

# BuildBonus: A guide to the application and application form

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## 1. Introduction

BuildBonus was introduced by the Northern Territory Government on 8 February 2019 to encourage construction of new homes and units. BuildBonus provides a \$20 000 grant to home buyers that sign a contract to purchase or build a new home (including signing a contract for a house and land package), purchase a new unit (including off-the-plan), or commence construction of a new home as an owner builder on or after 8 February 2019.

BuildBonus is limited to the first 600 eligible applications. Only one grant is payable per transaction and applicants are considered ineligible if they have already received a BuildBonus grant under the current scheme, either alone or jointly, for another transaction.

BuildBonus is not means tested, and there is no cap on the value of a new unit or a new home, or the total construction cost for a new home (including the value of the land on which it is built). Approved applicants must occupy the property as their principal place of residence for a period of 12 months, commencing within 12 months of completion of construction.

This guide explains the eligibility criteria for BuildBonus, requirements for lodging applications, obligations of applicants and related matters. If you are unsure about any aspect concerning your eligibility, it is important that you contact TRO for clarification before proceeding with your application.

This guide refers to guidelines issued by the Commissioner of Territory Revenue. Please visit the TRO website to access these.

## 2. Explanation of terms used

### Commencement of construction

In relation to a new home, commencement of construction generally means laying of the foundations.

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In relation to a new unit in a unit development, commencement of construction is the laying of the foundations or laying of a slab for a carpark (whichever is earlier).

Commencement of construction does not include site clearing.

### **Completion of construction**

In relation to a new home, construction is considered complete once the certificate of occupancy has been issued or, if outside the Building Control Area, once the home is suitable for use as a place of residence.

In relation to a new unit, construction is considered complete when separate titles have been issued for each unit.

### **Contract to build**

A comprehensive building contract where a builder agrees to build a new home from commencement to completion of construction so that it is ready for occupation.

### **Home**

A building, affixed to land, that may be lawfully used, and is suitable for use, as a place of residence. For further information on whether a building qualifies as a home, refer to Commissioner's Guideline [CG-HI-006](#).

### **New home**

A home that has not previously been occupied as a residence or sold. A home is not a new home if construction of the home commenced prior to 8 February 2019.

### **New unit**

A unit that has not previously been occupied as a residence or sold, including off-the-plan.

A unit is not a new unit if it is, or will be, subject to a management agreement or lease for the unit to be made available for short term accommodation.

A unit is not a new unit if construction of the unit complex commenced prior to 8 February 2019.

### **Owner builder**

An owner of land who builds a home, or has a home built on the land, without entering into a contract to build.

An owner builder does not include a registered building practitioner within the meaning of the Building Act who builds a home for sale. Such persons are ineligible for BuildBonus. However the purchaser of the home may be eligible for BuildBonus, providing the home is a new home.

### **TRO**

The Territory Revenue Office.

## **Unit**

A unit is generally regarded as a residence that is attached to another but does not include a duplex. For the purpose of BuildBonus, a duplex is regarded as a home.

## **3. Eligibility criteria**

To be eligible for BuildBonus:

### **Criterion One**

Applicants must not have received a BuildBonus grant under the current scheme, whether alone or together with someone else, in relation to another transaction and all persons with an interest in the property must be applicants.

### **Criterion Two**

It must be the first BuildBonus paid or payable in relation to the property.

### **Criterion Three**

- Applicants must have, on or after 8 February 2019:
- executed a contract to purchase a new unit or a new home
- executed a contract to build a home (including a house and land package)
- or, as an owner builder, commenced construction (laying of foundations) of a home.

### **Criterion Four**

Applicants must be a natural person (not a company or trustee) who holds or will hold their interest in the home in their own right and not as a trustee. An exception applies in circumstances where a guardian holds land for a person with a legal disability.

### **Criterion Five**

At least one applicant must occupy the home as his or her principal place of residence for a continuous period of at least 12 months commencing within 12 months of the completion date.

