

South Australia

# **Housing Improvement (Section 60 statements) Regulations 2001**

under the *Housing Improvement Act 1940*

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### **1—Short title**

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

### **4—Interpretation**

In these regulations, unless the contrary intention appears—  
*the Act* means the *Housing Improvement Act 1940*.

### **5—Application under section 60**

- (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.

### **6—Fee for application**

The fee for an application to the housing authority under section 60 of the Act is \$24.35.

### **7—Form of statement under section 60**

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

## 8—Reference to previous rental notices

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a notice stating the intention of the housing authority to declare the house to be substandard has been served and not withdrawn; or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 (eg 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.

### Form 3

*Housing Improvement Act 1940*

#### 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

(\*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.

## Form 4

*Housing Improvement Act 1940*

### Statement under section 60

Current notice

Details of past notices

Inquiry From ..... Date .....

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

(\*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.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Legislation revoked by principal regulations

The *Housing Improvement (Section 60 statements) Regulations 2001* revoked the following:

*Housing Improvement (Statements under section 60) Regulations 1986*

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2001	191	<i>Gazette 16.8.2001 p3096</i>	31.8.2001: r 2
2002	97	<i>Gazette 20.6.2002 p2604</i>	1.7.2002: r 2
2003	108	<i>Gazette 29.5.2003 p2280</i>	1.7.2003: r 2
2004	117	<i>Gazette 27.5.2004 p1664</i>	1.7.2004: r 2
<b>2005</b>	<b>82</b>	<b><i>Gazette 26.5.2005 p1471</i></b>	<b>1.7.2005: r 2</b>
2006	99	<i>Gazette 15.6.2006 p1749</i>	1.7.2006: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>rr 2 and 3</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>1.7.2004</i>
r 6	varied by 97/2002 r 3	1.7.2002
	varied by 108/2003 r 4	1.7.2003
	varied by 117/2004 r 4	1.7.2004
	<b>varied by 82/2005 r 4</b>	<b>1.7.2005</b>

### Historical versions

1.7.2004