


# NRSCH Registration

## Guide for Providers



The background of the page is composed of several overlapping, semi-transparent green shapes. A large, dark green triangle is positioned in the upper-left corner. A lighter green, curved shape extends from the middle-left towards the bottom-right. A thin, light green horizontal band crosses the page. The overall effect is a modern, abstract design with various shades of green.

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# About the National Regulatory System for Community Housing



The National Regulatory System for Community Housing (NRSCH) is a regulatory system designed to contribute to a well governed and managed community housing sector, and provide a platform for the ongoing development and viability of the community housing sector across Australia.

Community housing providers are organisations that deliver social or affordable housing and associated services to people on very low, low or moderate incomes. These services are covered by the social and affordable housing policies of government housing (policy/funding) agencies<sup>1</sup>.

The key objectives of the NRSCH are to:

- provide a consistent regulatory environment to support the growth and development of the community housing sector
- pave the way for future housing product development
- reduce the regulatory burden on housing providers working across jurisdictions
- provide a level playing field for providers seeking to enter new jurisdictions.

A suite of Operational Guidelines guides the overall operation of the NRSCH in accordance with the Community Housing Providers National Law (the 'National Law').

The scope of a Registrar's functions under the NRSCH is limited to regulatory activities. State and territory housing agencies, depending on the arrangements in each jurisdiction, will continue to have responsibility for policy and funding decisions.

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<sup>1</sup> Policy and funding agencies are usually, but not always, the housing agency in the particular jurisdiction. For the purposes of this document, the term 'housing agency' will be used, but it is acknowledged that this will include policy and funding agencies for those jurisdictions where relevant.

# Purpose of this document

This document provides guidance to community housing providers either seeking information about how to register or already in the process of making their application to register under the Community Housing Provider's National Law.

This document is one in a series of guides that have been developed to assist community housing providers through the registration process and assessment. It replaces the previous Registration Return Guide. Other guides in this series include:

- **Guide to completing your Eligibility and Tier Form (ETF)** - This document provides guidance in the completion of the ETF for entities seeking registration.
- **Guide to completing your Community Housing Asset Performance Report (CHAPR)** – This document provides detailed guidance on the completion of the CHAPR. The CHAPR is completed at registration and at each compliance assessment.
- **Guide to completing your return** – This document is designed to help you understand what information should be recorded and how the system validates and analyses the data. It contains hints and tips to help you complete and check your return.
- **Financial Viability Guidance Note**
- **Navigating the Community Housing Regulatory Information System (CHRIS steps for providers)** – This document provides guidance to community housing providers completing a registration or standard compliance return using the online regulatory system known as CHRIS.

The guidance is directly aligned with the National Regulatory Code performance outcomes and the evidence guidelines. It should be read and used in conjunction with other published documents which contain more detailed information about specific parts of the NRSCH. A summary of the critical supporting documents is set out below:

- National Law and National Regulatory Code
- The Charter – this document sets out the overarching vision, objectives, regulatory principles and philosophy of the NRSCH. It explains the principle of Primary Registrar for multi-jurisdictional providers

- Tier Guidelines – this document helps interpret the sections of the National Law concerned with determining registration tier of a provider. It explains the factors that are used to determine tier. The tier under which a provider is assessed for registration will determine the evidence it needs to provide as requirements are proportionate to levels of risk
- Evidence Guidelines – this document describes the performance indicators and potential evidence sources for assessing providers against the National Regulatory Code performance outcomes and requirements for different types of provider (classified as tier 1, 2 and 3 providers)
- Other guidance notes including
  - Affiliated entity arrangements Guidance Note
  - Additional Standard Conditions of Registration (ASCOR)

This guide includes some material from these documents where it is appropriate for clarity or consistency. For most part relevant material is referenced rather than repeated.

This guide will be periodically revised to respond to changes in the community housing sector and the regulatory environment.

# Registration Overview

## Overview

The NRSCH is a voluntary registration system. Community housing providers are not compelled to register, although jurisdictional policy and funding agencies may make registration a precondition for future funding or assistance and require organisations with existing jurisdictional funding or assets to register.

A legally incorporated entity that provides or intends to provide community housing can apply to its Primary Registrar for registration as a community housing provider in a particular tier. The entity will be required to make the application in a prescribed format using the online Community Housing Regulatory Information System (CHRIS). In addition to completing the application, the entity should provide relevant supporting evidence and an additional form – the Financial Performance Report (FPR).