### **Criterion Six**

Applicants are NOT eligible to claim BuildBonus in the following circumstances:

- if the contract (the subject of this application) replaces a contract made before 8 February 2019 to purchase the same or a substantially similar unit or to purchase or build the same or a substantially similar home
- if in purchasing a new unit or new home, the purchaser had an option to purchase the unit or home (or a substantially similar unit or home) granted before 8 February 2019, or if the vendor had an option to require the purchaser to purchase the unit or home (or a substantially similar unit or home) which was granted before 8 February 2019
- or, in the case of a contract to build, a party had a right or option which was granted before 8 February 2019 to require the other party to enter into the contract.

## Criterion Seven

Applicants are NOT eligible to claim BuildBonus for a new home where there is already, or will be, another home on the land title on which the home is being built.

However, where the home being built is part of a duplex, BuildBonus will be available to both homes in the duplex after:

- the homes have been issued with separate titles
- the duplexes are held subject to different ownership. Different ownership is required as applicants are not able to receive the BuildBonus grant in respect of more than one home or unit

## Criterion Eight

In the case of a contract to purchase or build a new home, or purchase a new unit, construction of the home or unit complex must be completed within 18 months of the commencement of construction. If construction is not completed you may apply to TRO for an extension if you consider the delays were outside your control (for example, inclement weather, availability of certifiers, etc.).

If the contract does not state that construction will be completed within 18 months of commencement, you may be entitled to the grant if you obtain a declaration from your builder confirming the expected date of completion (see 5. When the grant will be paid).

## Criterion Nine

In the case of owner builders, construction must be completed within 18 months of commencement of construction. You may apply to TRO for an extension if delays occur that were outside your control (for example, inclement weather, availability of certifiers etc.)

## 4. When can I apply?

The earliest date on which you can apply for BuildBonus will depend on the type of transaction you have entered into. The requirements are outlined in Table 1 below. Applications received before these requirements are met will not be accepted.

An **exception** applies for applicants who have entered in to a contract to build and are directing the funds to their financial institution to hold in lieu of the first or subsequent progress payment. In these cases, applicants can lodge an application once the contract to build has been executed and an expected date for commencement of construction is provided by the builder.

**Table 1: When to lodge an application**

<b>Type of transaction</b>	<b>When you can apply</b>
Purchase of a new unit or new home	When you enter into a contact of sale
Contract to build	After commencement of construction (see exception above)
Owner builder	On completion of construction

## **5. When BuildBonus will be paid**

The date BuildBonus is paid depends on the type of transaction you are entering into. Table 2 details the earliest dates that the grant will be paid for the various transaction types.

Payment will be made by electronic funds transfer to your nominated bank account, generally within 10 business days of lodging the application, provided the application is complete and all supporting information (see section 6 of the guide to the application) is provided.

For the purchase of a new unit or a new home, BuildBonus can be made available for settlement by arrangement with your conveyancer or solicitor. In such circumstances, your conveyancer or solicitor must complete section 6 of the application form.

The BuildBonus payment will be deposited in the trust account of your conveyancer within five business days of the scheduled settlement date or within 10 business days of lodgement of the application form together with all relevant supporting information, whichever occurs later.

For a contract to build, BuildBonus can be made available for the first or subsequent progress payment by arrangement with your financial institution. In such circumstances, a representative from your financial institution must complete section 7 of the application form.

The BuildBonus payment will be deposited in the nominated account of your financial institution within five business days of the expected date for commencement of construction or within 10 business days of lodgement of the application form together with all relevant supporting information, whichever occurs later.

