

NORTHERN TERRITORY OF AUSTRALIA

FIRST HOME OWNER GRANT REGULATIONS

As in force at 17 March 2004

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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

(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 has the same meaning as in section 8E 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).

5 Expenses for attending examination

If a person is required under section 36 of the Act to attend for examination and the person lives more than 7 kilometres from the place of the examination, the Commissioner is to pay to the person travelling expenses that the Commissioner thinks reasonable (but not exceeding the actual travelling expenses incurred by the person).

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 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