The Primary Registrar will use the information and evidence provided to assess firstly a provider's eligibility for registration and tier of registration and then registration using the eligibility requirements in the [Tier Guidelines](#) and the [Evidence Guidelines](#). They will produce a report setting out and explaining their decision.

The Primary Registrar will register the entity if they are satisfied that the provider will comply with:

- the National Law (including the National Regulatory Code)
- any conditions of registration.

The following sections provide more detailed information for providers as they prepare for registration.

The application process is described including the initial new entrant enquiry and the Application for Registration Form and assessment. Further information about completing the Application for Registration Return can be found in the [Guide to completing your Return](#) and [Navigating the Community Housing Information Regulatory System](#). These guides are designed to be referred to when the online registration application is being completed and additional assistance is required.

A table of registration and assessment timeframes and stages and a glossary of common terms is also included in the appendix.

## Getting started

This section provides some introductory information about the process.

Providers applying for registration as a community housing provider complete the registration process online. The system is called the Community Housing Regulatory Information System (CHRIS).

A provider seeking registration under the NRSCH will have an 'Account' on CHRIS which will contain basic business information including the contact details for their 'Nominated Main Contact'. The Nominated Main Contact is the individual within the provider's organisation with responsibility for overseeing the registration process. It is this individual who will be contacted in the first instance by the Analyst. If the Nominated Main Contact is unavailable for a period or leaves their current position it is important that the provider notifies the Registrar.

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**The Nominated Main Contact receives all emails and information about a registration return. If they are unavailable important information may be missed by the provider. If the Nominated Main Contact will be on extended leave or the Nominated Main Contact changes it is imperative the Registrar is notified.**

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Registrars are individually responsible for deciding who carries out registration assessments in their offices. For the purpose of this guidance the term 'Analyst' is used to refer to an individual responsible for carrying out a provider's registration assessment. The Analyst will be the provider's main point of contact in relation to questions about the registration process.

# Preparation for registration

All providers seeking registration will complete the following documents:

- Eligibility and Tier Form (ETF);
- Application for Registration Return;
- Community Housing Asset Performance Report (CHAPR);and
- Financial Performance Report (FPR).

Providers are encouraged to prepare for the registration process. In addition to the published documents referred to earlier, additional information is available from the NRSCH website to assist providers.

Providers who apply for registration will receive an email before the registration process begins, setting out the stages and associated timelines and explaining the material available which includes a copy of the Financial Performance Report.

In addition Registrars may organise briefings and / or workshops to guide providers through the registration process when there is an appropriate demand.

Providers are able to contact the office of their primary Registrar for advice and information at any time during the registration process.

The stages of the registration process are set out in Figure 1.

## Multi jurisdictional providers

Providers operating in more than one jurisdiction will only need to make one application to their primary Registrar. They will however be required to demonstrate that they comply or have the capacity to comply with policy which is relevant to all housing agency jurisdictions in which they operate. It is important that in their application return they clearly demonstrate how they comply with jurisdictional specific requirements.

## Introduction to your Analyst

Typically your Analyst will introduce themselves to the Nominated Main Contact at least one week before the registration process starts.

If at any point in the application process you have difficulty accessing or using the system or the Nominated Main Contact changes, assistance is available in the first instance from the Analyst.

If you forget your password you can easily reset it by clicking on the 'Forgot your password' link below the login screen. Registrars offices do not keep a record of passwords and cannot access password information. Further information about the CHRIS system is available in the [Navigating the Community Housing Information Regulatory System \(CHRIS\) guide](#).

Figure 1



## CHRIS overview

CHRIS will operate on any standard IT hardware and will run on both Mac and PC operating systems. It does not require special software - just internet access. Some users report issues with Safari browser and older versions of Internet Explorer. If you have issues accessing the system you can try using either Google Chrome or Mozilla Firefox which are both freely available on the internet.

The system is accessed through a secure online portal to which the provider has a unique log in and password. All information is secure. The provider will complete the ETF, Application for Registration Form (the Return) and CHAPR online and attach evidence through CHRIS.

