 1955 shall be construed as references to State housing land within the meaning of that subsection and nothing in subsection (2) of that section shall apply.

Clause 33. Subclause (1). To insert after the expression "section 2" (line 24 on page 24) the expression "(1)".

Subclause (3). To insert after the expression "section 2" (line 13 on page 25) the expression "(1)".

Subclause (4). To insert after the expression "section 2" (line 21 on page 25) the expression "(1)".

Clause 38. To omit this clause (lines 16 to 20 on page 27) and substitute the following clause:

38. Application of Housing Act 1955—Where land is vested in the Crown pursuant to an Order in Council made under section 36 of this Act, the Housing Act 1955 shall apply in

relation to the land in the same way as it applied before it was vested in the company.

Clause 39: To omit subclause (2) (lines 25 and 26 on page 27).

Clause 42B: To omit from paragraph (b) of subclause (2) the words "the coming into force of this Part of this Act" (lines 18 and 19 on page 30), and substitute the words "that date".

Clause 54: To omit subclause (2) (lines 30 and 31 on page 33).

Part VII: To add, as *clause 82* (after line 14 on page 47) the following clause:

82. Limitation where applicant receiving another benefit or war pension—Section 72 (a) of the principal Act is hereby amended by inserting, after the expression "61E", the expression "61FA,".

EXPLANATORY NOTE

The amendments to *clause 1* ensure that all provisions of the Bill which come into force on a date other than the date on which the Bill receives the Royal assent are referred to in this clause rather than elsewhere in the Bill. *Clauses 39* and *54* come into this category.

The amendments to *clause 2* make it clear that for the purposes of the Bill land that is subject to an agreement for sale under section 16 of the Housing Act 1955 is to be treated as State housing land.

The amendments to *clause 33* relate to the amendments to *clause 2* of the Bill.

The new *clause 38* clarifies the intent of the clause that any land transferred to the Crown will be subject to the Housing Act 1955 in the same way as it was subject to that Act before the land was vested in the company.

The amendment to *clause 39* relates to the commencement of that clause.

The amendment to *clause 42B (2) (b)* alters the reference in that paragraph to the date of commencement of the new *Part IV* to a reference to 21 July 1992.

Clause 42B (2) provides that where proceedings have been commenced before 21 July 1992, nothing in the new *section 19A* of the Housing Act 1955 will affect any judgment, decision, or order of a Court or Tribunal in those proceedings or in any appeal whether the appeal is commenced before or after the commencement of the new *Part IV*.

The reference to the commencement of *Part IV* is incorrect. It should, to be consistent, be a reference to 21 July 1992.

The amendment to *clause 54* relates to the commencement of that clause.

The new *clause 82* amends section 72 of the Social Security Act 1964 and makes it clear that a rent rebate may be received in addition to any other form of benefit payable under the Act.