

**Sent:** Saturday, 17 September 2011 1:09 PM  
**To:** Finance and Administration Committee  
**Subject:** Submission on Building Boost Grant Bill 2011  
Dear Sirs

I am writing to you regarding the Bill. I draw to your attention to clause 9(3) of the Bill. The plain words for the sub-clause convey the meaning that "in case the holder of land or interest in land does not have the right to occupy the land then it is not a relevant interest under the Act thus unable to obtain the grant".

This sub-clause will have the unintended effect of denying the rental properties and display homes from being eligible from the grant in cases where the lease or the display home contract exceeds 12 months. Clearly, when the land is being leased for more than 12 months the holder of the land (the landlord applicant) could not have "a right to immediate occupy the land".

I am unsure whether this sub-clause is necessary. From revenue protection point of view, safeguard exists that the property must be occupied for at least 3 months within 12 months.

Perhaps it is a provision that seeks to ensure that the relevant land is in existence within 12 months of grant and thus ensures where in cases involves contract to purchase "off the plan" situation or where the leasehold title is yet to be granted by the Department of Natural Resources. If that was the intended outcome then the clause should be reworded. A suggested wording is:

"(3) Despite subsections (1) and (2), an interest is not a relevant interest at a particular time unless the interest described in (1) is registered, recorded or entered within 12 months of that time to the satisfaction of the commissioner."

Regards

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