### Portal access

Providers receive one username and password. The provider's username is the Nominated Main Contact's email address. The username and password can be shared by the Nominated Main Contact with other staff within the organisation however only one person should be logged on and editing the ETF or Application for Registration Form at any one time.

### Save, save, save!

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**The system will not auto-save so frequently save your work. Do not navigate away from the page you are working on without saving or work may be lost. Clicking 'Next' will automatically save previously entered work, but work on the current page will not be saved automatically if you close the tab, lose the internet connection or navigate away from the page so be sure to save, save, save!**

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A session will be automatically terminated after eight continuous hours. Work that has not been saved will be lost.

### Attaching documents

When completing the ETF and Application for Registration Form the provider may wish, or in some instances, be required to attach evidence in support.

The supporting evidence should be attached to the ETF or application and submitted via CHRIS.

Documents are attached in the 'Evidence Attachments' section at the bottom of the ETF or application. There is a separate evidence attachment pick list for every performance outcome.

For each document providers wish to attach to the ETF or application they should click on the 'Add Attachment' button. This will create an evidence record.

Providers are encouraged to enter sufficient information to enable Analysts to locate the relevant evidence in the documents. This will minimise the need for subsequent clarification.

Further information in relation to attaching documents is available in the [Navigating the Community Housing Information Regulatory System \(CHRIS\) guide](#).

### Help text

Throughout the ETF and application help text is provided. This is marked by an orange circle with a question mark in it. When the cursor is 'hovered' over this symbol the help text will appear.



## Eligibility and Tier Form (ETF)

This section provides an introduction to the ETF.

Registrars use the ETF to confirm whether an organisation is eligible to apply for registration as a community housing provider and to make a determination of the provider's provisional tier.

.At the start of the registration process, the Nominated Main Contact will receive an invitation (via email) from the Analyst to begin the application process. These emails explain:

- that the first part of the process is the completion of the eligibility and tier form (ETF)
- how to access the ETF on the secure portal to the CHRIS

Each tier of registration under the NRSCH has eligibility requirements that a provider must address in order to become registered. The Tier Guidelines contain information about the factors that are taken into account in assessing eligibility and tier.

Depending upon the tier under which you are assessed for registration you will be required to submit evidence applicable to that tier. This evidence is tailored to reflect the scale and scope of the tier of registration. The application clearly denotes where evidence is sought for a particular tier. The Evidence Guidelines also contains detailed information on the evidence requirements.

The ETF and Application for Registration Return have been designed to collect the information required for assessment in an efficient way and in particular, to avoid duplication.

The Nominated Main Contact will receive an email once the ETF assessment is complete. This will either invite you to complete the application for registration or advise of a decision to refuse the provider's application.

[The Guide to completing your ETF](#) provides detailed information about the process.

## Community Housing Asset Performance Report (CHAPR)

Providers are required to complete the Community Housing Asset Performance Report and submit it with the ETF.

There is no standard requirement for providers to submit a list of all their individual community assets, at this time, as part of their ETF however the board must certify that this list is maintained as this is a requirement under the National Law. Providers must make the list available to the primary Registrar on request. See National Law conditions of registration section 15 (2) (i) or for more information visit [www.nrsch.gov.au](http://www.nrsch.gov.au).

More detailed information about completing the CHAPR is available in the [Guide to completing your Community Housing Asset Performance Report \(CHAPR\)](#)

# Application for Registration Form (AFR)

The email received by providers who are assessed as eligible to apply will advise about the Application for Registration, submission of supporting evidence and completion of the financial performance report (FPR).

The Application for Registration return collects evidence to demonstrate a provider's capacity to comply with the National Regulatory Code and the National Law. In addition to the [Guide to completing your return](#) the [Evidence Guidelines](#) will assist providers in completing this application.

The *Guide to completing your return* is structured by performance outcome. It lists the performance requirement under the outcomes for ease of reference. It also lists every question and where appropriate gives additional explanation. The guide also contains help text including explanations and data definitions.

Typically providers will have six weeks from the receipt of the invitation to complete the return and submit this with the supporting evidence and FPR. The due date will be specified in the email and visible on the return. If the provider has been late in submitting the ETF the provider may have less time to complete the application as the due date is set as part of the scheduling of assessments. The provider will normally be granted an automatic extension where delays have been due to a Registrar's office.

