

HOUSING ORDINANCE 1969

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No. 9 of 1969

An Ordinance to amend the *Housing Ordinance* 1959-1968

[Assented to 18 March, 1969]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Housing Ordinance* 1969. Short title and citation

(2.) The *Housing Ordinance* 1959-1968 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Housing Ordinance* 1959-1969.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice published in the *Gazette*.* Commencement

3.—(1.) Section 15A of the Principal Ordinance is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:— Employment of persons

“(2.) The terms and conditions of employment (including remuneration) of persons employed under this section are such as are determined by the Commission with the approval of the Minister or a person authorized by the Minister.”

(2.) For the purpose of section 15A of the Principal Ordinance, as amended by this Ordinance, the terms and conditions of employment of the persons employed under sub-section (1.) of that section immediately before the commencement of this Ordinance shall be deemed to be terms and conditions determined by the Commission with the approval of the Minister.

4. Sections 19 to 22 (inclusive) of the Principal Ordinance are repealed and the following sections inserted in their stead:—

“19. The moneys of the Commission consist of all moneys received by the Commission in the exercise of its powers or the performance of its functions under this Ordinance, including moneys advanced by the Treasurer to the Commission or borrowed by the Commission in accordance with this Ordinance. Moneys of the Commission”

* The date fixed was 1 October, 1969 (see *Northern Territory Government Gazette* No. 36 of 1 October, 1969, page 265).

Bank accounts

"19A.—(1.) The Commission may open and maintain an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.

"(2.) The Commission shall pay all moneys of the Commission into an account referred to in this section.

"(3.) In this section, 'approved bank' means the Reserve Bank of Australia or another bank approved by the Treasurer.

Application of moneys of Commission

"20. The moneys of the Commission may be applied—

(a) in payment of remuneration and allowances payable to members of the Commission and deputies of members of the Commission; and

(b) in payment or discharge of the expenses, obligations and liabilities of the Commission arising under this Ordinance,

but not otherwise.

Investment, &c., of moneys of the Commission

"20A. Moneys of the Commission not immediately required for the purposes referred to in section twenty of this Ordinance may be—

(a) invested in securities of or guaranteed by the Commonwealth; or

(b) lodged—

(i) in an account at call; or

(ii) on fixed deposit,

with an approved bank for the purpose of section nineteen A of this Ordinance.

Commission to prepare estimates

"20B. The Commission shall, not later than the last day of March in each year, submit to the Minister particulars, prepared in such form as the Minister directs, of its expected receipts and proposed expenditure for the financial year commencing on the following first day of July.

Proper accounts to be kept

"20c. The Commission shall cause proper accounts and financial records of the transactions and affairs of the Commission to be kept in accordance with accounting principles generally applied in commercial practice and shall do all things necessary to ensure that all payments out of its moneys are properly authorized and correctly made and that adequate control is maintained over the assets of, or in the custody of, the Commission and over the incurring of liabilities by the Commission.

Commission not to borrow &c., without consent of Treasurer

"21. The Commission shall not borrow money, or charge or mortgage any of its real or personal property, without the consent of the Treasurer.

Audit

"22.—(1.) The Auditor-General of the Commonwealth may, from time to time, inspect and audit the accounts and records of financial transactions of the Commission, and inspect other records relating to the assets of the Commission.

"(2.) Where the Auditor-General inspects and audits the accounts and records of financial transactions of the Commission—

- (a) the Auditor-General shall, forthwith, draw the attention of the Minister to any irregularity revealed by the inspection and audit that, in the opinion of the Auditor-General, is of sufficient importance to justify his so doing; and
- (b) the Auditor-General shall, as soon as possible after the completion of the audit, report to the Minister the results of the inspection and audit carried out by him in accordance with the last preceding sub-section.

"(3.) The Auditor-General or a person authorized by him is entitled at all reasonable times to full and free access to all accounts, records, documents and papers of the Commission relating directly or indirectly to the receipt or payment of moneys by the Commission or to the acquisition, receipt, custody or disposal of assets of the Commission.

"(4.) The Auditor-General or a person authorized by him may make copies of or take extracts from any such accounts, records, documents or papers.

"(5.) The Auditor-General or a person authorized by him may require a person being a member of the Commission or an officer or employee of the Commission to furnish him with such information in the possession of that person or to which that person has access as the Auditor-General or authorized person considers necessary for the purposes of an inspection or audit under this Ordinance, and that person shall comply with the requirement.

"(6.) A person who contravenes the last preceding sub-section is guilty of an offence, punishable, upon conviction, by a fine not exceeding Two hundred dollars."

5. Section 23 of the Principal Ordinance is amended by omitting sub-section (2.) and inserting in its stead the following sub-sections:—

"(2.) Before furnishing the financial statements to the Administrator, the Commission shall submit them to the Auditor-General for the Commonwealth, who shall report to the Administrator—

- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and show fairly the financial operations and the state of the affairs of the Commission;
- (c) whether the receipt, expenditure and investment of moneys and the acquisition and disposal of assets

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by the Commission during the year have been in accordance with this Ordinance; and

(d) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Administrator.

“(3.) The Administrator shall lay the report and financial statements of the Commission, together with the report of the Auditor-General, before the Legislative Council for the Northern Territory at the meeting of the Legislative Council next succeeding the date on which the Administrator receives the report.”.