

CLAUSE NOTES

Taxation Legislation (Affordable Housing and Employment Support) Bill 2024

Part 1 - Preliminary

- Clause 1 This Act may be cited as the *Taxation Legislation (Affordable Housing and Employment Support) Act 2024*.
- Clause 2 Except as provided, the Bill is to commence on 1 July 2024 and is taken to have commenced on 1 July 2024 if the Act receives Royal Assent after that date.
- Part 3, which establishes the first home buyer duty exemption, commences on 18 February 2024.

Part 2 - *Duties Act 2001* Amended

- Clause 3 In this Part, the *Duties Act 2001* is referred to as the Principal Act.
- Clause 4 Amends section 46J of Division 2B (Pensioner duty concession) of the Principal Act by omitting “30 June 2024” and substituting “30 June 2025”.

Part 3 - *Duties Act 2001* Further Amended

- Clause 5 In this Part, the *Duties Act 2001* is referred to as the Principal Act.
- Clause 6 Amends the definition of “home” in section 3 to ensure that “home” used in the new Division 2 of Part 6 of Chapter 2 has the same meaning as in the *First Home Owner Act 2000*.
- Clause 7 Inserts the heading “Division 1 - Exemptions in general” before section 52.
- Clause 8 A new Division 2 (First home buyer duty exemption) is inserted after section 57B of the Principal Act to provide a duty exemption for first home buyers of an established home with a dutiable value of up to \$750 000, until 30 June 2026.
- Section 57C provides definitions for the purpose of the Division.
- Section 57D provides that the Minister, by order, may extend the eligible period for an eligible transaction to occur. An order issued under this section must be tabled in Parliament and is subject to disallowance.
- Section 57E provides the eligibility criteria that determines whether a person is an eligible first home buyer for the purposes of this Division.
- Section 57F provides the eligibility criteria that determines whether the transfer of land on which an established home is situated is an eligible transaction for the purposes of the duty exemption.
- Section 57G provides the duty exemption to be applied to an eligible transaction.

Section 57H establishes residence requirements if an eligible first home buyer has been granted the duty exemption.

Section 57I provides for the Commissioner of State Revenue to reassess the duty if it is found that the eligibility requirements of section 57F were not met when the duty exemption was provided.

Section 57J provides that the Commissioner can refund any amount of duty paid where the full amount of duty has been paid on a transaction that would have been eligible for the duty exemption.

Part 4 - *Land Tax Act 2000 Amended*

- Clause 9 In this Part, the *Land Tax Act 2000* is referred to as the Principal Act.
- Clause 10 Amends Section 19D(1)(c) of the Principal Act by omitting “30 June 2024: and substituting “30 June 2026”.
- Clause 11 Amends Section 19E(3) of the Principal Act by omitting “30 June 2024: and substituting “30 June 2026”.

Part 5 - *Land Tax Rating Act 2000 Amended*

- Clause 12 In this Part, the *Land Tax Rating Act 2000* is referred to as the Principal Act.
- Clause 13 Schedule 1 (Rates of land tax) of the Principal Act is amended as follows:
- by omitting “\$100 000” from column 2 of item 1 in the table and substituting “\$125 000”;
 - by omitting “\$100 000” from column 2 of item 2 in the table and substituting “\$125 000”;
 - by omitting “\$100 000” from column 3 of item 2 in the table and substituting “\$125 000”;
 - by omitting “\$1 850” from column 3 of item 3 in the table and substituting “\$1 737.50”.

Part 6 - *Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017 Amended*

- Clause 14 In this Part, the *Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017* is referred to as the Principal Act.

- Clause 15 Amends Section 3, eligible period, of the Principal Act, as follows:
- omitting from paragraph (a) “30 June 2024” and substituting “30 June 2025”;
 - omitting from paragraph (ab)(ii) “30 June 2024” and substituting “30 June 2025”; and
 - omitting from paragraph (b)(ii) “30 June 2024” and substituting “30 June 2025”.
- Clause 16 Amends Section 29 of the Principal Act by omitting “30 June 2027” and substituting “30 June 2028”.

Part 8 - Repeal of Act

- Clause 17 This Act is repealed on the first anniversary of the day on which the last of the uncommenced provisions of this Act commenced.