

First Home Buyer Declaration

First Home Loan Deposit Scheme (New Homes)

Effective 2 November 2020

Applicant 1

FY 2020/21

STATUTORY DECLARATION Statutory Declarations Act 1959 (Cth) (Statutory Declarations Act)

I _____ of _____
full legal name *address*

currently employed as _____
occupation

make the following declaration under the Statutory Declarations Act in connection with the home loan application made by me to the lender and for which I have requested the lender to seek the issue of a New Home Guarantee under the Australian Government's First Home Loan Deposit Scheme (**Scheme**):

1 I understand that this First Home Buyer Declaration is separate to my application for a home loan made to the lender.

2 I have not previously used any name other than the name(s) declared above except for¹

3 I have resided in each of the Australian jurisdictions marked below (including the jurisdiction where I presently reside)²:

- New South Wales Victoria Queensland Western Australia
 South Australia Tasmania Australian Capital Territory Northern Territory
 Other _____

4 I am:

purchasing a New Home that is a newly constructed dwelling and confirm³

- a) the New Home I am purchasing was built on or after 1 January 2020 (Yes/No) _____
- b) this is the first sale of the home since it was built (Yes/No) _____
- c) if it isn't the first sale, the New Home was substantially renovated by the vendor or built by the vendor to replace a demolished premises on the land (Yes/No) _____
- d) since the New Home was built, no one has lived in the property or the property has not been rented or leased, or been made available, for rent or lease (Yes/No) _____

building a New Home and confirm: ⁴

- a) building of the New Home started (or is scheduled to start) on: _____
- b) building of the New Home has finished (or is scheduled to finish) on: _____

¹ Insert all previous names. If no previous names, insert no 'no other previous names' or 'not applicable'

² Check each box (with an 'x') for each jurisdiction in which you have lived at any time (including as at the date of this declaration). For Australian jurisdictions that are not specifically identified – being Jervis Bay Territory, Norfolk Island, Christmas Island and/or Cocos (Keeling) Islands – check 'Other' and insert the name of each such jurisdiction on the line next to that box

³ To be supported by attaching a statement from the vendor

⁴ To be supported by attaching a statement from the vendor

- purchasing a New Home off-the-plan and confirm⁵
- a) this is the first sale of the home since it was built (Yes/No)_____
- b) if it isn't the first sale, the New Home was substantially renovated by the vendor or built by the vendor to replace a demolished premises on the land (Yes/No)_____
- c) since the New Home was built, no one has lived in the property or the property has not been rented or leased, or been made available, for rent or lease (Yes/No)_____
- d) building of the New Home started (or is scheduled to start) on: _____
- e) building of the New Home has finished (or is scheduled to finish) on: _____

- 5 I declare that I have completed this First Home Buyer Declaration honestly and accurately.
- 6 I understand the eligibility criteria for my home loan to participate under the Scheme (in particular, my personal circumstances and qualification as an eligible first home buyer) (**Eligibility Criteria**), including as described in the document entitled '*Australian Government - First Home Loan Deposit Scheme (New Homes)- Scheme Information Guide*' dated 2 November 2020 and published by NHFIC (a copy of which I have read and understood) (**Scheme Information Guide**).
- 7 I have carefully considered my eligibility for the Scheme and declare that all information provided by me to the lender in relation to my taxable income is true and complete and to the best of my knowledge that I satisfy, and my home loan (including the property purchased using my home loan) satisfies, each of the Eligibility Criteria. I am not aware of any matter that might disqualify me or my home loan from meeting any one of the Eligibility Criteria.
- 8 If at any time there is a change in circumstances leading me to believe that any one of the Eligibility Criteria may no longer be met, I undertake to notify the lender in writing as soon as possible after the occurrence of such a change (providing reasonable details).
- 9 I intend to move into the home the subject of this First Home Buyer Declaration within 6 months of either the date of settlement of my loan or, if later, the date an occupancy certificate is issued and, unless the ADF owner-occupier exemption (as defined in the Scheme Information Guide) applies to me, live there for so long as my loan remains guaranteed under the Scheme.
- 10 I authorise the lender, as permitted by law, to collect, access and exchange information about me (including my Medicare number and/or other government related identifiers and personal information) to verify my proof of identity and to determine my eligibility for the Scheme. This includes sharing my information with National Housing Finance and Investment Corporation (**NHFIC**), the Australian Government and with third parties engaged by the lender to verify my eligibility.
- 11 I authorise NHFIC, as permitted by law, to collect, access and exchange information about me to verify my proof of identity and to determine my eligibility for the Scheme. This includes sharing my information with third parties engaged by NHFIC to verify my eligibility. This also includes sharing my information with other Commonwealth, State and Territory bodies for the purpose of matching my data.
- 12 I authorise the lender, as permitted by law, to collect, access and exchange information about me and my loan with NHFIC for the purposes of administering and operating the Scheme.
- 13 I authorise NHFIC to use information provided by me in applying to participate in the Scheme for research and policy development purposes (on a de-identified basis) aimed at improving housing outcomes for Australians.
- 14 I acknowledge that if I cease to meet the Eligibility Criteria, I will not be entitled to participate in the Scheme and there may be adverse consequences under the terms and conditions of my loan agreement with the lender (including that lenders mortgage insurance premiums, additional fees, charges or other requirements may apply). I acknowledge that none of the lender, NHFIC nor the Australian Government will be liable for any losses or costs that I may incur.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence

⁵ To be supported by attaching a statement from the vendor

under section 11 of the *Statutory Declarations Act 1959* (Cth), and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Optional: Email address and/or telephone number of person making the declaration

Declared at _____ (place) on _____ (day) of _____ (month) _____ (year)

Before me,

Signature of person before whom the declaration is made

Full name, qualification and address of person before whom the declaration is made (in printed letters)

Optional: Email address and/or telephone number of person making the declaration

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years - see section 11 of the Statutory Declarations Act.

Note 2 Chapter 2 of the Criminal Code (Cth) applies to all offences against the Statutory Declarations Act - see section 5A of the Statutory Declarations Act.

Applicant 2 (if applicable)

STATUTORY DECLARATION
Statutory Declarations Act 1959 (Cth)
(Statutory Declarations Act)

I _____ of _____
full legal name *address*

currently employed as _____
occupation

make the following declaration under the Statutory Declarations Act in connection with the home loan application made by me to the lender and for which I have requested the lender to seek the issue of a New Home Guarantee under the Australian Government’s First Home Loan Deposit Scheme (**Scheme**):

1 I understand that this First Home Buyer Declaration is separate to my application for a home loan made to the lender.

2 I have not previously used any name other than the name(s) declared above except for¹

3 I have resided in each of the Australian jurisdictions marked below (including the jurisdiction where I presently reside)⁷:

- New South Wales Victoria Queensland Western Australia
- South Australia Tasmania Australian Capital Territory Northern Territory
- Other _____

4 I am:

purchasing a New Home that is a newly constructed dwelling and confirm⁸

- a) the New Home I am purchasing was built on or after 1 January 2020 (Yes/No)_____
- b) this is the first sale of the home since it was built (Yes/No)_____
- c) if it isn’t the first sale, the New Home was substantially renovated by the vendor or built by the vendor to replace a demolished premises on the land (Yes/No)_____
- d) since the New Home was built, no one has lived in the property or the property has not been rented or leased, or been made available, for rent or lease (Yes/No)_____

building a New Home and confirm: ⁹

- a) building of the New Home started (or is scheduled to start) on: _____
- b) building of the New Home has finished (or is scheduled to finish) on: _____

purchasing a New Home off-the-plan and confirm¹⁰

- a) this is the first sale of the home since it was built (Yes/No)_____
- b) if it isn’t the first sale, the New Home was substantially renovated by the vendor or built by the vendor to replace a demolished premises on the land (Yes/No)_____

¹ Insert all previous names. If no previous names, insert no ‘no other previous names’ or ‘not applicable’

⁷ Check each box (with an ‘x’) for each jurisdiction in which you have lived at any time (including as at the date of this declaration). For Australian jurisdictions that are not specifically identified – being Jervis Bay Territory, Norfolk Island, Christmas Island and/or Cocos (Keeling) Islands – check ‘Other’ and insert the name of each such jurisdiction on the line next to that box

⁸ To be supported by attaching a statement from the vendor

⁹ To be supported by attaching a statement from the vendor

¹⁰ To be supported by attaching a statement from the vendor

- c) since the New Home was built, no one has lived in the property or the property has not been rented or leased, or been made available, for rent or lease (Yes/No)_____
- d) building of the New Home started (or is scheduled to start) on: _____
- e) building of the New Home has finished (or is scheduled to finish) on: _____

