

As in force at 1 July 2002.

South Australia

**HOUSING IMPROVEMENT (SECTION 60 STATEMENTS)
REGULATIONS 2001**

REGULATIONS UNDER THE HOUSING IMPROVEMENT ACT 1940

Housing Improvement (Section 60 statements) Regulations 2001

being

No. 191 of 2001: *Gaz.* 16 August 2001, p. 3096¹

as varied by

No. 97 of 2002: *Gaz.* 20 June 2002, p. 2604²

¹ Came into operation 31 August 2001: reg. 2.

² Came into operation 1 July 2002: reg. 2.

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *For the legislative history of the regulations see Appendix.*

SUMMARY OF PROVISIONS

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2. Commencement
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LEGISLATIVE HISTORY

3.

Citation

1. These regulations may be cited as the *Housing Improvement (Section 60 statements) Regulations 2001*.

Commencement

2. These regulations will come into operation on 31 August 2001.

Revocation

3. The *Housing Improvement (Statements under section 60) Regulations 1986* (see *Gazette* 27 March 1986 p. 748), as varied, are revoked.

Interpretation

4. In these regulations, unless the contrary intention appears—

"the Act" means the *Housing Improvement Act 1940*.

Application under section 60

5. (1) Subject to subregulation (2), an application to the housing authority under section 60 of the Act must be in the form specified in the Schedule.

(2) The housing authority may, in a particular case, accept a written application in a form other than that specified in the Schedule.

(3) An application must not refer to more than one house.

Fee for application

6. The fee for an application to the housing authority under section 60 of the Act is \$22.00.

Form of statement under section 60

7. A statement by the housing authority under section 60 of the Act must be in a form specified in the Schedule.

Reference to previous rental notices

8. In addition to any other information required under the Act, a statement by the housing authority under section 60 of the Act in respect of a house must, where—

- (a) a notice stating the intention of the housing authority to declare the house to be substandard has been served and not withdrawn; or
- (b) a notice declaring the house to be substandard has been published in the *Gazette* and is in force; or
- (c) a notice fixing the maximum rental payable in respect of the house has been published in the *Gazette* and is in force; or
- (d) the applicant so requests,

specify (unless the housing authority in a particular case determines otherwise) the date of Gazettal of, and amount of maximum rental specified by, any notice fixing a maximum rental for the house that has been in force at any time prior to the date of the statement.

SCHEDULE
Forms

Form 1

Housing Improvement Act 1940

APPLICATION FOR STATEMENT UNDER SECTION 60

(Applicant to complete this form and forward it to the South Australian Housing Trust, Riverside Centre, North Terrace, Adelaide, 5000. A separate form is required for each house for which a statement under section 60 is sought. A fee of \$..... must be paid in respect of this application.)

Name of applicant:

Address for delivery or posting of statement:

Address of house in respect of which this application is made:

If house is one of a block of flats or units, the flat or unit number:

If house is on an allotment where there is more than one house, situation of house (e.g. that the house is on the southern side of the allotment):

State whether details are required of maximum rentals (if any) fixed for the house that are no longer in force:

Form 2

Housing Improvement Act 1940

STATEMENT UNDER SECTION 60

NO CURRENT NOTICE

Date

Inquiry From

Inquiry Date Ref

The house described below is not, as at the date of this Statement, subject to any notice stating the South Australian Housing Trust's intention to declare the house to be substandard, any notice declaring the house to be substandard or any notice fixing the maximum rental payable in respect of the house under the *Housing Improvement Act 1940*.

Description of house:

SECRETARY
SOUTH AUSTRALIAN HOUSING TRUST
Riverside Centre, North Terrace, Adelaide, 5000
Per

NOTE: Inquiries in respect of legislation other than Part 7 of the *Housing Improvement Act 1940* should be directed to the appropriate authority.

STATEMENT UNDER SECTION 60

**NO CURRENT NOTICE
REQUESTED DETAILS OF PAST NOTICES**

Date

Inquiry From

Inquiry Date Ref

1. The house described below is not, as at the date of this Statement, subject to any notice stating the South Australian Housing Trust's intention to declare the house to be substandard, any notice declaring the house to be substandard or any notice fixing the maximum rental payable in respect of the house under the *Housing Improvement Act 1940*.

2. Previously—

- (a) no maximum rentals have been fixed in respect of the house*
- (b) maximum rentals have been fixed in respect of the house as follows*:

Date of Publication	Amount per Week
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(*Strike out if inapplicable.)

Description of house:

SECRETARY
 SOUTH AUSTRALIAN HOUSING TRUST
 Riverside Centre, North Terrace, Adelaide, 5000
 Per

NOTE: Inquiries in respect of legislation other than Part 7 of the *Housing Improvement Act 1940* should be directed to the appropriate authority.



STATEMENT UNDER SECTION 60

**CURRENT NOTICE
DETAILS OF PAST NOTICES**

Date

Inquiry From

Inquiry Date Ref

In respect of the house described below as at the date of this Statement:

(1) A notice stating the intention of the South Australian Housing Trust to declare the house to be substandard has been served upon the owner or upon a registered mortgagee of the land on which the house is situated and such notice has not been withdrawn.

(2) The date of service of the notice is:

(3) The Trust's reasons, as at the date of this Statement, for holding the view that the house is undesirable or unfit for human habitation are:

(4) A notice declaring the house to be substandard has been published in the *Gazette* and is in force.*

(5) The date of publication is:

(6) A notice fixing the maximum rental payable in respect of the house has been published in the *Gazette* and is in force.*

(7) The date of publication is:

(8) The amount of the maximum rental is: \$ per week.

(9) Previously, maximum rentals have been fixed as follows*:

Date of Publication	Amount per Week
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(*Strike out if inapplicable.)

Description of house:

SECRETARY
SOUTH AUSTRALIAN HOUSING TRUST
Riverside Centre, North Terrace, Adelaide, 5000

Per

NOTE: (i) The *Housing Improvement Act 1940* makes provision for applications to vary the maximum rental.

(ii) Inquiries in respect of legislation other than Part 7 of the *Housing Improvement Act 1940* should be directed to the appropriate authority.

7.

APPENDIX

LEGISLATIVE HISTORY

Regulation 6:

varied by 97, 2002, reg. 3