As with the ETF, the application for registration is completed on CHRIS, access to which is gained using the same login. Supporting documents are also submitted via the system.

## Accessing the FPR

To use the FPR (attached to the email sent following the approval of the ETF), the provider will need to open the Excel spreadsheet attached to the email and click on the "enable macros" button in the pop-up window then follow the detailed instructions under the "Instructions" tab on the spreadsheet

More detailed information about completing the FPR is available in the Financial Viability Guidance Note.

## Consent and declaration

The provider should ensure the completion of this final section of the form by:

- giving consent to the Registrar to obtain information from relevant state housing authorities
- confirming the governing body has given authorisation for the form to be sent
- reviewing the evidence guidelines and ensuring relevant documents have been attached to the return.

In normal circumstances, the registration process will be completed in 3 months.

Once the provider has submitted the application the Analyst will review it typically within 14 days to ensure that there are no obvious omissions (such as required documents such as the FPR) or gaps.

During the assessment of the return the provider may be asked for further information.

### Access to information submitted to the Registrar

Once the ETF or the application for registration return has been submitted to the Registrar a provider will be unable to add or otherwise amend it. This includes adding or removing supporting evidence. This is to ensure the Analyst is confident the information they are assessing is up to date and not subject to changes of which they were unaware. If you need to amend the return you should contact your Analyst to facilitate this.

Once the Analyst has completed the assessment their determination will be sent in draft to the provider. Where the provider demonstrates a capacity to comply the draft determination will recommend the action necessary to demonstrate compliance.

If registration is approved the report will include the category of registration including whether the provider has been registered under a particular part of the National Register and any conditions to which the registration is subject.

### Entity details on the National Public Register

All registered community housing provider are entered on a public National Register.

The account page has fields for the provider to enter the service's phone number and the suburb in which it is located.

If the provider ticks '*Consent to Publish*' the service's phone number and suburb in which it is located will be uploaded to the publicly available National Register and will be available to anyone on the internet. Do not tick the '*Consent to Publish*' box if you do not want the phone number and suburb published on the National Register.

Note that the '*Consent to Publish*' only relates to the service's phone number and suburb. All other prescribed information about the entity will be displayed on the National Register.

### Late submissions

If you have any concerns about completing the application or submitting it on time you should contact your Analyst as soon as practical. Extensions may be granted where the Registrar decides there are compelling reasons to do so. Repeated requests for extensions and / or failure to advise that deadlines will not be met may be taken into consideration as part of the registration assessment process.

## Evidence sources

### Evidence from providers

The evidence guidelines describe the examples of business and performance information that a provider's governing body would usually require in order to be satisfied that its housing service is well governed, financially viable and well managed.

The evidence guidelines are not designed to be prescriptive or exhaustive. A provider may demonstrate it meets or has the capacity to meet a National Regulatory Code outcome or specific requirement by providing evidence other than that listed in the evidence guidelines. If the Primary Registrar's appointed Analyst considers that the alternative evidence presented is relevant to the outcome or requirement then that evidence will be relied on during the assessment.

Similarly during a registration assessment an alternative form or source of evidence may be identified by the Analyst that will assist with the demonstration of compliance with an outcome or requirement. In this case alternative evidence (possibly through interview, inspection or further documentation) may be requested and relied upon during the return assessment process.

In referring to the evidence guidelines, providers should note the following principles:

- Evidence can be presented in the form that it exists. Providers are not expected to adjust existing key documents or plans to meet the specific description in the guidelines. For example, if a provider outlines its annual business activities and targets in a series of action plans rather than in one single business plan, these can be submitted as evidence and will be used for assessment.
- Some providers will be required to provide evidence to other regulators or funding bodies. Where the documentation required by other bodies is for a requirement also contained in the National Regulatory Code, the provider can present the same evidence to the Primary Registrar. For example, where the provider had to develop a complaints policy or code of conduct for another body these can be submitted as evidence.
- Accreditation against the National Community Housing Standards and other relevant third party accreditation systems will be recognised as a valid source of evidence. However obtaining accreditation does not automatically imply that regulatory performance outcomes have been met for the National Regulatory Code.
- Multiple sources of evidence can be provided in one document. For example, evidence in respect of resident satisfaction (Performance Outcome 1), its contribution to communities (Performance Outcome 2), and implementing appropriate management structures (Performance Outcome 6) may all be demonstrated or part demonstrated by the Annual Report. However, the community housing provider must indicate where evidence relating to a performance requirement is located to ensure all relevant evidence is taken into account and should reference each performance requirement they wish the evidence to be considered against.
- It is ultimately the decision of the Primary Registrar as to whether an evidence source is satisfactory.