**Table 2: When payment will be made**

<b>Type of transaction</b>	<b>When payment is made</b>
Purchase of a new unit or new home	<ul style="list-style-type: none"> <li>when your name is registered on the title. An exception applies where payment is being made to your conveyancer for settlement – see above or contact TRO for more information</li> </ul>
Contract to build	<ul style="list-style-type: none"> <li>if the contract states construction will be completed within 18 months of commencement or a letter is received from the builder confirming same, when progress payments (excluding deposit) of at least \$20 000 have been paid or</li> <li>if the contract does not state construction will be completed within 18 months of commencement, when construction has been completed or</li> <li>if the contract relates to the construction of a duplex, when separate titles have been issued for the homes in the duplex and ownership of those homes has become different. An exception applies where payment is being made to your financial institution – see above or contact TRO for more information</li> </ul>
Owner builder	<ul style="list-style-type: none"> <li>when you have completed construction of the home</li> </ul>

## 6. Where to lodge your application and supporting information

Applications are to be lodged with TRO – please refer to the contact details at section 11. The preferred method of lodgement is via email with supporting documents scanned or photographed and sent as an attachment.

The information required to support your application will vary depending on the transaction type and your circumstances (see Table3). This information is needed to determine your eligibility for the grant and failure to provide part, or all of the information, will result in delays in processing your application. It is not necessary to lodge original documents with your application as long as the copy provided is clear and complete.

**Table 3: Information requirements**

Type of transaction	Supporting information
Purchase of a new unit or new home	<ul style="list-style-type: none"> <li>• a copy of the exchanged contract of sale dated and signed by all parties</li> <li>• a declaration form (<a href="#">F-HI-018</a> for company vendors or <a href="#">F-HI-017</a> for individual vendors) by the vendor that declares the property is a new unit or a new home for the purpose of BuildBonus (see the definition in the guide to the application). Declaration forms are available from the <a href="#">TRO website</a></li> <li>• evidence that settlement has occurred (unless section 6 of the application has been completed)</li> </ul>
Contract to build	<ul style="list-style-type: none"> <li>• a copy of the contract to build, dated and signed by all parties</li> <li>• if the contract states a completion date within 18 months from commencement of construction, or you have a builders letter to that effect, evidence that progress payments (excluding the deposit) of at least \$20 000 have been paid to the builder (unless section 7 of the application has been completed)</li> <li>• if the contract does not state that construction will be completed within 18 months of construction commencement, evidence that construction was completed within 18 months of commencement. This will generally be a copy of the occupancy permit or, if outside the Building Control Area, a declaration from the builder</li> </ul>
Owner builder	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• of the date that construction commenced (for example, invoice for laying of the foundations)</li> <li>• that building costs of at least \$20 000 have been incurred, excluding your own labour costs</li> <li>• of the date construction was completed and the home is suitable for occupation as a residence</li> <li>• If the home is in a Building Control Area, an occupancy permit issued under the <i>Building Act</i> will suffice as evidence of completion of construction. If the home is outside of a Building Control Area, refer to Commissioner’s Guideline <a href="#">CG-HI-006</a> or contact TRO for the evidentiary requirements.</li> </ul>

## 7. Requirements to repay the BuildBonus grant and payment of interest

Applicants who have received BuildBonus and do not satisfy all of the eligibility requirements are required to notify TRO and repay the grant within 30 days of the date they became ineligible for BuildBonus. If the grant is not repaid within this period, the applicants agree that interest at the statutory rate is payable in the manner provided for in Part 5 of the *Taxation Administration Act*, from the date it was required to be repaid, to the date it is paid. For example, an applicant may lose eligibility and be required to repay BuildBonus if they are unable occupy the property as their principal place of residence for a period of 12 months.

## 8. Discretion to vary eligibility criteria

In special circumstances, TRO may approve a longer time to complete construction of a new home or new unit or a shorter period of occupancy. Should you wish to request a variation in satisfying either of these criteria, please email TRO detailing the circumstances why the request is being made.

## 9. Compliance investigations

TRO conducts enquiries to confirm that applicants satisfy the eligibility criteria for the grant, including the requirement to occupy the property. Prosecution action may apply if these enquiries demonstrate that an applicant has made a false application or has not complied with the conditions of the grant.

