

**Version No. 003**  
**First Home Owner Grant Regulations 2001**  
**S.R. No. 37/2001**

Version incorporating amendments as at 26 October 2010

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**1 Objective**

The objectives of these Regulations are—

- (a) to provide that a certain interest is recognised as a relevant interest in land for the purposes of section 5(4) of the **First Home Owner Grant Act 2000**; and
- (b) to authorise the disclosure of protected information to a member of the New Zealand police force for the purposes of section 50 of the **First Home Owner Grant Act 2000**.

Reg. 1  
substituted by  
S.R. No.  
138/2010  
reg. 4.

**2 Authorising provision**

These Regulations are made under section 54 of the **First Home Owner Grant Act 2000**.

**3 Definition**

In these Regulations—

*Act* means the **First Home Owner Grant Act 2000**;

Reg. 3 def. of  
*Act*  
amended by  
S.R. No.  
138/2010  
reg. 5(1).

*member of the New Zealand police force* means a person who is a Police employee within the meaning of the Policing Act 2008 of New Zealand.

Reg. 3 def. of  
*member of  
the New  
Zealand  
police force*  
inserted by  
S.R. No.  
138/2010  
reg. 5(2).

#### **4 Recognition of interest as a relevant interest in land for purposes of section 5(4)**

- (1) For the purposes of section 5(4) of the Act, a person has a relevant interest in land that is owned by another if—
  - (a) the person has—
    - (i) entered into a comprehensive home building contract for the building of a home on that land; or
    - (ii) as an owner builder, commenced building a home on that land; and
  - (b) the owner of the land has granted to the person a licence or right of exclusive occupancy to occupy the home referred to in paragraph (a).
- (2) For the purposes of subregulation (1), the Commissioner must be satisfied that the home—
  - (a) is used or is intended, adopted or designed for use as a separate residence; and
  - (b) has or on completion will have kitchen, bathroom and sanitary facilities.

#### **5 Certain persons exempted from joining in applications**

If an interest is recognised under regulation 4 as a relevant interest, the owner of the land is not required to join in an application under section 15 of the Act.

#### **6 Authorised disclosure of protected information**

For the purposes of section 50(4)(d) of the **First Home Owner Grant Act 2000**, protected information is authorised to be disclosed to a member of the New Zealand police force who is also employed at the New Zealand Police National Intelligence Centre, in connection with an

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investigation or prosecution carried out in the  
course of the member's duty.

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## ENDNOTES

### 1. General Information

The First Home Owner Grant Regulations 2001, S.R. No. 37/2001 were made on 1 May 2001 by the Governor in Council under section 54 of the **First Home Owner Grant Act 2000**, No. 5/2000 and came into operation on 1 May 2001.

The First Home Owner Grant Regulations 2001 will sunset 10 years after the day of making on 1 May 2011 (see section 5 of the **Subordinate Legislation Act 1994**).

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## 2. Table of Amendments

This Version incorporates amendments made to the First Home Owner Grant Regulations 2001 by statutory rules, subordinate instruments and Acts.

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First Home Owner Grant Amendment Regulations 2010, S.R. No. 138/2010

*Date of Making:* 26.10.10

*Date of Commencement:* 26.10.10

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**3. Explanatory Details**

No entries at date of publication.