## Obtaining evidence from other sources

In order to make an assessment for registration and for ongoing compliance, a Registrar will require, on occasion, information from sources other than the provider. Those sources may include:

- the Registrar's record of complaints and notifications under the National Law
- the relevant state housing authority or authorities (this might include information about the provider's funding terms or leases, or compliance with a housing policy or contract)
- other government agencies (this might include information about the provider's funding terms or compliance with a policy or contract, or housing-related service delivery)
- other regulatory authorities (this might include information about regulatory engagement with the provider)
- the public record (this might include information about the provider's body corporate status, court or tribunal decisions, or media).

The need for this information will be discussed with the provider. Further information about the circumstances under which the NRSCH will collect and disclose information about a registered community housing provider or a provider seeking registration under the NRSCH is available in the [NRSCH Information Access and Sharing policy](#).

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**Note: You can print a list of all the evidence you have attached and the full application form on the overview page (before the Start Return button is clicked).**

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If you have difficulty attaching documents you should contact your Analyst for advice.

More information about evidence is set out in the [Evidence Guidelines](#)

## Performance data

The return and FPR ask for a number of key operational, financial and contextual data points to assist Registrars in the efficient assessment of some performance requirements.

The data elements selected are those which are known to be in common use and which community housing providers would typically be collecting and reporting in order to understand their own performance. In common with other performance requirements some data elements are required solely from tier 1 and 2 providers.

The data is used to calculate key performance metrics. In order to ensure regulatory activity is targeted at performance outcomes and requirements where more assurance about capacity to comply or compliance is required targets have been included for most of these metrics. The target range is used as an indicative guide to measuring performance results against these. For the majority of these targets 'tolerance ranges' have also been set.

The target values and tolerance ranges have been approved following consultation with industry representatives and knowledge about the current performance of community housing providers. Performance metrics, target values and tolerance ranges will be reviewed and revised as and when necessary against any number of performance requirements by selecting additional related performance requirements.

### Metrics and Target Values

When the application is saved, the metrics calculated from the data entered will appear in the metrics section for that performance outcome. If results are below or trending below a target range, the 'tolerance' will show as amber or red. Amber denotes a result just below the target range but within the tolerance range. Red is significantly below the target range.

The target values do not in isolation determine capacity and where results are below or are trending below a target range the provider is encouraged to provide an explanation in the comments boxes. Providers are encouraged to contact their Analyst if they have any concerns about the metrics and tolerance result. The performance metrics, target values and where applicable tolerance ranges are set out [Metrics Information Sheet](#) available on the NRSCH website.

The target values do not in themselves solely determine capacity or compliance. Rather, they provide a transparent level of performance as a starting point against which performance results can be assessed.

The Registrar will seek to understand whether or not the provider is complying with the performance requirement or if the level of performance relates to particular circumstances.

In some instances, performance results below the target range may be acceptable in the context of a given provider's operating environment, business plan and outcomes, or once specific factors affecting the performance results or data have been taken into account.

Whether performance below a target range amounts to a lack of capacity to comply will be determined in each case with reference to the particular performance outcome and requirement, the seriousness of the performance concern, and the underlying cause of the performance result.

## Assessment principles and methodology

The assessment will focus on the provider's capacity to comply with each of the regulatory code outcomes and requirements

The registration assessment involves:

- reviewing information and evidence available;
- assessing the information and evidence provided against appropriate jurisdictional policies or guidelines;
- identifying where the evidence indicates that the provider is compliant, has capacity to comply or does not comply;
- following up on the lines of enquiry which have been identified, with the provider;
- seeking advice from the relevant state and territory housing authority or other government agencies where appropriate;
- applying the principles of good decision-making and recording this analysis.

Assessments will be carried out by the Registrar in the provider's primary jurisdiction. While Registrars may organise and structure their offices differently, assessments will be carried out in a consistent way. In addition to using the same Registration Application Form, relying on the same evidence sources and using the same published guidelines, an assessment methodology guide is used by all jurisdictions.

