

WESTERN AUSTRALIA



**LEGISLATIVE COUNCIL**

**AMENDMENTS AND SCHEDULES**

**Supplementary Notice Paper No. 16**  
**Issue No. 2**

**THURSDAY, 19 OCTOBER 2017**

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***FIRST HOME OWNER GRANT AMENDMENT BILL 2017 [16-1B]***

When in committee on the *First Home Owner Grant Amendment Bill 2017*:

**New Clause 11A**

**Minister for Environment representing the Minister for Finance:** To move —

1/NC11A 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.

**New Clause 12A****Minister for Environment representing the Minister for Finance:** To move —

2/NC12A 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.

**New Clause 12B****Minister for Environment representing the Minister for Finance:** To move —

3/NC12B 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.

**Clause 15****Minister for Environment representing the Minister for Finance:** To move —

4/15 Page 8, line 15 — To insert after “pay the”:

reasonable

**Minister for Environment representing the Minister for Finance:** To move —

5/15 Page 8, after line 22 — To insert:

- (3) A third party payer, as defined in the *Legal Profession Act 2008* section 252, cannot apply for a costs assessment under Part 10 Division 8 of that Act in relation to the legal costs.

