

1985

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

SUPPORTED ACCOMMODATION ASSISTANCE BILL 1985

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister representing
the Minister for Community Services)

OUTLINE

The purpose of this Bill is to authorize the execution by the Commonwealth of agreements with the States and the Northern Territory relating to the provision of supported accommodation and related support services.

The main features of the Bill and the form of agreement which is contained in the Schedule to the Bill are -

- the agreements would operate in respect of the period of 4.5 years from 1 January 1985 to 30 June 1989;
- a Supported Accommodation Assistance Program (SAAP) would be established in each State and the Northern Territory, comprising a General Supported Accommodation Sub-program, a Women's Emergency Services Sub-program, and a Youth Supported Accommodation Sub-program;
- non-government organisations or local governments would be assisted to provide a range of supported accommodation and related support services for permanently homeless people, or temporarily homeless people as a result of crisis, and their dependants, who need support to move towards independent living where possible and appropriate;
- the Commonwealth would guarantee minimum levels of financial assistance over the term of the agreements;
- the States and the Northern Territory would be required to match in part Commonwealth financial assistance;
- the Commonwealth and a State or the Northern Territory would jointly approve particular services for funding under the SAAP;
- the States and the Northern Territory would administer the SAAP in accordance with guidelines jointly agreed with the Commonwealth and published in the Commonwealth of Australia Gazette; and
- non-government organisations and local governments would be consulted and their advice sought on the SAAP needs and priorities.

For the period from 1 January to 30 June 1985, Commonwealth expenditure on the SAAP is estimated at \$11.719 million. In 1985/86, the estimated minimum Commonwealth expenditure on the SAAP is \$27.242 million, with further increases for -

- services under the Homeless Persons Assistance Program, initially excluded, becoming included in the SAAP; and
- indexation of the salaries component of the SAAP in line with an estimate of wages growth agreed upon in the context of the Premiers' Conference.

The Commonwealth may also provide additional assistance for the purposes of the SAAP, such as for the non-salaries component and additional staff, considered in the context of the Commonwealth Budget.

For the remaining financial years of the SAAP, the minimum Commonwealth expenditure would be related to the total of that expenditure in respect of the previous financial year.

SUPPORTED ACCOMMODATION ASSISTANCE BILL 1985

Clause 1 : Short title

By this clause, the Act would be cited as the Supported Accommodation Assistance Act 1985.

Clause 2 : Commencement

This clause would provide for the Act to come into operation on the date of Royal Assent.

Clause 3 : Interpretation

This clause would provide for definitions of terms and rules of interpretation which would apply in relation to the Bill.

Clause 4 : Entering into, and variation, of agreements

Clause 4(1) would authorize the Commonwealth to enter into an agreement with a State or the Northern Territory substantially in accordance with the form of agreement contained in the Schedule to the Bill.

Clause 4(2) would authorize the Commonwealth to enter into a further agreement with a State or the Northern Territory varying the agreement in force in accordance with the provisions of that latter agreement. Any further agreement would be laid before both Houses of the Parliament.

Clause 4(3) would approve an agreement entered into between the Commonwealth and a State or the Northern Territory before the commencement of the proposed Act, where the agreement is substantially in accordance with the form of agreement contained in the Schedule to the Bill.

Clause 4(4) would apply where an agreement was entered into before the commencement of the proposed Act, and a further agreement varying that agreement is entered into also before the commencement. The clause would approve that further agreement and require it to be laid before both Houses of the Parliament.

Clause 4(5) would apply the provisions of clause 4(4) to a further agreement which had previously been varied before the commencement of the proposed Act.

Clause 5 : Grants for supported accommodation services and related support services

Clause 5(1) would enable the Minister to authorize payment of financial assistance to a State or the Northern Territory in respect of a grant period where an agreement is in force between the Commonwealth and the State or the Northern Territory. The financial assistance would be to meet or reimburse expenditure by the State or the Northern Territory related to the provision of supported accommodation or related support services.

Clause 5(2) would provide that a grant to a State or the Northern Territory is to be made on such terms and conditions as are specified in an agreement in force at the time of the grant.

Clause 5(3) would provide that an amount repayable to the Commonwealth under an agreement is a debt due to the Commonwealth.

Clause 6 : Appropriation

Clause 6(1) would appropriate moneys from the Consolidated Revenue Fund to the extent of up to \$27.242 million for the purpose of making grants in respect of the financial year commencing on 1 July 1985.

Clause 6(2) would appropriate moneys from the Consolidated Revenue Fund for the purpose of making grants in respect of the financial years commencing on 1 July 1986, 1 July 1987 or 1 July 1988, in each case up to the total of the amount appropriated in respect of the previous financial year. Clause 6(4)(b) would provide that moneys appropriated in respect of the previous financial year could be appropriated by the proposed Act or by another Act, such as an Appropriation Act. Clauses 6(1) and 6(2) would seek to guarantee to the States and the Northern Territory a minimum level of Commonwealth financial assistance over the term of the agreement.

Clauses 6(3) and 6(4) are machinery provisions. Clause 6(4)(a) would ensure that moneys would be appropriated from the Consolidated Revenue Fund under clauses 6(1) and 6(2) only to the extent necessary to meet or reimburse expenditure by a State or the Northern Territory in respect of the particular financial year.

