



ANNO TRICESIMO SECUNDO

# ELIZABETHAE II REGINAE

A.D. 1983

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No. 74 of 1983

**An Act to amend the Housing Improvement Act, 1940.**

*[Assented to 10 November 1983]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Housing Improvement Act Amendment Act, 1983".

(2) The Housing Improvement Act, 1940, is in this Act referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of  
s. 52—  
Application of  
rent control to  
houses.

3. Section 52 of the principal Act is amended—

(a) by striking out the second sentence of subsection (1);

and

(b) by striking out subsection (2) and substituting the following subsections:

(2) A notice served pursuant to subsection (1)—

(a) must state the housing authority's reasons for forming the view that the house is undesirable or unfit for human habitation;

and

(b) must fix a period of at least one month from the service of the notice during which the person served with the notice may submit to the housing authority any matters that he wishes the authority to consider before making a declaration under subsection (3).

(3) After considering all matters submitted to it pursuant to subsection (2) (b), the housing authority may, by notice

published in the *Gazette*, declare the house to be substandard for the purposes of this Part.

(4) The housing authority may, without proceeding to make a declaration under subsection (3), withdraw a notice served under subsection (1).

4. Section 60 of the principal Act is repealed and the following section is substituted:

Repeal of s. 60 and substitution of new section.

60. (1) The housing authority shall, upon receiving a written application and upon payment of the prescribed fee, provide the applicant with a statement in writing—

Provision of certain information by housing authority.

(a) as to whether, as at the date of the statement—

(i) a notice stating the intention of the housing authority to declare the house described in the application to be substandard has been served upon the owner, or upon a registered mortgagee, of the land on which the house is situated and, if so, the date of service of the notice and the housing authority's reasons, at the date of the statement, for holding the view that the house is undesirable or unfit for human habitation;

(ii) a notice declaring the house to be substandard has been published in the *Gazette* and is in force and, if so, the date of publication;

(iii) a notice fixing the maximum rental payable in respect of the house has been published in the *Gazette* and is in force and, if so, the amount of the maximum rental;

and

(b) containing such other information as may be required by regulation.

(2) Subsection (1) (a) (i) does not apply to a notice that has been withdrawn by the housing authority.

5. Section 87 of the principal Act is amended by inserting after paragraph (e) the following paragraph:

Amendment of s. 87—  
Provision as to regulations.

(ea) may prescribe, and provide for the payment of, fees;

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

C. L. LAUCKE, Governor's Deputy