Every assessment is undertaken in the context of the provider's business, with an understanding of the provider's scale and scope, operating environment, business plan and outcomes, and history of delivering community housing.

The scope of a registration assessment is determined by a provider's activity as described by its tier. The depth of assessment will be determined by a provider's performance against the National Regulatory Code performance outcomes and requirements. The return is designed so that analytical staff can identify areas of compliance and performance concerns at the outset in order that further regulatory activity is targeted only at those performance outcomes or requirements where more assurance about capacity to comply or compliance is required. Nevertheless the greatest regulatory focus and scrutiny will be on governance and financial viability outcomes, because failure in those areas has the most significant consequences.

# Registration assessment and determination process

## Assessment – Initial check of the registration return

Once the provider has submitted the return the Analyst will review it to ensure that there are no obvious omissions (such as required documents including the FPR), gaps or areas that immediately require clarification.

They will also check that the return has been authorised and appropriate consents to obtain information given.

In all cases once this initial check has been completed the Analyst will send an email (typically within 14 days of receipt of the return) to the provider to either:

- confirm that the return appears complete; or
- outline where required information has been omitted or clarification is sought. This will include reference to any outstanding evidence of compliance with eligibility and other legislative requirements.

Where further evidence is required the return will be unlocked to allow the provider to attach the additional evidence or input the missing information. The provider will be given a deadline by which to submit the additional information. The missing information must be attached to the return and the return must be resubmitted following the same steps when first submitted.

## Assessment

The Analyst will then assess the evidence returned by the provider and any other evidence obtained from authorised sources to determine whether the provider has the capacity to comply with the relevant performance requirements of the National Regulatory Code applicable to the category of registration in which it has applied.

During the assessment of the return the provider may be asked for further information where the evidence on closer examination is insufficient to determine the provider's capacity to comply.

These requests will be the minimum required to enable the assessment to be completed. They also give the provider an opportunity to respond and / or address where capacity to comply has not been demonstrated.

Information may also be collected through a site visit if this is considered to be the most efficient way to collect the information. If further documentary evidence is submitted by the provider this will be attached to the original application return as supplementary evidence under the relevant performance outcome. The same procedure applies for uploading and attaching evidence as outlined in the guide to [Navigating the Community Housing Regulatory Information System](#).



## Draft determination

Once the Analyst has completed the assessment their determination will be sent in draft to the provider. The draft determination will advise the provider whether it has demonstrated a capacity to comply or has not demonstrated a capacity to comply with each performance outcome and performance requirement of the National Regulatory Code.

The letter will also give a draft overall determination. Where the provider demonstrates a capacity to comply, the draft determination may also include observations or recommendations where the Analyst considers that improvements in performance or further action is necessary for ongoing compliance with the Code. Where recommendations are made, the letter will briefly set out an explanation.

The provider will be offered 14 days to respond to the draft before the process is completed and the provider is either registered or refused registration as a community housing provider under the National Law. At this point the provider can provide additional evidence to demonstrate it has the capacity to comply.

Where the draft determination is that the provider has not demonstrated the capacity to comply reasons will be given.

Providers with a capacity to comply can be registered and their progress will be assessed at their first scheduled compliance assessment.

If registration is approved the report will include the category of registration including whether the provider has been registered under a particular part of the National Register and any conditions to which the registration is subject.

If the registration is not approved the reasons will be set out in the determination letter.

Providers can request an internal review of the registration determination or may appeal the decision. Further information is available from the NRSCH website

