



Declaration by a Competent Person Form

Home Buyer Concession scheme

Eligibility criteria for the ACT Home Buyer Concession scheme (HBC) are more generous in situations where a property purchaser, or their dependent child, has experienced family violence within the previous 5 years.

A property purchaser seeking to claim the HBC family violence criterion (**HBC FV**) is required to provide a valid form of evidence either: a family violence order (includes a protection order), an injunction or a competent person declaration.

About this form

This form provides information and guidance to a person who has been asked to complete a **competent person** declaration for the purpose of the **HBC FV**.

This form is to be completed by a **competent person** who holds a reasonable belief from previous consultations that the person named in Part 1 of the form, or their dependent child, has experienced family violence within the previous 5 years.

- Schedule 1 of this form provides the meaning of *family violence* as at 1 July 2025.
- The **competent person** is not making a declaration on eligibility for the **HBC FV**.

The property purchaser will be required to provide a full and complete copy of this form to the ACT Revenue Office as part of their application and claim for the **HBC FV**.

The declaration must be completed prior to the property purchase (the contract date).

Competent person

You can make this declaration as a **competent person** if you are:

- a person with a social work qualification who is eligible for membership of the Australian Association of Social Workers
- an employee of the Territory, who in their professional practice provides services relating to child welfare
- a person in their professional practice who is employed or otherwise engaged by a non-for-profit entity that receives funding from the Territory to provide a professional service in relation to any of the following:
 - family violence
 - sexual assault
 - refuge or emergency accommodation for people in crisis
 - children or young people including their families
- a health practitioner, meaning a person registered under *the Health Practitioner Regulation National Law (ACT)*, to practice, other than as a student, in any of the following professions:
 - Aboriginal and Torres Strait Islander health practice
 - Medical
 - Midwifery
 - Nursing
 - Psychology
- a member of the ACT Human Rights Commission
- the Aboriginal and Torres Strait Islander Children and Young People Commissioner
- a mandated reporter, within the meaning of section 356 of the *Children and Young People Act 2008*, if this declaration relates to a dependent child, or the eligible home buyer who is seeking the declaration has a dependent child.



Completing this declaration

You are **not** required to make this declaration. If you make this declaration, you are declaring that you hold a reasonable belief that the property purchaser, or their dependent child, has experienced family violence within the previous 5 years.

Your reasonable belief will be based on your previous consultation/s with the property purchaser, or their dependent child, as part of your professional practice.

As a competent person:

- you should determine for yourself if it is appropriate for you to complete this form. In doing so, you should consider things including your relationship with the property purchaser, the nature of the information held by you, and importantly, your own professional and legal obligations.
- you are **not** required to prove that family violence has taken place for this declaration.
- you should **not** provide any particulars/details about the family violence on this form.
- it is **not** an offence to make a declaration based on information that you believe to be true at the time. However, if you provide incorrect or a false declaration this may impact on the property purchaser's claim for the HBC FV.
- you **should not**, under any circumstances, contact or seek information from the person alleged to have used violence. This may put the property purchaser, or their dependent child, or others at risk of harm.

If you don't hold a reasonable belief that the property purchaser, or their dependent child, has experienced family violence within the previous 5 years based on your previous consultations you should not make this declaration.

Privacy notice

Information collected by the ACT Revenue Office (ACTRO) and the Commissioner for the ACT Revenue (the Commissioner) is used for the purposes of the administration and enforcement of certain Acts relating to the imposition and collection of tax.

The information held by the Commissioner and ACTRO is protected by the secrecy provisions in the [Taxation Administration Act 1999](#). ACTRO and the Commissioner are also required to comply with the [Information Privacy Act 2014](#) in relation to personal information including sensitive information.

Information including personal information is not disclosed to a third party without the consent of the person involved unless authorised by law. For example: ACTRO or the Commissioner may disclose tax information in connection with the administration of a tax law, or they may be required to disclose information to an organisation that has legal authority to require the information in prescribed circumstances including for law enforcement purposes.