## 10. Other home incentive schemes

The Territory Government has a number of schemes to assist home ownership by reducing the stamp duty payable and providing loans for low to middle income earners. Further details of these schemes can be accessed on the [TRO website](#).

## 11. Contact details

For further information, contact TRO:

Level 14, Charles Darwin Centre

19 The Mall

GPO Box 154

Darwin NT 0801

Phone: 1300 305 353

Web: [www.revenue.nt.gov.au](http://www.revenue.nt.gov.au)

Email: [ntrevenue@nt.gov.au](mailto:ntrevenue@nt.gov.au)

9:00am to 4:00pm Monday to Friday

# BuildBonus Application Form

Office use only Application reference Date lodged
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Note:

- This application will not be considered unless fully completed and all supporting evidence is provided.
- Before completing the application, read the guide to the application carefully to ensure you meet the criteria and are aware of your obligations. If you are unsure of any aspect it is important that you contact TRO for clarification.
- Applications for BuildBonus must be lodged with TRO within 12 months of completion of construction.
- Please note that making false statements may result in prosecution action.

<b>Section 1: Eligibility criteria</b>			
All persons who are or will be the owner(s) of the new home or new unit must be applicants. Answer 'Yes', 'No' or 'N/A' (not applicable) as the case requires. Indicate with a tick.			
Eligibility checklist	Yes	No	N/A
1. Has the applicant(s) applied for or received the BuildBonus grant, either alone or together with someone else, in relation to any other transaction?			
2. To your knowledge, is this the first BuildBonus grant paid or payable in relation to this property?			
3. Has the applicant(s), on or after 8 February 2019:  3.1 executed a contract to purchase a new unit or a new home 3.2 or executed a contract to build a home (including a house and land package) 3.3 or, as an owner builder, commenced construction (laying foundations) of a home			
4. Is the applicant(s) a natural person (not a company or trustee) who holds, or will hold, their interest in the home in their own right?			
5. Will at least one applicant occupy the home as his or her principal place of residence for a period of at least 12 months commencing within 12 months of completion of construction?			
6. In the case of contracts referred to in eligibility criteria 3.1 and 3.2 above: 6.1 does the contract replace another contract executed before 8 February 2019 to purchase or build the same or a substantially similar home or unit 6.2 or did the contract arise from an option to purchase or sell the unit or home (or a substantially similar unit or home) granted before 8 February 2019 6.3 or, in the case of a contract to build, did either party have a right or option which was granted before 8 February 2019 to require the other party to enter into the contract.			



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Eligibility checklist	Yes	No	N/A
7. In the case of a contract to build a new home or an owner builder, will the home to which this application relates be the only home on the land title on which the home is being or has been built?			
8. In the case of a contract to build or purchase a new home, or purchase a new unit, will/has construction been completed within 18 months of commencement?			
9. In the case of an owner builder, was construction of the home completed within 18 months of commencement?			

**Determination of eligibility**

If you answered Yes to questions 2-5 and 7-9 and No to questions 1 and 6, you may be entitled to receive the BuildBonus grant, subject to a decision being made by TRO.

**Section 2: Applicant details**

If there are more than two (2) applicants, please complete and attach an additional application form.

	<b>Applicant 1 (primary contact)</b>	<b>Applicant 2</b>
Title		
First name		
Middle name(s)		
Family name		
Date of birth (day/month/year)		
Daytime telephone number		
Email address		
Current residential address	Street number	Street number
	Street name	Street name
	Suburb/town	Suburb/town
	State	State
	Postcode	Postcode
Address for service of notices (if different from residential address)		