# Appendix A:

## Conditions of registration

### National Law

#### Part 3, 15 Conditions of registration

1. A registered community housing provider must comply with the conditions to which its registration is subject.
2. The following are conditions of the registration of each registered community housing provider:
  - a. the provider must comply with those provisions of the National Regulatory Code set out in Schedule 1 to this Law that are identified on the National Register as applying to the provider,
  - b. the provider must comply with any applicable requirements of the community housing legislation of a participating jurisdiction in relation to the transfer of, or other dealing with, any community housing assets of the provider,
  - c. the provider must have provision in its constitution for all its remaining community housing assets in a participating jurisdiction on its winding up to be transferred to another registered community housing provider or to a Housing Agency in the jurisdiction in which the asset is located,
  - d. the provider must, at the times and in a manner approved by the primary Registrar for the provider, provide any information required by the primary Registrar with respect to the exercise of the provider's functions, including arrangements with other persons with respect to the exercise of the provider's functions,
  - e. the provider must, after receiving a written request for information from a Registrar in relation to the affairs of the provider, provide within 14 days (or such longer period as may be permitted by the Registrar) the Registrar with the information requested including a copy of any document or record specified in the request,
  - f. the provider must, if requested to do so in writing by a Registrar, ensure that a suitably qualified officer of the provider attends, at such times as the Registrar may direct, a meeting with the Registrar in order to answer questions about the affairs of the provider,
  - g. the provider must allow a Registrar to carry out inspections at any reasonable time of the provider's premises or records, the provider must notify the primary Registrar for the provider of the occurrence of any of the following within the time specified:
    - i. the appointment of a receiver to the provider - as soon as practicable after the provider learns of the appointment,
    - j. a decision to apply for the cancellation of the provider's registration - as soon as practicable after the decision and at least 28 days before the application is made,
    - k. a decision to conduct a vote at a meeting on a matter that could affect the provider's eligibility to be registered or its category of registration - as soon as practicable after the decision and at least 28 days before the meeting is held,
    - l. a change in the affairs of the provider that may have an adverse impact on its compliance with the community housing legislation - before or no later than 72 hours after the change,
    - m. any other occurrence notified in writing to the provider by the primary Registrar - within the time specified in that notice,
    - n. the provider must keep a list of all of the provider's community housing assets in a form approved by the primary Registrar and must make the list available to the primary Registrar on request,
    - o. a standard condition imposed by the primary Registrar under subsection (3).
  - h. a decision to appoint a voluntary administrator to the provider or a decision to wind-up the provider - as soon as practicable after the decision,
3. The Registrars may agree to additional standard conditions of registration which may be imposed on the registration of a registered community housing provider by the primary Registrar for the provider:
  - a. when determining an application under this part, or
  - b. at any other time by notice in writing to the provider.
4. An additional standard condition may be revoked by the primary Registrar for the registered community housing provider at any time by notice in writing to the provider.
5. The primary Registrar for a registered community housing provider must give the provider an opportunity to make a submission on any proposed notice under subsection (3) (b) and take any submission made into account before issuing the notice to the provider.
6. This section does not authorise:
  - a. a registered community housing provider to provide information to a Registrar that identifies an individual who is an occupier of residential premises, or
  - b. a Registrar to enter residential premises occupied by an individual, other than with the consent of the individual.

# Appendix B: Registration and assessment timeframes and stages

Stage	Activity	Target
<b>Preparation</b>	Includes activities such as Provider Briefings / workshops, self assessment tools, FPR	Manual entered date
	Provider contacted by Primary Regulatory Office	Manual ETF - 1 week
<b>Eligibility and Tier Form (ETF)</b>	Regulator Releases Eligibility & Tier Form (ETF)	ETF date (scheduled date)
	Providers Complete and Submit ETF	ETF date + 2 weeks
	Registrars complete Assessment of ETF	ETF date + 4 weeks
<b>Application For Registration (AFR)</b>	Registrars release Application For Registration (AFR)	ETF date + 4 weeks
	Providers submit completed Application For Registration (AFR)	ETF date + 10 weeks
	Regulators send providers letters identifying GAPS	ETF date + 12 weeks
<b>Report</b>	Regulators issue draft determination to providers	EFT date + 16 weeks
<b>Determination</b>	Providers response to Phase 1 draft determination report	ETF date + 18 weeks
	Determination report sent to providers	ETF date + 19 weeks

# Glossary

## **Binding instructions**

Written instructions given by a Primary Registrar to a provider to rectify their non-compliance.

## **Capacity to Comply**

In addition to assessing a provider's eligibility and compliance with other legislative requirements of the National Law, a registration assessment will determine whether it has the capacity to comply with the relevant performance requirements and outcomes applicable to its assessed category (tier) of registration. For some providers, recommendations will be made where improvements are required for ongoing compliance.

Actual compliance with the national regulatory Code will be assessed at its first compliance assessment.

## **Community housing**

Housing for people on a very low, low or moderate income or for people with additional needs that is delivered by non government organisations.

