

NORTHERN TERRITORY OF AUSTRALIA

FIRST HOME OWNER GRANT REGULATIONS

As in force at 1 January 2008

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 January 2008

FIRST HOME OWNER GRANT REGULATIONS

Regulations under the *First Home Owner Grant Act*

1 Citation

These Regulations may be cited as the *First Home Owner Grant Regulations*.

2 Commencement

These Regulations come into operation 1 July 2000.

3 Non-conforming interests that are relevant interests

(1) In pursuance of section 5(4) of the Act, where:

(a) a person:

- (i) who has entered into a comprehensive home building contract on land used solely or principally for farming purposes; or
- (ii) who has not entered into a comprehensive home building contract begins building a home, or having a home built, on land used solely or principally for farming purposes; and

(b) the owner of the land has given permission for the person to occupy the home when it is completed,

the first-mentioned person has a relevant interest in the land.

(2) In pursuance of section 5(4) of the Act, where:

(a) a person:

- (i) who has entered into a comprehensive home building contract on land owned by a relative of the person, other than land used solely or principally for farming purposes; or

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- (ii) who has not entered into a comprehensive home building contract begins building a home, or having a home built, on land owned by a relative of the person, other than land used solely or principally for farming purposes; and
 - (b) the relative of the person has given permission for the person to occupy the home when it is completed,

the first-mentioned person has a relevant interest in the land.

- (3) In this regulation:

child, in relation to a person, includes an adopted child of the person and a stepchild of the person.

farming purposes, see section 4(1) of the *Stamp Duty Act*.

relative, in relation to a person, means:

- (a) a spouse or de facto partner of the person;
- (b) the parents of the person or the parents of a spouse or de facto partner of the person;
- (c) the grandparents of the person or the grandparents of a spouse or de facto partner of the person;
- (d) a sibling of the person or of a spouse or de facto partner of the person;
- (e) a child of the person;
- (f) a child of a child of the person; or
- (g) a spouse or de facto partner of a person referred to in paragraph (d), (e) or (f).

4 Persons who are not interested persons

The following persons are excluded from the application of section 15 of the Act:

- (a) the body corporate sole known as the Chief Executive Officer (Housing) and established by section 6 of the *Housing Act*;
- (b) the owner of land in which a person has a relevant interest by virtue of regulation 3(1) or (2).

ENDNOTES**1 KEY**

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION***First Home Owner Grant Regulations (SL No. 33, 2000)***

Notified 30 June 2000
Commenced 1 July 2000 (r 2)

Amendment of First Home Owner Grant Regulations (SL No. 37, 2002)

Notified 9 October 2002
Commenced 9 October 2002

Law Reform (Gender, Sexuality and De Facto Relationships) Act 2003 (Act No. 1, 2004)

Assent date 7 January 2004
Commenced 17 March 2004 (Gaz G11, 17 March 2004, p 8)

3 LIST OF AMENDMENTS

r 3 amd No. 37, 2002; Act No. 1, 2004, s 63; Act No. 25, 2007, s 11
r 5 rep Act No. 25, 2007, s 11