**Section 3: Property and transaction details**

**Address of property**

Lot number		Unit/street number	
Street name		Suburb/town	

<b>Title reference</b>			
Volume		Folio	
If the current title is unavailable, please enter a parent title number.			
<b>Transaction details</b>			
To what type of transaction does this application refer?			
Purchase of a new unit		Contract to build a new home	
Purchase of a new home		Owner builder	
<b>Privacy statement</b>			
<p>The information requested in this form is required to determine whether or not you are eligible for BuildBonus. Any information you provide is on a voluntary basis but is needed to process your application for the grant. You may review or correct any personal information provided by contacting TRO.</p>			
<b>Section 4: Payment details</b>			
<p>The BuildBonus grant will be paid by electronic funds transfer into the account nominated below.</p> <p>For the purchase of a new unit or a new home, the grant may be made available for settlement by depositing it to the trust account of your solicitor or conveyancer. If you choose this method, the account details below must be those of the trust account of your conveyancer/solicitor. Your conveyancer/solicitor must also complete section 6 of the application form.</p> <p>For a contract to build, the grant may be made available for the first or subsequent progress payment by depositing it to the nominated account of your financial institution. In such circumstances, a representative from your financial institution must complete section 7 of the application form. For further details, see section 5 of the guide to the application.</p>			
<b>Important:</b>			
<p>To satisfy the payment time frames (see part 5 of the guide to the application), sufficient time must be allowed for TRO to process your application and make the payment to the trust account of your conveyancer/solicitor or the nominated account of your financial institution. If a fully completed application is provided together with relevant supporting information (see section 6 of the guide to the application) TRO will deposit the grant to the trust account of your conveyancer/solicitor or financial institution.</p>			
Name of bank			
Full name of account			
Account BSB			
Account number			
Payment reference (if applicable)			

**Section 5: Acknowledgements, authorisations and declaration.**

*Oaths, Affidavits and Declarations Act*

**Unattested declaration**

I \_\_\_\_\_ do solemnly and sincerely declare as follows:

1. I have read and understood this application form and guide to the application, and I accept that if the conditions of eligibility are not met, I may not be entitled to receive or retain the BuildBonus grant
2. I understand that all the statements set out in the guide to the application are incorporated into and shall be read as one with this declaration
3. I am an eligible person who is entitled to the BuildBonus grant
4. I acknowledge and agree that if I am ineligible for the grant or do not satisfy a condition for its payment, I must notify TRO in writing within thirty (30) days of that event and repay the grant
5. I acknowledge and agree that if I do not comply with item 4 above, that I must pay interest at the statutory rate as detailed in Part 5 of the *Taxation Administration Act* from the date it was due to be repaid to the date it was repaid
6. I authorise the TRO to pay the BuildBonus grant to the account nominated in section 4
7. I authorise TRO to access and exchange information about me to verify my eligibility for the BuildBonus grant with my conveyancer/solicitor, other state, territory and Australian Government agencies, and commercial organisations.

This declaration is true and I know it is an offence to make a declaration knowing it is false in a material particular.

Declared at		On the	
Day of		20	

**Note:**

Section 119 of the Criminal Code makes it a crime punishable by a penalty of up to three (3) years imprisonment for any person who makes an unattested declaration provided for in the *Oaths, Affidavits and Declarations Act* that is to his or her knowledge false in any material particular.

