



Queensland

First Home Owner Grant Act 2000

First Home Owner Grant Regulation 2010

Current as at 2 September 2010

Information about this reprint

This regulation is reprinted as at 2 September 2010.

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment').

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



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First Home Owner Grant Regulation 2010

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First Home Owner Grant Regulation 2010

[reprinted as in force on 2 September 2010]

1 Short title

This regulation may be cited as the *First Home Owner Grant Regulation 2010*.

2 Commencement

This regulation commences on 2 September 2010.

3 Declaration of relevant interests—Act, s 8(1)(i)

- (1) Each of the following interests is declared to be a relevant interest for section 8(1)(i) of the Act—
 - (a) a person's right, given by a relative of the person, to occupy a home that is a detached dwelling built or to be built on land that is a part of land owned by the relative—
 - (i) under a contract entered into by the person; or
 - (ii) by an owner builder;
 - (b) a person's right to occupy a mobile home under a relevant agreement;
 - (c) a manufactured home owner's interest in a site agreement for a site on which a manufactured home is positioned;
 - (d) a sublessee's interest under a lease mentioned in section 8(1)(d) of the Act that is for a term of at least 10 years;
 - (e) an interest in a lease granted under—
 - (i) the *Aboriginal Land Act 1991*, section 40D(1)(a); or

(ii) the *Torres Strait Islander Land Act 1991*, section 37D(1)(a).

- (2) The interest is a relevant interest—
- (a) for an interest mentioned in subsection (1)(a)—in the land on which the home is built; and
 - (b) for an interest mentioned in subsection (1)(b)—in the land on which the mobile home is situated; and
 - (c) for an interest mentioned in subsection (1)(c)—in the land on which the manufactured home is positioned.

- (3) In this section—

manufactured home see the *Manufactured Homes (Residential Parks) Act 2003*, section 10.

manufactured home owner means a home owner under the *Manufactured Homes (Residential Parks) Act 2003*, section 8.

mobile home see the repealed *Mobile Homes Act 1989*, section 3.

relative, of a person, means—

- (a) a parent, grandparent, child, stepchild, brother or sister of the person or the person's spouse; or
- (b) the spouse of anyone mentioned in paragraph (a).

relevant agreement see the repealed *Mobile Homes Act 1989*, section 3.

site see the *Manufactured Homes (Residential Parks) Act 2003*, section 13.

site agreement see the *Manufactured Homes (Residential Parks) Act 2003*, section 14.

sublessee includes a sub-sublessee.

4 Persons who are not interested persons—Act, s 17(2)

- (1) If a person is the holder of a relevant interest in land mentioned in section 3(1), the holder of another relevant interest in the land is not an interested person for section 17(2) of the Act.

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- (2) The housing chief executive is not an interested person for section 17(2) of the Act if, under the scheme operated by the housing department known as the ‘Pathways Shared Equity Loan’ scheme—
- (a) the housing chief executive holds, or will hold, not more than 40% of the estate in fee simple in the land on which the relevant home is built; and
 - (b) the eligible transaction to which the application relates is financed by the housing department; and
 - (c) the applicant is a tenant of the relevant home.
- (3) Subsection (2) applies to an application made on or after 1 February 2008.
- (4) In this section—

housing chief executive means the chief executive of the housing department.

housing department means the department that administers the *Housing Act 2003*.

5 Methods of payment

An amount payable to the commissioner under the Act must be paid by bank draft, cash or cheque.

6 Interest payable on instalment payments—Act, s 48(5)

- (1) This section applies to an arrangement for payment by instalments of a liability outstanding under section 48 of the Act.
- (2) If the arrangement includes provision for the payment of interest, the interest is payable at an annual rate equal to the sum of the bank bill yield rate, rounded to the nearest second decimal place, and 8%.
- (3) In this section—

bank bill yield rate, for a particular day, means the monthly average yield for 90-day bank accepted bills published by the Reserve Bank of Australia for the month of May in the

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financial year immediately before the financial year in which the day occurs.

Editor's note—

The monthly average yield for 90-day bank accepted bills is published in the Reserve Bank of Australia Bulletin and can be accessed on the internet at <www.rba.gov.au>.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the First Home Owner Grant Regulation 2010 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	2 September 2010	

5 List of legislation

First Home Owner Grant Regulation 2010 SL No. 208

made by the Governor in Council on 12 August 2010

notfd gaz 13 August 2010 pp 1360–1

ss 1–2 commenced on date of notification

remaining provisions commenced 2 September 2010 (see s 2)

exp 1 September 2020 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.