



Speech by

JULIE ATTWOOD

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FIRST HOME OWNER GRANT AMENDMENT BILL

Mrs ATTWOOD (Mount Ommaney—ALP) (12.54 p.m.): These amendments to the First Home Owner Grant Act 2000 are designed to minimise any potential abuse of the First Home Owner Grant Scheme and I commend the Deputy Premier and Treasurer for his speedy response to this issue. The bill amends the act by restricting the circumstances in which the first home owner grant may be paid to applicants who are under 18 years of age, including a six month residency period which applicants must satisfy for entitlement to the grant and including a general antiavoidance or disqualifying provision.

Members are aware of the recent media reports showing children as young as one-year-old holding title to property purchased by their parents who claimed and received a first home owner grant. Without an age limit imposed by applicants, children may be eligible for the grant. The potential for abuse of the First Home Owner Grant Scheme may arise where children may be used in contracts to obtain grants where the real purchaser, such as their parents, would be ineligible for the grant, or had already received the grant. We have seen such appalling behaviour from some parents.

These amendments provide that an applicant must be at least 18 years of age at the time at which the eligible transaction commences. This is subject to the discretion of the Commissioner of State Revenue to pay the grant to applicants under 18 years of age in genuine cases. It is appropriate that in instances where an applicant under a legal, physical or mental disability—for example, an applicant under the age of 18 years, a quadriplegic or a person suffering a mental incapacity—applies for the grant, the application be judged on the merit of the situation. In these cases it is considered that the legal disability should not preclude an applicant from receiving the grant provided they satisfied the eligibility criteria. Therefore, children may apply for the grant, whether they obtain a home directly or through guardian trustee arrangements.

The lack of a prerequisite that applicants live in the home for a minimum period means that there is really no time frame for how long applicants must reside in the home to qualify for the grant. There is also the potential abuse of the scheme by an applicant residing in a home for only a short period before subletting, renting or even selling the home. A six month continuous period of residence of the home is imposed by the amendments. There is also the discretion of the Commissioner of State Revenue to accept a lesser period or to waive the condition where there are sound, logical reasons. This could be because of the ill health of the applicant, major modifications required to cater for a disabled person, or severe damage or destruction of the home through natural human means.

An amendment is also required to include a general antiavoidance provision to minimise the risk of exploitation of the eligibility criteria by enabling the commissioner to refuse a grant or require repayment of the grant in certain circumstances. The amendment allowing the commissioner to refuse an application or require a repayment of the grant where there is a disqualifying arrangement is designed to overcome activities exploiting the eligibility criteria. The provision details two instances where disqualifying arrangements may exist. In particular, arrangements involving relatives where the commissioner is satisfied that an arrangement exists to obtain the grant rather than acquire the home will disqualify the applicants. Where the commissioner decides there is a disqualifying arrangement, the applicant may seek a review of the decision through the objection and appeal provisions of the act.

This bill will help to keep the Queensland First Home Owner Grant Scheme operating fairly and effectively for the community's benefit by addressing a number of the shortfalls in the eligibility criteria. I commend the bill to the House.