



Australian Capital Territory

First Home Owner Grant Regulation 2008

SL2008-4

made under the

First Home Owner Grant Act 2000

Republication No 2

Effective: 1 July 2009 – 23 September 2009

Republication date: 1 July 2009

Last amendment made by SL2009-33
(republishing for amendments by SL2009-16
and SL2009-33)

About this republication

The republished law

This is a republication of the *First Home Owner Grant Regulation 2008*, made under the *First Home Owner Grant Act 2000* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2009. It also includes any amendment, repeal or expiry affecting the republished law to 1 July 2009.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R2
01/07/09

First Home Owner Grant Regulation 2008
Effective: 01/07/09-23/09/09

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Australian Capital Territory

First Home Owner Grant Regulation 2008

made under the

First Home Owner Grant Act 2000

1 Name of regulation

This regulation is the *First Home Owner Grant Regulation 2008*.

3 Exclusion of certain shared equity partners from requirement to join in application—Act, s 15 (2)

A person (*shared equity partner*) is excluded from the application of the Act, section 15, if the shared equity partner—

- (a) has, or on the completion of the transfer will have, not more than a 50% interest in land on which the relevant home is built; and
- (b) is—
 - (i) a financial institution; or
 - (ii) an entity declared as a provider of community housing under the *Duties Act 1999*, section 73A

3A First home owner boost—extension of time—Act, s 24C and s 24D

For each of the following provisions of the Act, the prescribed date is 30 September 2009:

- (a) section 24C (1);
- (b) section 24C (3) (a);
- (c) section 24C (4) (a);
- (d) section 24D (1) (c).

**3B First home owner boost—modification of Act, s 24C—
Act, s 24F (2)**

The Act, section 24C applies as if the following subsection were inserted:

- ‘(2A) Also, an eligible transaction that is a contract for an ‘off-the-plan’ purchase of a new home qualifies for the first home owner boost for new homes—
- (a) if the contract is made on or after 1 July 2009 and on or before 30 September 2009, or a later date prescribed by regulation; and
 - (b) if—
 - (i) the contract includes a provision to the effect that the eligible transaction must be completed before 1 April 2011; or
 - (ii) the eligible transaction is completed before 1 April 2011, or a later date the commissioner allows if satisfied on reasonable grounds that there are exceptional circumstances that prevented completion before 1 April 2011.’

**4 Protected information—disclosure to commissioner of
taxation—Act, s 50 (3) (f)**

- (1) The disclosure of protected information to the commissioner of taxation is authorised if the disclosure is for the purpose of the administration of the first home saver accounts scheme.
- (2) In this section:

commissioner of taxation means the Commissioner of Taxation of the Commonwealth.

first home saver accounts scheme means the scheme administered under the *First Home Saver Accounts Act 2008* (Cwlth).

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

First Home Owner Grant Regulation 2008 SL2008-4

notified LR 11 March 2008

s 1, s 2 commenced 11 March 2008 (LA s 75 (1))

remainder commenced 12 March 2008 (LA s 77 (3) but see CN2008-2)

as amended by

**First Home Owner Grant Amendment Regulation 2009 (No 1)
SL2009-16**

notified LR 30 April 2009

s 1, s 2 commenced 30 April 2009 (LA s 75 (1))

remainder commenced 1 July 2009 (s 2 (2))

**First Home Owner Grant Amendment Regulation 2009 (No 2)
SL2009-33**

notified LR 29 June 2009

s 1, s 2 commenced 29 June 2009 (LA s 75 (1))

remainder commenced 1 July 2009 (s 2)

4 Amendment history

Commencement

s 2 om R1 LA s 89 (4)

First home owner boost—extension of time—Act, s 24C and s 24D

s 3A ins SL2009-33 s 4

First home owner boost—modification of Act, s 24C—Act, s 24F (2)

s 3B ins SL2009-33 s 4

**Protected information—disclosure to commissioner of taxation—Act,
s 50 (3) (f)**

s 4 ins SL2009-16 s 4

Endnotes

5 Earlier republications

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 12 Mar 2008	12 Mar 2008– 30 June 2009	not amended	new regulation

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