



# First Home Owners Amendment Act 1990

No. 89 of 1990

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## An Act to amend the *First Home Owners Act 1983*

[Assented to 20 November 1990]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### Short title

1. This Act may be cited as the *First Home Owners Amendment Act 1990*.

### Commencement

2. (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(2) Section 4 is taken to have commenced on 22 August 1990.

### Principal Act

3. In this Act, “Principal Act” means the *First Home Owners Act 1983*<sup>1</sup>.

### Financial assistance

4. Section 16 of the Principal Act is amended by adding at the end the following subsection:

“(3) Despite any other provision of this Act, financial assistance is not payable to a sole applicant or to joint applicants if the prescribed date in relation to the applicant or applicants is later than 21 August 1990.”.

**Assistance not payable unless certain conditions satisfied**

5. Section 17 of the Principal Act is amended:

- (a) by inserting at the end of paragraph (4) (b) “or”;
- (b) by inserting in paragraph (4) (d) “permanently” after “remain”.

6. After section 17 of the Principal Act the following section is inserted in Division 1 of Part III:

**Time limit for applications**

“17A. Financial assistance is not payable in respect of a dwelling unless the application for assistance is made no later than 30 June 1991.”.

**Relevant year of income in certain cases**

7. Section 22 of the Principal Act is amended by omitting “paragraph 17 (4) (b) or (c)” from the definition of “eligible person” in subsection (5) and substituting “paragraph 17 (4) (b), (c) or (d)”.

8. Section 38 of the Principal Act is repealed and the following section is substituted:

**Misleading statements etc.**

“38. (1) A person must not, in connection with, or in support of, an application for assistance, knowingly or recklessly make a statement, whether oral or written, that is false or misleading in a material particular.

Penalty: Imprisonment for 6 months.

“(2) A person must not obtain payment of assistance by means of impersonation or a fraudulent device.

Penalty: Imprisonment for 12 months.”.

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**NOTE**

1. No. 46, 1983 as amended. For previous amendments, see No. 23, 1985; No. 141, 1987; Nos. 38, 133 and 155, 1988; No. 59, 1989; and No. 3, 1990.

[*Minister's second reading speech made in—  
House of Representatives on 11 October 1990  
Senate on 18 October 1990*]