

# Homes Savings Grant Amendment Act 1980

No. 158 of 1980

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## An Act to amend the *Homes Savings Grant Act 1976*

[Assented to 5 December 1980]

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

### Short title, &c.

1. (1) This Act may be cited as the *Homes Savings Grant Amendment Act 1980*.

(2) The *Homes Savings Grant Act 1976*<sup>1</sup> is in this Act referred to as the Principal Act.

### Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. Before section 20 of the Principal Act the following section is inserted in Division 2 of Part III:

### Interpretation

“19A. (1) In this Division—

‘bonds’ means Australian Savings Bonds;

‘Inscribed Stock Act’ means the *Commonwealth Inscribed Stock Act 1911*, and includes regulations under that Act;

‘stock’ means Commonwealth Government Inscribed Stock that is issued in relation to a prospectus in relation to which bonds are also issued.

“(2) For the purposes of this Division, where stock is, or bonds are, purchased otherwise than at face value, the amount of moneys paid for the purchase shall be deemed to be the amount that would have been paid if the purchase had been made at face value.”.

### Acceptable savings of sole applicant to include bank deposits, &c.

4. Section 21 of the Principal Act is amended—

(a) by omitting from paragraph (1) (a) “or” (last occurring);

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- (b) by adding at the end of sub-section (1) the following word and paragraph:
  - “; or (c) that were paid by the applicant under the Inscribed Stock Act—
    - (i) for the purchase of stock that was, on the relevant date, inscribed under that Act in the name of the applicant; or
    - (ii) for the purchase of bonds in respect of which an equivalent amount of stock was, on the relevant date, inscribed under that Act in the name of a bank.”;
- (c) by inserting in sub-section (2) “, or paid by the applicant for the purchase of stock or bonds as mentioned in paragraph (1) (c)” after “paragraph (1) (b)”;
- (d) by omitting from paragraph (2) (a) “or”; and
- (e) by adding at the end of sub-section (2) the following word and paragraph:
  - “; or (c) a person who, on the relevant date, was engaged to be married to the applicant.”.

**Acceptable savings of joint applicants to include bank deposits, &c.**

- 5. Section 22 of the Principal Act is amended—
  - (a) by omitting from paragraph (1) (a) “or” (last occurring);
  - (b) by adding at the end of sub-section (1) the following word and paragraph:
    - “; or (c) that were paid by any of the applicants, or jointly by 2 or more of the applicants, under the Inscribed Stock Act—
      - (i) for the purchase of stock that was, on the relevant date, inscribed under that Act in the name of that applicant or in the joint names of those applicants, as the case may be; or
      - (ii) for the purchase of bonds in respect of which an equivalent amount of stock was, on the relevant date, inscribed under that Act in the name of a bank.”;
  - (c) by inserting in sub-section (2) “, or paid by a joint applicant for the purchase of stock or bonds as mentioned in paragraph (1) (c)” after “paragraph (1) (b)”;
  - (d) by omitting from paragraph (2) (a) “or”; and
  - (e) by adding at the end of sub-section (2) the following word and paragraph:
    - “; or (c) a person who, on the relevant date, was engaged to be married to that joint applicant.”.

**Acceptable savings of sole applicant to include certain moneys expended in connection with purchase or construction of dwelling-house**

6. Section 23 of the Principal Act is amended—

- (a) by omitting from paragraph (2) (a) “or”; and
- (b) by adding at the end of sub-section (2) the following word and paragraph:
  - “; or (c) a person who, on the relevant date, was engaged to be married to the applicant.”.

**Acceptable savings of joint applicants to include certain moneys expended in connection with purchase or construction of dwelling-house**

7. Section 24 of the Principal Act is amended—

- (a) by omitting from paragraph (2) (a) “or”; and
- (b) by adding at the end of sub-section (2) the following word and paragraph:
  - “; or (c) a person who, on the relevant date, was engaged to be married to the joint applicant.”.

**Acceptable savings of sole applicant to include certain moneys expended in purchase of certain residential land**

8. Section 25 of the Principal Act is amended—

- (a) by omitting from sub-paragraph (2) (a) (i) “or”; and
- (b) by adding at the end of paragraph (2) (a) the following word and sub-paragraph:
  - “or (iii) a person who, on the relevant date, was engaged to be married to the applicant;”.

**Acceptable savings of joint applicants to include certain moneys expended in purchase of certain residential land**

9. Section 26 of the Principal Act is amended—

- (a) by omitting from sub-paragraph (2) (a) (i) “or”; and
- (b) by adding at the end of paragraph (2) (a) the following word and sub-paragraph:
  - “or (iii) a person who, on the relevant date, was engaged to be married to the joint applicant;”.

10. After Part III of the Principal Act the following Part is inserted:

**“PART IIIA—FAMILY BONUSES**

**Interpretation**

“33A. In this Part—

‘bonus’ means a bonus payable under this Part;

‘child’ means a person who—

- (a) has not attained the age of 16 years;

- (b) is not married;
- (c) is not the spouse, by virtue of paragraph 6 (1) (b), of an applicant; and
- (d) is a person resident in Australia whose continued presence in Australia is not subject to any limitation as to time imposed by law;

‘dependant’ means a child or a student;

‘student’ means a person receiving full-time education at a school, college or university who—

- (a) has attained the age of 16 years but has not attained the age of 25 years;
- (b) is not married;
- (c) is not the spouse, by virtue of paragraph 6 (1) (b), of an applicant;
- (d) is a person resident in Australia whose continued presence in Australia is not subject to any limitation as to time imposed by law; and
- (e) is not in receipt of an invalid pension under Part III of the *Social Services Act 1947*.

#### **Entitlement to bonus**

“33B. (1) Where the Secretary is satisfied that—

- (a) a grant is payable or would, but for section 32, be payable, to a sole applicant or joint applicants; and
- (b) on the prescribed date in relation to the applicant or applicants—
  - (i) a child was in the custody, care and control of the applicant or any of the applicants; or
  - (ii) a student was wholly or substantially dependent on the applicant or any of the applicants,

a bonus is payable to the applicant or applicants in accordance with this Part.

“(2) Where, on a particular date, a child was an inmate of a mental hospital as defined by section 6 of the *Social Services Act 1947* that was maintained by, or mainly dependent upon financial assistance from, the Commonwealth, a State or the Northern Territory or an inmate of an institution as defined by section 94 of that Act and a person was making a reasonable contribution towards the expenses of maintaining that child, the Secretary may, in his discretion, determine that, for the purposes of sub-paragraph (1) (b) (i), that child shall be deemed to have been in the custody, care and control of that person on that date.

#### **Amount of bonus**

“33C. The amount of the bonus payable to a sole applicant or joint applicants is—

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- (a) where, in relation to the applicant or one or more of the applicants, there are 2 or more dependants in relation to whom paragraph 33B (1) (b) applies—\$1,000; or
- (b) in any other case—\$500.

**Application of Act**

“33D. Section 16 and Parts IV and V of this Act apply in relation to a bonus in like manner as they apply in relation to a grant.”.

**Application of amendments**

**11.** The amendments made by this Act apply in relation to an application for a grant under the Principal Act by an applicant, or by applicants, in relation to whom the prescribed date is 1 October 1980 or any subsequent date.

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**NOTE**

1. No. 183, 1976, as amended. For previous amendments, see No. 186, 1979.