- 5 I declare that I have completed this First Home Buyer Declaration honestly and accurately.
- 6 I understand the eligibility criteria for my home loan to participate under the Scheme (in particular, my personal circumstances and qualification as an eligible first home buyer) (**Eligibility Criteria**), including as described in the document entitled '*Australian Government - First Home Loan Deposit Scheme (New Homes) - Scheme Information Guide*' dated 2 November 2020 and published by NHFIC (a copy of which I have read and understood).
- 7 I have carefully considered my eligibility for the Scheme and declare that all information provided by me to the lender in relation to my taxable income is true and complete and to the best of my knowledge that I satisfy, and my home loan (including the property purchased using my home loan) satisfies, each of the Eligibility Criteria. I am not aware of any matter that might disqualify me or my home loan from meeting any one of the Eligibility Criteria.
- 8 If at any time there is a change in circumstances leading me to believe that any one of the Eligibility Criteria may no longer be met, I undertake to notify the lender in writing as soon as possible after the occurrence of such a change (providing reasonable details).
- 9 I intend to move into the home the subject of this First Home Buyer Declaration within 6 months of either the date of settlement of my loan or, if later, the date an occupancy certificate is issued and live there for so long as my loan remains guaranteed under the Scheme.
- 10 I authorise the lender, as permitted by law, to collect, access and exchange information about me (including my Medicare number and/or other government related identifiers and personal information) to verify my proof of identity and to determine my eligibility for the Scheme. This includes sharing my information with National Housing Finance and Investment Corporation (**NHFIC**), the Australian Government and with third parties engaged by the lender to verify my eligibility.
- 11 I authorise NHFIC, as permitted by law, to collect, access and exchange information about me to verify my proof of identity and to determine my eligibility for the Scheme. This includes sharing my information with third parties engaged by NHFIC to verify my eligibility. This also includes sharing my information with other Commonwealth, State and Territory bodies for the purpose of matching my data.
- 12 I authorise the lender, as permitted by law, to collect, access and exchange information about me and my loan with NHFIC for the purposes of administering and operating the Scheme.
- 13 I authorise NHFIC to use information provided by me in applying to participate in the Scheme for research and policy development purposes (on a de-identified basis) aimed at improving housing outcomes for Australians.
- 14 I acknowledge that if I cease to meet the Eligibility Criteria, I will not be entitled to participate in the Scheme and there may be adverse consequences under the terms and conditions of my loan agreement with the lender (including that lenders mortgage insurance premiums, additional fees, charges or other requirements may apply). I acknowledge that none of the lender, NHFIC nor the Australian Government will be liable for any losses or costs that I may incur.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959* (Cth), and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Optional: Email address and/or telephone number of person making the declaration

Declared at _____ (place) on _____ (day) of _____ (month) _____ (year)

Before me,

Signature of person before whom the declaration is made

Full name, qualification and address of person before whom the declaration is made (in printed letters)

Optional: Email address and/or telephone number of person making the declaration

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years - see section 11 of the Statutory Declarations Act.

Note 2 Chapter 2 of the Criminal Code (Cth) applies to all offences against the Statutory Declarations Act - see section 5A of the Statutory Declarations Act.

A statutory declaration under the Statutory Declarations Act 1959 (Cth) may be made before:

- 1 A person who is currently licensed or registered under a law of the Commonwealth, a State or Territory to practise in one of the following occupations:

Architect	Chiropractor	Dentist
Financial adviser	Financial Planner	Legal practitioner
Medical practitioner	Midwife	Migration agent registered under Division 3 of Part 3 of the Migration Act 1958 (Cth)
Nurse	Occupational therapist	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

- 2 A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

- 3 A person who is in the following list:

- Accountant who is:
 - a. a fellow of the National Tax Accountants' Association; or
 - b. a member of any of the following:
 - i. Chartered Accountants Australia and New Zealand;
 - ii. the Association of Taxation and Management Accountants;
 - iii. CPA Australia;
 - iv. the Institute of Public Accountants
- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- APS employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in another item in this list
- Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955 (Cth)*)
- Bailiff
- Bank officer with 5 or more continuous years of service
- Building society officer with 5 or more years of continuous service
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Employee of a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service who is not specified in another item in this list
- Employee of the Australian Trade and Investment Commission who is:
 - a. in a country or place outside Australia; and
 - b. authorised under paragraph 3 (d) of the *Consular Fees Act 1955 (Cth)*; and
 - c. exercising the employee's function at that place
- Employee of the Commonwealth who is:
 - a. at a place outside Australia; and
 - b. authorised under paragraph 3 (c) of the *Consular Fees Act 1955 (Cth)*; and
 - c. exercising the employee's function at that place
- Engineer who is:
 - a. a member of Engineers Australia, other than at the grade of student; or
 - b. a Registered Professional Engineer of Professionals Australia; or
 - c. registered as an engineer under a law of the Commonwealth, a State or Territory; or
 - d. registered on the National Engineering Register by Engineers Australia
- Finance company officer with 5 or more years of continuous service
- Holder of a statutory office not specified in another item in this list
- Judge
- Justice of the Peace

- Magistrate
- Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961 (Cth)*
- Master of a court
- Member of the Australian Defence Force who is:
 - a. an officer; or
 - b. a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982 (Cth)* with 5 or more years of continuous service; or
 - c. a warrant officer within the meaning of that Act
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Governance Institute of Australia Ltd
- Member of:
 - a. the Parliament of the Commonwealth; or
 - b. the Parliament of a State; or
 - c. a Territory legislature; or
 - d. a local government authority
- Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961 (Cth)*
- Notary public, including a notary public (however described) exercising functions at a place outside
 - a. the Commonwealth; and
 - b. the external Territories of the Commonwealth
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office providing postal services to the public
- Permanent employee of
 - a. a State or Territory or a State or Territory authority; or
 - b. a local government authority
- with 5 or more years of continuous service, other than such an employee who is specified in another item of this list
- Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- Police officer
- Registrar, or Deputy Registrar, of a court
- Senior executive employee of a Commonwealth authority
- Senior executive employee of a State or Territory
- SES employee of the Commonwealth
- Sheriff
- Sheriff's officer
- Teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution