



## MESSAGE No. 19

Mr Speaker

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *First Home Owner Grant Amendment Bill 2017* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

A handwritten signature in blue ink, appearing to read "Kate Doust".

Hon Kate Doust  
President of the Legislative Council

Legislative Council Chamber  
Perth, 9 November 2017

*Schedule indicating the amendments made by the Legislative Council in the First Home Owner Grant Amendment Bill 2017*

**No. 1**

New Clause 11A, page 5, after line 30 — To insert:

**11A. Section 26 amended**

In section 26 in the definition of *decision on the application*:

- (a) in paragraph (d) delete “(3);” and insert:
  - (3); and
- (b) after paragraph (d) insert:
  - (e) a requirement under section 52A(1) to pay an amount of legal costs incurred by the Commissioner.

**No. 2**

New Clause 12A, page 6, after line 17 — To insert:

**12A. Section 30 amended**

After section 30(5) insert:

- (6) If, as the result of a decision on an objection, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
  - (a) the amount of legal costs to be repaid;
  - (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
  - (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

**No. 3**

New Clause 12B, page 6, after line 17 — To insert:

**12B. Section 32 amended**

After section 32(4) insert:

- (5) If, as the result of an application for a review of a decision, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
- (a) the amount of legal costs to be repaid;
  - (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
  - (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

**No. 4**

Clause 15, page 8, line 15 — To insert after “pay the”:

reasonable

**No. 5**

Clause 15, page 8, after line 22 — To insert:

- (3) If the notice covers legal costs as defined in the *Legal Profession Act 2008* section 3
- (a) the notice must include or be accompanied by a written statement setting out the applicant’s right under the *Legal Profession Act 2008* to apply for an assessment of those costs; and
  - (b) the Commissioner must not commence proceedings to recover those costs until at least 30 days after the date on which the notice is given to the applicant.



Clerk of the Legislative Council