Clause 7 : Advances on account of amounts expected to become payable under section 5

This clause would authorize the Minister to make advances to a State or the Northern Territory on account of amounts expected to become payable under clause 5 where there is an agreement in force between the Commonwealth and a State or the Northern Territory. The provisions of the Bill and the agreement would apply to such an advance as if it was a grant.

THE SCHEDULE

The Schedule contains the form of agreement in relation to the provision of financial assistance by the Commonwealth to the States and the Northern Territory in respect of the provision of supported accommodation and related support services.

The more significant features of the agreement are as follows -

Clause 1

When signed, the agreement would operate from 1 January 1985 and continue in force until 30 June 1989.

Clause 6

The objective of the agreement would be the provision by non-government organisations or local governments of a range of supported accommodation and related support services.

Clause 7

The States and the Northern Territory would establish a Supported Accommodation Assistance Program (SAAP) constituted by 3 Sub-programs-

- a General Supported Accommodation Sub-program for men and women and their dependants who are permanently homeless, or temporarily homeless as a result of crisis, and who need support to move towards independent living where possible and appropriate;
- a Women's Emergency Services Sub-program for women and women with dependent children escaping from intolerable domestic circumstances or other crisis situations who need support to move towards independent living where possible and appropriate; and
- a Youth Supported Accommodation Sub-program for persons 12 to 25 years of age and their dependants who are homeless as a result of crisis and need support to move towards more appropriate accommodation including independent living where possible and appropriate.

Clause 8

The SAAP would be administered in accordance with guidelines jointly approved by the Commonwealth, the States and the Northern Territory, and published in the Commonwealth of Australia Gazette (clause 8(2)).

Governments would consult with and have regard to the advice of non-government organisations and local governments on the SAAP needs and priorities through advisory processes (clause 8(3)).

The Commonwealth and a State or the Northern Territory would jointly approve services as approved services (clause 8(5)).

The Commonwealth and a State or the Northern Territory would agree on the timing and manner of joint reviews of the SAAP (Clause 8(7)).

Administration of the SAAP would be co-ordinated with the 1984 Housing Agreement (Clause 8(8)).

Clause 9

All Governments would commence a joint evaluation of the SAAP by 30 June 1987.

Clause 10

The Commonwealth would provide the States and the Northern Territory with financial assistance of at least \$11.719 million for the 6 months to 30 June 1985, and at least \$27.242 million for each of the next 4 financial years. For the financial years commencing on 1 July 1986, 1 July 1987 and 1 July 1988 the Commonwealth would also provide an additional indexed amount relating to the salaries component of the SAAP (clauses 10(2) and (4)).

The Commonwealth may also provide additional financial assistance for the purposes of the SAAP, such as for the non-salaries component and additional staff, considered in the context of the Commonwealth Budget. The Commonwealth would provide any such additional financial assistance following agreement with the States and the Northern Territory as to the amounts (clause 10(3)).

To assist in planning for the SAAP, the Commonwealth would give advance notice to the States and the Northern Territory of the amount of financial assistance to be provided in respect of a financial year, and the amount of financial assistance to be provided in respect of additional staff under the SAAP for the following financial year (clause 10(5)).

The allocation of Commonwealth financial assistance among sub-programs would be determined by the Commonwealth following consultations with a State or the Northern Territory (clause 10(6)).

Clause 11

Commonwealth financial assistance would be provided to a State or the Northern Territory on condition that -

- . it is applied for the purpose of meeting or reimbursing expenditure on approved services or meeting or reimbursing expenditure by a State or the Northern Territory on the SAAP administration, the review and evaluation of approved services and of the SAAP, and for advisory processes (Clause 11(a));

- non-government organisations or local governments would agree to be bound by the conditions of the agreement and guidelines and continue to comply with such conditions (clause 11(c)); and
- a State or the Northern Territory would make contributions in accordance with clause 12 (clause 11(e)).

Clause 12

A State or the Northern Territory would be required to make contributions in each grant period other than for the 6 months ending on 30 June 1985, matching 90% of the Commonwealth's financial assistance to the SAAP, less specified amounts in respect of services funded by the Commonwealth under the Homeless Persons Assistance Program (HPAP) prior to 1 January 1985. Those services are currently included in the SAAP on an unmatched basis. Provision would be made for those specified amounts to be changed as further services under the HPAP are included in the SAAP where the Commonwealth and a State or the Northern Territory jointly agree to this (clause 12(1)).

Where a State or the Northern Territory would have difficulty in making its required contribution, the Commonwealth would be able to determine that a lesser contribution be made, subject to a State or the Northern Territory increasing its contribution to the amount specified in clause 12(1) by the financial year commencing on 1 July 1988 (clause 12(2)).

A State or the Northern Territory would be required to maintain, at the least, its contribution among sub-programs at the level of its expenditure during the financial year commencing on 1 July 1983 on services that continue to be provided as approved services for the purpose of the agreement (clause 12(6)).

Clause 13

A State or the Northern Territory would be permitted to use a proportion of Commonwealth financial assistance towards the SAAP administration related to the level of its contribution.

Clause 15

The Commonwealth would be permitted to make advances, with the times and the amounts of those advances being jointly agreed with a State or the Northern Territory.

Clause 19

The provisions of the agreement could be varied by agreement between the Commonwealth and a State or the Northern Territory. A copy of a further agreement, or copies of the documents constituting a further agreement, would be tabled in each House of Parliament.

