

CLAUSE NOTES

Homes Tasmania (Consequential Amendments) Bill 2022

Part 1 Preliminary

This part specifies the name of the proposed Act and provides that the Act commences on proclamation.

Part 2 Community Housing Providers National Law (Tasmania) Act 2013 Amended

This part amends provisions in the *Community Housing Providers National Law (Tasmania) Act 2013* to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'Director of Housing' is replaced with a definition of 'Homes Tasmania' and the definition of 'Housing Agency' is replaced with a definition that makes reference to 'Homes Tasmania' and the '*Homes Tasmania Act 2022*'.

Terminology in section 8 is updated to refer to 'Homes Tasmania' and the '*Homes Tasmania Act 2022*'.

Part 3 Fire Damage Relief Act 1967 Amended

This part amends provisions in the *Fire Damage Relief Act 1967* to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

References to 'the *Homes Act 1935*' are replaced with 'the *Homes Tasmania Act 2022*' and references to 'the Director of Housing' are replaced with 'Homes Tasmania'.

Part 4 First Home Owner Grant Regulations 2021 Amended

This part amends provisions in the First Home Owner Grant Regulations 2021 to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'Director of Housing' is replaced with a definition of 'Homes Tasmania' and reference to 'the Director of Housing' in regulation 5 is replaced with 'Homes Tasmania'.

Part 5 Greater Hobart Act 2019 Amended

This part amends provisions in the *Greater Hobart Act 2019* to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'Director of Housing' is replaced with a definition of 'Homes Tasmania', and section 7(2)(d) is amended to provide that 'a person nominated by Homes Tasmania will replace the Director of Housing as member of the Greater Hobart Advisory Group'.

Part 6 HomeBuilder Grants Regulations 2021 Amended

This part amends provisions in the HomeBuilder Grants Regulations 2021 to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'Director of Housing' is replaced with a definition of 'Homes Tasmania', and reference to 'the Director of Housing' in regulation 5 is replaced with 'Homes Tasmania'.

Part 7 Homes (Sale of Mortgages) Act 1993 Amended

This part amends a provision in the *Homes (Sale of Mortgages) Act 1993* to ensure it aligns with terminology and provisions contained in the Homes Tasmania Bill 2022.

Reference to 'the *Homes Act 1935*' in section 8(2) is replaced with 'the *Homes Tasmania Act 2022* or the former *Homes Act 1935*'.

Part 8 Housing Land Supply Act 2018 Amended

This part amends provisions in the *Housing Land Supply Act 2018* to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

Reference to 'the Director of Housing' in the long title is replaced with 'Homes Tasmania'.

Definitions of 'Director of Housing' and 'Homes Act land' are removed and the definition of 'government land' is amended. New definitions of are provided for 'Homes Tasmania' and 'Homes Tasmania Act land' to include in section 3.

Terminology in section 5 and in Part 3 of the Act is replaced to reflect terms used in the Homes Tasmania Bill 2022. For example, replacing reference to 'the *Homes Act 1935*' with 'the *Homes Tasmania Act 2022*'.

Part 9 Land Titles Regulations 2012 Amended

This part amends a provision in the Land Titles Regulations 2012 to ensure it aligns with terminology and provisions contained in the Homes Tasmania Bill 2022.

Regulation 19 is amended by replacing reference to 'the Director of Housing' with 'Homes Tasmania', and replacing reference to 'section 37D of the *Homes Act 1935*' with 'the *Homes Tasmania Act 2022*'.

Part 10 Local Government (Building and Miscellaneous Provisions) Act 1993 Amended

This part amends a provision in the *Local Government (Building and Miscellaneous Provisions) Act 1993* to ensure it aligns with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'movable dwelling unit' in section 80 is updated to refer to 'movable residential premises to which the *'Homes Tasmania Act 2022* applies'.

Part 11 Property Agents and Land Transactions Regulations 2017 Amended

This part amends provisions in the Property Agents and Land Transactions Regulations 2017 to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

The definition of 'Director of Housing' in regulation 43(1) is replaced with a definition of 'Homes Tasmania'.

The wording in regulation 43(4)(a) is replaced by 'that is held by Homes Tasmania; or'. Reference to 'the Director of Housing' in regulation 43(4)(c) is replaced by 'Homes Tasmania'.

Part 12 Residential Tenancy Act 1997 Amended

This part amends provisions in the *Residential Tenancy Act 1997* to ensure they align with terminology and provisions contained in the Homes Tasmania Bill 2022.

Various definitions in section 3 are amended or replaced to align with terminology in the Homes Tasmania Bill 2022.

References to 'the Director of Housing' in sections 6(1)(da) and 49(IAA)(b) are replaced with 'Homes Tasmania'.

Sections 10(IA)(b) and 42(1)(dd) are updated to align with provisions in the Homes Tasmania Bill 2022.

Part 13 State Service Act 2000 Amended

This part amends wording used in Schedule 1 of the *State Service Act 2000* to ensure it aligns with terminology and provisions contained in the Homes Tasmania Bill 2022.

Part 14 Valuation of Land Act 2001 Amended

This part amends a provision in the *Valuation of Land Act 2001* to ensure it aligns with terminology and provisions contained in the Homes Tasmania Bill 2022.

Reference to 'a movable dwelling unit erected under Part VIA of the *Homes Act 1935*' in section 11(9) is replaced with 'movable residential premises erected under Part 14 of the *Homes Tasmania Act 2022*'.

Part 15 Legislation Repealed

This part provides that legislation specified in Schedule 1 of the *Homes Tasmania (Consequential Amendments) Bill 2022*, namely the *Homes Act 1935*, is repealed.

Part 16 Concluding Provision

This part specifies the date on which the *Homes Tasmania (Consequential Amendments) Act 2022* is repealed.

Schedule 1 Legislation Repealed

This schedule lists the *Homes Act 1935* as repealed legislation.

