

Jobs Package (Miscellaneous Amendments) Bill 2013

Part 1 - Preliminary

- Clause 1 This Act may be cited as *the Jobs Package (Miscellaneous Amendments) Act 2013*
- Clause 2 Describes the commencement date of the amendments to the relevant Acts.
Part 1 and 2 are taken to have commenced on 10 December 2012.
Part 3 is taken to have commenced on 1 January 2013.
- Clause 3 The amendments contained in this Act will be incorporated into the primary Acts upon commencement. Clause 3 provides that this Act is repealed on the three hundred and sixty fifth day from the day on which it receives Royal Assent.

Part 2 – *Employment Incentive Scheme (Payroll Tax Rebate) Act 2009* amended

- Clause 4 In this Part, the *Employment Incentive Scheme (Payroll Tax Rebate) Act 2009* is referred to as the Principal Act.
- Clause 5 Amends section 4 to prescribe that rebates will be paid in respect of new employment created between 10 December 2012 and 30 June 2014, and that rebates under the scheme may be paid in respect of wages paid before 1 July 2015.
- Clause 6 Amends section 7 by omitting “1 January 2017” and substituting “1 January 2019”, extending the date on which the Principal Act is to be repealed by two years.
- Clause 7 Prescribes the period of time for making a claim under the scheme by amending section 10 to insert a new subsection 7B such that a claim under the scheme may not be made after 31 December 2015.

Part 3 – *First Home Owner Grant Act 2000* amended

- Clause 8 In this Part, the *First Home Owner Grant Act 2000* is referred to as the Principal Act.

Clause 9

Repeals and substitutes section 18 to provide that the amount of a first home owner grant is the lesser of:

- \$15 000 if the transaction satisfies section 18A;
- \$7 000 if it does not satisfy section 18A; and
- the consideration.

Inserts a new section 18A to establish the criteria that must be satisfied for a first home owner grant of \$15 000 to be paid.

Section 18A:

- defines the terms “commencement of building”, “contract for an off-the-plan purchase” and “new home”; and
- provides the period within which an eligible transaction must commence and be completed.

Commencement and completion vary depending on whether the eligible transaction is for:

- a comprehensive home building contract for a new home;
- the building of a new home by an owner builder;
- a contract for an off-the-plan purchase of a new home; or
- a contract for the purchase of a new home.

Section 18A also provides that the section is not satisfied if the Commissioner considers that the eligible transaction replaces a transaction, entered into before 1 January 2013, for the same property between substantially, or that benefits substantially, the same parties. This subclause is intended to prevent potential applicants from cancelling existing transactions and entering into a replacement transaction to obtain the benefit of the increased grant amount.

Section 18A also provides that a payment under the Act of \$15 000 that was made in anticipation of the Royal Assent of Part 3 of this Bill is taken to be a first home owner grant payment. This provision is intended to provide certainty that the Commissioner has full recovery powers over \$15 000 grants paid before the commencement of the amendments.