**Applicant 1**

**Applicant 2**

Name \_\_\_\_\_

Name \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date

Date

<b>Section 6: Undertaking of conveyancer/solicitor</b>	
This section is to be completed by the purchaser’s conveyancer/solicitor for the grant (in relation to the purchase of a new unit or a new home) to be made available for settlement.	
Title	
Full name of conveyancer/solicitor	
Name of firm	
Postal address	
Telephone	
Email address	
Settlement date	
<ol style="list-style-type: none"> <li>1. I act for the purchaser in in relation to the settlement of the contract for the purchase of the property described in this application form (contract).</li> <li>2. I am the holder of a current:               <ol style="list-style-type: none"> <li>2.1 conveyancing agents licence under the <i>Agents Licensing Act</i></li> <li>2.2 or practising certificate within the meaning of the <i>Legal Profession Act</i>.</li> </ol> </li> <li>3. The contract is scheduled to settle on the settlement date specified above (settlement date).</li> <li>4. I agree to the payment of BuildBonus into my trust account described in Section 4.</li> <li>5. I undertake to hold the BuildBonus in trust for the Northern Territory of Australia (Territory Revenue Office) in my/my firm's trust account and not to release the grant except for the purpose of settlement of the Contract or as required under clause 6 following.</li> <li>6. If settlement is not effected on or before the settlement date or within 30 days after the settlement date (settlement period), I agree to repay the amount of the BuildBonus to TRO not later than seven days after the last day of the settlement period.</li> </ol>	
Name in full	
Signature	
Date	

<b>Section 7: Payment to financial institution</b>	
<p>This section is to be completed by the applicant's financial institution for the grant (in relation to a contract to build) to be made available for the first or subsequent progress payment.</p>	
Name of financial institution	
Telephone	
Email address The outcome of the application will be sent to this address.	
Expected date for commencement of construction	
<ol style="list-style-type: none"> <li>1. I act for the financial institution providing finance to the applicant in relation to the contract to build described in this application.</li> <li>2. Construction under the contract is expected to commence on the date specified above.</li> <li>3. If construction has not commenced within 30 days of the date above, I agree that the financial institution will repay the amount of the BuildBonus to TRO immediately thereafter, unless an extension to this period is granted. An extension may be granted on written application at the discretion of the Commissioner.</li> <li>4. I agree to the payment of the BuildBonus into the bank account described in Section 4.</li> <li>5. I agree that the financial institution named above will hold the BuildBonus in trust for the Northern Territory of Australia (Territory Revenue Office) in the nominated account and will not release the BuildBonus except for the purpose of payment to the builder after commencement of construction or as required under clause 5 following.</li> </ol>	
Name in full	
Signature	
Date	

<b>Section 8: Checklist</b>			
This schedule details the information required to support your application depending on your circumstances.			
<b>Type of transaction</b>	<b>Information requirements</b>	<b>Tick if attached</b>	<b>Office use</b>
Purchase of a new unit or new home	<p>A copy of the exchanged contract of sale dated and signed by all parties.</p> <p>A declaration form (<a href="#">F-HI-018</a> for company vendors and <a href="#">F-HI-017</a> for individual vendors) by the vendor that the property is a new unit or a new home (see the definition in the Guide to the application).</p> <p>Evidence that settlement has occurred (unless section 6 of the application has been completed).</p>		
Contract to build	<p>A copy of the contract to build, dated and signed by all parties.</p> <p>If the contract states a construction completion date within 18 months from commencement of construction, or if you have a builders letter to that effect, evidence that progress payments (excluding the deposit) of at least \$20 000 have been paid to the builder (unless section 7 of the application has been completed).</p> <p>If the contract does not state that construction will be completed within 18 months of construction commencement, evidence that construction was completed within 18 months of commencement. This will generally be a copy of the occupancy permit or, if outside the Building Control Area, a declaration from the builder.</p>		

**Section 8: Checklist**

<p>Owner builder</p>	<p>Evidence:</p> <p>Of the date that construction commenced (for example, invoice for laying of the foundations)</p> <p>That building costs of at least \$20 000 have been incurred, excluding your own labour costs.</p> <p>Of the date that construction was completed and that the house is suitable for occupation as a residence.</p> <p>If the home is in a Building Control Area, an occupancy permit issued under the <i>Building Act</i> will suffice as evidence of completion. If the home is outside of a Building Control Area, refer to Commissioner’s Guideline CG-HI-006 for the evidentiary requirements.</p>		
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**Section 9: Additional information**

If there was insufficient space in this application for your response, or if you wish to clarify your response, please insert the information below. Please ensure that you clearly identify the question or section you are responding to. If further space is needed, please attach any additional pages or information to your application.