

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1984, No. 53*

Regulations under the *Housing Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Housing Act*.

Dated this thirty-first day of August, 1984.

E.E. JOHNSTON
Administrator

AMENDMENTS OF THE HOUSING (GOVERNMENT
EMPLOYEES) SALES SCHEME REGULATIONS

1. COMMENCEMENT

These Regulations shall come into operation on 1 September 1984.

2. PRINCIPAL REGULATIONS

The Housing (Government Employees) Sales Scheme Regulations, as in force immediately before the commencement of these Regulations, are referred to in these Regulations as the Principal Regulations.

* Notified in the *Northern Territory Government Gazette* on 31 August, 1984.

Housing (Government Employees) Sales Scheme Regulations

3. REPEAL AND SUBSTITUTION

Clause 5 of the Scheme set out in the Schedule to the Principal Regulations is repealed and the following substituted:

"5. APPLICATION BY ELIGIBLE PERSON

"(1) An eligible person may, where he -

- (a) was such a person immediately before 1 September 1984; or
- (b) in the opinion of the Commission acting with, and in accordance with, the advice of the Commissioner within the meaning of the *Public Service Act*, became such a person after 1 September 1984 as a consequence of a process of recruitment which was occurring in relation to him before that date,

may, in his own name, or jointly with an approved person, make, subject to sub-clause (2), on or before 31 December 1986, an application in the approved form to the Commission to purchase a dwelling.

"(2) An application referred to in sub-clause (1) may be made on or after 1 January 1987 by an eligible person referred to in that sub-clause where the Commission acting with, and in accordance with, the advice of the Commissioner referred to in that sub-clause, is satisfied that the reason that the person did not make such an application before 1 January 1987 is that the duties attaching to the employment, or office which he holds, by virtue of which he is such an eligible person, were performed in such a remote locality or localities in the Territory that -

- (a) he was unable; or
- (b) it would not have been feasible for him,

to make such an application before 1 January 1987."

4. DETERMINATION OF APPLICATION

Clause 6 of the Scheme set out in the Schedule to the Principal Regulations is amended by omitting "clause 5" and substituting "clause 5(1)".

5. COMMISSION LOAN FOR PURCHASE OF DWELLING

Clause 8 of the Scheme set out in the Schedule to the Principal Regulations is amended by adding at the end the following:

Housing (Government Employees) Sales Scheme Regulations

"(4) Notwithstanding any other provision of this Scheme, a Commission loan Class 1 shall not be made to an eligible person (whether jointly with an approved person or not) other than an eligible person referred to in clause 5(1)."

6. RATES OF INTEREST

Clause 11 of the Scheme set out in the Schedule to the Principal Regulations is amended -

- (a) by omitting from sub-clause (1) "clause 19" and substituting "clauses 11A and 19";
- (b) by omitting sub-clause (2); and
- (c) by omitting sub-clause (5) and substituting the following:

"(5) Where the classification of a purchaser varies, the rate of interest payable in respect of the agreement relating to the Commission loan Class 1 to which that variation relates shall become due and payable on and from the monthly instalment next following that variation."

7. NEW CLAUSE

The Scheme set out in the Schedule to the Principal Regulations is amended by inserting after clause 11 the following:

"11A. VARIATION OF RATES OF INTEREST

"(1) With effect on and from 1 September 1984, the rates of interest specified in clause 11(1) shall each be increased by 0.25%.

"(2) Notwithstanding any other provision of this Scheme, the rate of interest payable on a Commission loan Class 1 in existence immediately before 1 September 1984, irrespective of whether it has been made to a Class 1 or 2 purchaser, shall, with effect on and from 1 September of each year after 1984, be increased by 0.5% until a ceiling equivalent to the maximum rate of interest from time to time payable on a first mortgage under the housing assistance scheme set out in the Schedule to the Home Purchase Assistance Scheme Regulations is reached.

"(3) Sub-clauses (1) and (2) shall apply to and in relation to a rate of interest payable on a loan referred to in clause 11(6) deemed by virtue of clause 11(7)(a) to be a Commission loan Class 1, irrespective of whether the person to whom that loan was made is deemed by virtue of clause 11(7) to be a Class 1 or 2 purchaser.

Housing (Government Employees) Sales Scheme Regulations

"(4) Notwithstanding any other provision of this Scheme, the rate of interest payable on a Commission loan Class 1 which comes into existence on or after 1 September 1984, irrespective of whether it is made to a Class 1 or 2 purchaser, shall, with effect on and from the expiration of each 12 months after interest first becomes payable under the agreement relating to the Commission loan Class 1, be increased by 0.5% until a ceiling equivalent to the maximum rate of interest from time to time payable on a first mortgage under the housing assistance scheme set out in the Schedule to the Home Purchase Assistance Scheme Regulations is reached.

"(5) Where the operation of this clause varies a rate of interest payable on a Commission loan Class 1, the variation so made of the rate of interest shall become due and payable on and from the monthly instalment, under the agreement relating to the Commission loan Class 1, next following that variation."

8. CATEGORY 1 AND 2 PURCHASERS

Clause 19 of the Scheme set out in the Schedule to the Principal Regulations is amended -

- (a) by omitting from sub-clause (1)(c) "Home Loans Scheme Regulations" and substituting "Schedule to the Home Purchase Assistance Scheme Regulations"; and
- (b) by omitting from sub-clause (1)(d) all words after and including "maximum" and substituting "rate of interest from time to time determined by the Minister but, in any case, not more than 18%".

9. INTEREST PAYABLE ON COMMISSION LOAN CLASS 2 WHERE HOUSE LET FOR PROFIT, &c.

Clause 21 of the Scheme set out in the Schedule to the Principal Regulations is amended by omitting all words after and including "maximum" and substituting "rate of interest from time to time determined for the purposes of clause 19(1)(d) by the Minister."

NORTHERN TERRITORY OF AUSTRALIA
HOME PURCHASE ASSISTANCE SCHEME REGULATIONS

TABLE OF PROVISIONS

Regulation

1. Citation
2. Commencement
3. Repeal and savings
4. Scheme

SCHEDULE

