

South Australia

# Public Employees Housing Act 1987

An Act to provide for housing accommodation for public employees; and for other purposes.

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## The Parliament of South Australia enacts as follows:

### 1—Short title

This Act may be cited as the *Public Employees Housing Act 1987*.

### 3—Interpretation

(1) In this Act—

*public employee* means—

- (a) a person employed by the Crown, whether in the Public Service or not; or
- (b) a person employed by a body corporate that is established by or under an Act and—
  - (i) is comprised of persons, or has a governing body that is comprised of persons, a majority of whom are appointed by the Governor, a Minister or an agency or instrumentality of the Crown; or
  - (ii) is subject to control or direction by a Minister; or
- (c) an employee in relation to whom a proclamation is in force under subsection (2).

(2) The Governor may, by proclamation—

- (a) declare that the employees of a specified body corporate are public employees;
- (b) vary or revoke a proclamation under this subsection.

#### 4—Provision of housing

- (1) The Minister may provide suitable housing accommodation for the benefit of public employees.
- (2) The employees to whom accommodation is provided under this Act will be determined by the Minister.
- (3) Subject to the *Residential Tenancies Act 1978*, but notwithstanding any other Act or law to the contrary the terms (including the rent and other charges) on which the accommodation is provided will be determined by the Minister.
- (4) Rent and any other charges payable by an employee for accommodation provided under this Act may be deducted from the employee's salary, wages or allowances.

#### 6—Regulations

The Governor may make such regulations as are contemplated by this Act or as are necessary or expedient for the purposes of this Act.

#### Schedule—Transitional provisions

- 1 (1) All property, rights and liabilities vested in or attached to the Authority immediately before the commencement of this Act will, upon the commencement of this Act, vest in or attach to the Minister.
- (2) A reference in an instrument (whether or not of a statutory nature) to the Authority will, where the context admits, be construed as a reference to the Minister.
- (3) The balance standing to the credit of the Teacher Housing Authority Fund at the commencement of this Act must be paid into the Consolidated Account.
- 2 A person employed by the Authority immediately before the commencement of this Act is entitled to employment in the Public Service of the State on terms and conditions as favourable as those to which the employee would have been entitled if the employment with the Authority had continued.

3 In this Schedule—

*the Authority* means the South Australian Teacher Housing Authority.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation repealed by principal Act

The *Public Employees Housing Act 1987* repealed the following:

*Teacher Housing Authority Act 1975*

### Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1987	74	<i>Public Employees Housing Act 1987</i>	19.11.1987	19.11.1987 ( <i>Gazette 19.11.1987 p1624</i> )
<b>2015</b>	<b>8</b>	<b><i>Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015</i></b>	<b>18.6.2015</b>	<b>Pt 30 (ss 191 &amp; 192)—1.7.2015 (<i>Gazette 25.6.2015 p3076</i>)</b>

### Provisions amended

New entries appear in bold.

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

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i>	
s 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	
s 5	<i>deleted by 8/2015 s 191</i>	1.7.2015
s 7	<i>omitted under Legislation Revision and Publication Act 2002</i>	

### Transitional etc provisions associated with Act or amendments

#### *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*

##### **192—Transitional provision**

A member of the Public Employees Housing Advisory Committee ceases to hold office on the commencement of this section.