

TASMANIA

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**FIRST HOME OWNER GRANT AMENDMENT  
BILL 2014**

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# **FIRST HOME OWNER GRANT AMENDMENT BILL 2014**

*(Brought in by the Treasurer, the Honourable Peter Carl Gutwein)*

## **A BILL FOR**

### **An Act to amend the *First Home Owner Grant Act 2000***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *First Home Owner Grant Amendment Act 2014*.

#### **2. Commencement**

This Act is taken to have commenced on 7 November 2013.

#### **3. Principal Act**

In this Act, the *First Home Owner Grant Act 2000*\* is referred to as the Principal Act.

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\*No. 19 of 2000

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**4. Section 18 amended (Amount of grant)**

Section 18(2) of the Principal Act is amended as follows:

- (a) by inserting the following paragraph after paragraph (a):
  - (ab) if the first home owner grant relates to an eligible transaction that satisfies section 18B, the amount is \$30 000; or
- (b) by omitting from paragraph (b) “section 18A” and substituting “section 18A or 18B”.

**5. Section 18A amended (Conditions on increase of grant)**

Section 18A of the Principal Act is amended as follows:

- (a) by omitting the definition of *commencement of building* from subsection (1) and substituting the following definition:

***commencement of building*** means the date of completion of the laying of the foundations for the building or, if no foundations are to be laid, a date determined by the Commissioner;

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- (b) by omitting from subsection (2)(a) “1 July 2014” and substituting “7 November 2013”;
  - (c) by omitting from subsection (2)(b)(ii)(A) “30 June 2014” and substituting “7 November 2013”;
  - (d) by omitting from subsection (2)(b)(iii)(A) “30 June 2014” and substituting “7 November 2013”.

**6. Section 18B inserted**

After section 18A of the Principal Act, the following section is inserted in Division 5:

**18B. Conditions on further increase of grant**

- (1) In this section –

*commencement of building* means the date of completion of the laying of the foundations for the building or, if no foundations are to be laid, a date determined by the Commissioner;

*contract for an off-the-plan purchase*, in relation to a new home, means a contract for both –

- (a) the purchase of land, or an interest in land; and
- (b) the construction of a new home on that land.

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- (2) An eligible transaction satisfies this section if –
- (a) the commencement date of the eligible transaction is on or after 7 November 2013 but before 1 January 2015; and
  - (b) where the eligible transaction is –
    - (i) a comprehensive home building contract for a new home –
      - (A) the commencement of building under the comprehensive home building contract occurs within 26 weeks of the date of the contract; and
      - (B) the eligible transaction is completed in accordance with section 13(5) within 24 months after the commencement of building under the comprehensive home building contract; or

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(ii) the building of a new home by an owner builder –

(A) the commencement of building occurs on or after 7 November 2013 but before 1 January 2015; and

(B) the eligible transaction is completed in accordance with section 13(5) within 24 months after the commencement of building; or

(iii) a contract for an off-the-plan purchase of a new home –

(A) the commencement of building occurs on or after 7 November 2013 but before 1 January 2015; and

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- (B) the eligible transaction is completed in accordance with section 13(5) within 24 months after the commencement of building; or
  - (iv) a contract for the purchase of a new home, the eligible transaction is completed in accordance with section 13(5).
- (3) Despite subsection (2), an eligible transaction does not satisfy this section if the Commissioner considers that the eligible transaction replaces a transaction, entered into before 7 November 2013, for the same property between substantially, or that benefits substantially, the same parties.
- (4) For the avoidance of doubt, a payment of \$30 000 that –
  - (a) was made in anticipation of the *First Home Owner Grant Amendment Act 2014* receiving the Royal Assent; and
  - (b) was made on or after 7 November 2013 but before the *First Home Owner Grant*

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*Amendment Act 2014* received the  
Royal Assent –

is taken to be a first home owner grant  
payment for the purposes of this Act.

**7. Repeal of Act**

This Act is repealed on the three hundred and  
sixty fifth day from the day on which it receives  
the Royal Assent.