

TASMANIA

**TREASURY MISCELLANEOUS (AFFORDABLE
HOUSING AND YOUTH EMPLOYMENT
SUPPORT) BILL 2022**

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**TREASURY MISCELLANEOUS (AFFORDABLE
HOUSING AND YOUTH EMPLOYMENT
SUPPORT) BILL 2022**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
10 March 2022

*(Brought in by the Minister for Finance, the Honourable
Michael Darrel Joseph Ferguson)*

A BILL FOR

An Act to amend the *Duties Act 2001*, the *First Home Owner Grant Act 2000*, the *HomeBuilder Grants Act 2020* and the *Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017*

Be it enacted by Her 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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Act 2022*.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 2

Part 1 – Preliminary

2. Commencement

- (1) Except as provided in this section, the provisions of this Act commence on the day on which this Act receives the Royal Assent.
- (2) Part 3 commences on 1 July 2022.
- (3) Part 2 is taken to have commenced on 1 January 2022.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

Part 2 – Duties Act 2001 Amended

s. 3

PART 2 – DUTIES ACT 2001 AMENDED

3. Principal Act

In this Part, the *Duties Act 2001** is referred to as the Principal Act.

4. Section 46A amended (Interpretation of Division 2A)

Section 46A of the Principal Act is amended by omitting “30 June 2022” from the definition of *eligible period* and substituting “30 June 2023”.

5. Section 46D amended (Eligible transaction)

Section 46D(1)(d) of the Principal Act is amended by omitting “\$500 000” and substituting “\$600 000”.

6. Section 46J amended (Interpretation of Division 2B)

Section 46J of the Principal Act is amended by omitting “30 June 2022” from the definition of *eligible period* and substituting “30 June 2023”.

*No. 15 of 2001

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 7

Part 2 – Duties Act 2001 Amended

7. Section 46M amended (Eligible transaction)

Section 46M(c) of the Principal Act is amended by omitting “\$500 000” and substituting “\$600 000”.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

Part 3 – First Home Owner Grant Act 2000 Amended

s. 8

**PART 3 – FIRST HOME OWNER GRANT ACT 2000
AMENDED**

8. Principal Act

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

9. 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 (ai):
 - (aj) if the first home owner grant relates to an eligible transaction that satisfies section 18J, the amount is \$30 000; or
- (b) by omitting from paragraph (b) “section 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H or 18I” and substituting “section 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I or 18J”.

10. Section 18J inserted

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

*No. 19 of 2000

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 10

Part 3 – First Home Owner Grant Act 2000 Amended

18J. Conditions on increase in grant

- (1) An eligible transaction satisfies this section if –
 - (a) the commencement date of the eligible transaction is on or after 1 July 2022 but before 1 July 2023; and
 - (b) the eligible transaction is completed in accordance with section 13(5) within 24 months after the commencement date of the eligible transaction.
- (2) If satisfied there are good reasons to do so and if a request by the applicant is made before a decision on the application has been varied or reversed under section 23, the Commissioner may extend the period referred to in subsection (1) for the eligible transaction to be completed, even though the period has expired.
- (3) Despite subsection (1), an eligible transaction does not satisfy this section if the Commissioner considers that the eligible transaction replaces a transaction, entered into before 1 July 2022, that is for the same property and that is between substantially, or that benefits substantially, the same parties.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022*
Act No. of 2022

Part 3 – First Home Owner Grant Act 2000 Amended

s. 10

(4) For the avoidance of doubt, a payment of \$30 000 that –

(a) was made in anticipation of the *Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Act 2022* receiving the Royal Assent; and

(b) was made on or after 1 July 2022 but before the *Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Act 2022* received the Royal Assent –

is taken to be a first home owner grant payment, for the purposes of this Act, made in relation to an eligible transaction to which this section, as inserted by that Act, applies.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 11

Part 4 – HomeBuilder Grants Act 2020 Amended

**PART 4 – HOMEBUILDER GRANTS ACT 2020
AMENDED**

11. Principal Act

In this Part, the *HomeBuilder Grants Act 2020**
is referred to as the Principal Act.

12. Section 13A inserted

After section 13 of the Principal Act, the
following section is inserted in Part 2:

**13A. Commissioner may extend period for
transaction completion in certain
circumstances**

(1) In this section –

completion period, in respect of an
eligible transaction, means the
period specified in
section 13(1)(e) that applies to
the eligible transaction.

(2) A person may apply to the Commissioner
for an extension of the completion period
of an eligible transaction if –

(a) the person’s application for the
Tasmanian HomeBuilder grant
has been approved in respect of
the eligible transaction; and

*No. 15 of 2020

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022*
Act No. of 2022

Part 4 – HomeBuilder Grants Act 2020 Amended

s. 12

- (b) circumstances, outside of the control of the person, mean that the transaction has not been, or is unlikely to be, completed before the expiry of that period.
- (3) An application under subsection (2) –
 - (a) is to be in a form approved by the Commissioner; and
 - (b) may be made before the expiry of the completion period to which the application relates; and
 - (c) must be made no later than 6 months after the expiry of the completion period to which the application relates.
- (4) After considering an application under subsection (2) to extend the completion period for an eligible transaction, the Commissioner may –
 - (a) extend the completion period, whether or not that completion period has expired, if the Commissioner is satisfied that it is reasonable in the circumstances to do so; or
 - (b) refuse to extend the completion period.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 12

Part 4 – HomeBuilder Grants Act 2020 Amended

- (5) The Commissioner may, under subsection (4)(a), extend the completion period for an eligible transaction subject to such conditions that the Commissioner considers appropriate.
- (6) If the Commissioner extends the completion period for an eligible transaction under subsection (4)(a), the Commissioner is to notify the applicant for the extension, in writing, of the following matters:
 - (a) that the period has been extended;
 - (b) the duration of the extension;
 - (c) each condition that applies in respect of the extension.
- (7) If the Commissioner refuses to extend the completion period for an eligible transaction under subsection (4)(b), the Commissioner is to notify the applicant for the extension, in writing, of the refusal to grant the extension.
- (8) For the avoidance of doubt, a completion period for an eligible transaction may be extended more than once under this section.

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

Part 5 – Payroll Tax Rebate (Apprentices, Trainees and Youth Employees)
Act 2017 Amended

s. 13

**PART 5 – PAYROLL TAX REBATE (APPRENTICES,
TRAINEES AND YOUTH EMPLOYEES) ACT 2017
AMENDED**

13. Principal Act

In this Part, the *Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017** is referred to as the Principal Act.

14. Section 3 amended (Interpretation)

The definition of *eligible period* in section 3 of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “30 June 2022” and substituting “30 June 2024”;
- (b) by omitting from paragraph (ab)(ii) “30 June 2022” and substituting “30 June 2024”;
- (c) by omitting from paragraph (b)(ii) “30 June 2022” and substituting “30 June 2024”.

15. Section 29 amended (Repeal of Act)

Section 29 of the Principal Act is amended by omitting “30 June 2025” and substituting “30 June 2027”.

*No. 23 of 2017

*Treasury Miscellaneous (Affordable Housing and Youth
Employment Support) Act 2022
Act No. of 2022*

s. 16

Part 6 – Miscellaneous

PART 6 – MISCELLANEOUS

16. Repeal of Act

This Act is repealed on the first anniversary of the day on which its last uncommenced provision commenced.