Please read our [Privacy Policy](#) which sets out matters including how personal information is collected, used and disclosed by the Commissioner and ACTRO, how you may access and seek correction of your personal information, and how you may complain about breaches of privacy.

General information about how your personal information is handled can be found at the [CMTEDD Privacy Policy](#) in addition to our Privacy Policy outlined above.



Declaration by a competent person form

Part 1: Property Purchaser Information

Given name(s):	Surname (family name):
Date of Birth:	

Part 2: Competent Person Information

Name of authorised professional:		
Occupation/position (Basis on which you are a competent person):		
Registration number (if applicable):		
Name of employer or employing agency:		
Business address:		
	Postcode:	
Phone Number:	Email Address:	

Part 3: Declaration by a competent person

By signing, I declare:

I am a competent person who has consulted the property purchaser listed in Part 1 of this form and/or their dependent child.

Based on the above, I reasonably believe that they experienced family violence within the previous 5 years.

My declaration is based on the accepted standards of my profession, relevant knowledge and professional judgement.

Name of competent person:	Signature of competent person:	Date:



Schedule 1 - Meaning of Family Violence

Family Violence is defined in section 8 of the *Family Violence Act 2016*. Section 8 is extracted below.

(1) In this Act:

family violence means—

- (a) any of the following behaviour by a person in relation to a family member of the person:
 - (i) physical violence or abuse;
 - (ii) sexual violence or abuse;
 - (iii) emotional or psychological abuse;
 - (iv) economic abuse;
 - (v) threatening behaviour;
 - (vi) coercion or any other behaviour that—
 - (A) controls or dominates the family member; and
 - (B) causes the family member to feel fear for the safety or wellbeing of the family member or another person; or
- (b) behaviour that causes a child to hear, witness or otherwise be exposed to behaviour mentioned in paragraph (a), or the effects of the behaviour.

Examples—par (b)

- 1 overhearing threats being made in another room of the house
- 2 seeing an assault or seeing injuries on a family member who has been assaulted
- 3 seeing people comfort a family member who has been abused

(2) Without limiting subsection (1), **family violence** by a person in relation to a family member of the person includes the following:

- (a) sexually coercive behaviour;
- (b) damaging property;
- (c) harming an animal;
- (d) stalking;
- (e) deprivation of liberty;
- (f) harmful use of, or interference with, technology.

Examples—par (f)

- 1 use of an electronic device to publish intimate images of a family member without the member's consent
- 2 causing a computer system to deny access to a family member who is an authorised user of the system
- 3 using an electronic messaging system to send abusive or threatening messages or images to a family member
- 4 using software to track a family member's whereabouts or computer use
- 5 creating a false social media account to disseminate adverse information about a family member
- 6 using social media to publish intimate images of a person without the person's consent



(3) In this section:

economic abuse, of a family member, means behaviour by a person that is coercive, deceptive or that unreasonably controls the family member without the family member's consent including by the person's exploitation of power imbalances between the person and the family member—

- (a) in a way that takes away the financial independence or control the family member would have but for the behaviour; or
- (b) if the family member is wholly or predominantly dependent on the person for financial support to meet the living expenses of the family member or the family member's child—by withholding the financial support.

Examples

- 1 stopping the family member from having access to money to meet normal living expenses
- 2 requiring the family member to transfer or hand over control of assets or income
- 3 stopping the family member from trying to get employment
- 4 forcing the family member to sign a legal document such as a power of attorney, loan, guarantee
- 5 forcing the family member to claim social security payments

emotional or psychological abuse, of a family member, means behaviour by a person that torments, intimidates, harasses or is offensive to the family member including by the person's exploitation of power imbalances between the person and the family member.

Examples

- 1 stopping the family member from visiting or having contact with family or friends
- 2 stopping the family member from engaging in cultural or spiritual practices
- 3 repeated derogatory or racist comments
- 4 threatening to disclose personal information about the family member
- 5 threatening to withhold medication, personal health care items or other things necessary to the family member's health or quality of life
- 6 threatening to self-harm as a way of intimidating the family member