## **Community housing asset**

- a. land vested in the provider by or under the community housing legislation of a participating jurisdiction, or
- b. land acquired by the provider wholly or partly with funding provided by a Housing Agency of a participating jurisdiction, or
- c. land vested in the provider on which a Housing Agency of a participating jurisdiction has constructed housing or made other improvements, or
- d. funds provided to the provider by a Housing Agency of a participating jurisdiction for the purposes of community housing, or
- e. any other asset of the provider that is of a class of assets declared by the community housing legislation of a participating jurisdiction as community housing assets for the purposes of the National Law.

## **Community housing provider**

An organisation that delivers social or affordable housing for people on lower incomes and housing-associated services covered by the social and affordable housing policies of government policy and funding agencies

## **Enforcement Guidelines**

Guidelines setting out the enforcement actions available to Registrars under the National Law if they reasonably believe that a provider is not complying with the community housing legislation of a participating jurisdiction.

## **Evidence Guidelines**

Guidelines that describe the performance indicators and evidence sources for the assessment of providers against the National Regulatory Code in respect of Tier 1, 2 and 3 providers.

## **Housing agency**

A Commonwealth, State or Territory government department or agency with responsibility for policy and funding decisions relating to community and other housing.

## **National industry development framework**

A national framework that provides high-level guidance to states and territories on supporting industry development appropriate to local circumstances to foster a strong community housing industry.

**National Law**

The state and territory based legislation through which the NRSCH is being introduced. The National Law is enacted in the host jurisdiction, New South Wales, and either applied or adopted by participating jurisdictions.

**National Register of Community Housing Providers**

A single national database with the details of all registered community housing providers that is made publicly available.

**National Regulatory Code**

The performance requirements that registered housing providers must comply with in providing community housing.

**National Regulatory System for Community Housing (NRSCH)**

A national system of registration, monitoring and regulation of community housing providers to encourage the development, viability and quality of community housing to promote confidence in the good governance of registered community housing providers so as to:

- facilitate greater investment in the sector
- make it easier for community housing providers to operate in more than one participating jurisdiction, and
- identify appropriate entities to which government funding for community housing might be provided under other legislation or policies of a jurisdiction.

**NRSCH Charter**

A document endorsed by housing ministers that sets out the overarching vision, objectives, regulatory principles and philosophy of the National Regulatory System for Community Housing.

**NRSCH corporate framework**

The operating policies and protocols that govern or describe the way in which Registrars will operate to fulfil their responsibilities under the NRSCH.

**NRSCH regulatory framework**

The regulatory policies and protocols that govern or describe the way in which Registrars will fulfil their regulatory responsibilities under the NRSCH.

**Operational guidelines**

The suite of guidelines that governs the operation of the regulatory system including the Evidence Guidelines, Tiers Guidelines and Enforcement Guidelines.

**Participating jurisdictions**

Commonwealth, states and territories whose governments have agreed to participate in the NRSCH.

**Primary jurisdiction**

The jurisdiction in which a community housing provider provides the majority of its community housing.

**Primary Registrar**

The Registrar for the primary jurisdiction in which the community housing provider is operating or intends to operate, generally the Registrar in the state or territory in which the provider undertakes the majority of its community housing activity.

**Registered community housing provider**

A community housing provider that has successfully undergone the registration process for the NRSCH and has been registered as a tier 1, 2 or 3 provider.

### **Statutory manager**

A Registrar-appointed manager to conduct the affairs and activities of the provider as they relate to the provider's community housing assets if:

- a notice of intent to cancel registration has been issued to the provider, or
- the Registrar has formed the opinion that the provider has failed to comply with the community housing legislation or binding instruction and the provider's failure to comply is serious and requires urgent action
- the Registrar has sought and considered the views of other regulatory bodies which may be impacted by enforcement action.

### **Tier Guidelines**

Guidelines for the application of the three-tiered registration system based on risk, whereby different levels of regulatory oversight apply to providers based on the scale and scope of their community housing activities.

### **Transitional period**

The period in which regulation of the community housing sector in a participating jurisdiction transitioned from existing arrangements to the NRSCH. The transition began on 1 January 2014.



## For more information

For more information on the National  
Regulatory System for Community Housing,  
please visit: [www.nrsch.gov.au](http://www.nrsch.gov.au)

