

## Legislation Fact Sheet

### Taxation Legislation (Miscellaneous Amendments) Bill 2012

- The Taxation Legislation (Miscellaneous Amendments) Bill 2012 amends the *Duties Act 2001*, the *Land Tax Act 2000*, the *Payroll Tax Act 2008*, and the *Taxation Administration Act 1997*.
- The Duties Act is to be amended to:
  - broaden the definition of matrimonial, de facto and relationship property to include property held by a related person or entity to the parties of the relationship;
  - clarify that the granting, transfer or surrender of a lease attracts duty if a premium or consideration is paid;
  - exempt payment of nominal duty for the granting, transfer or surrender of a lease where consideration of less than \$1 300 is paid; and
  - provide for an apportioned calculation of duty for land transferred to a council such as a public road or park or garden to be used for free public recreational use, that is to be used for exempt and non-exempt purposes.
- The Land Tax Act is to be amended to:
  - allow the Commissioner, in circumstances relating to transfers of ownership, to treat a person as the “owner” of land, at 1 July, where their ownership has not yet been registered on the Title to the property.
  - provide for an apportioned calculation of land tax on council-owned land, such as parks and gardens, that is used for exempt and non-exempt purposes; and
  - provide for an apportioned calculation of land tax on land partially subject to a conservation covenant.
- The Payroll Tax Act is to be amended to:
  - maintain harmonisation with harmonised jurisdictions by extending the payroll tax exemption for wages paid to parents on maternity or adoption leave to wages that are the equivalent of 14 weeks ordinary pay where the leave is taken over a greater period; and
  - provide a mechanism to exempt prescribed Government entities, identified as the General Government sector, from payroll tax. Government organisations that compete with the private sector, including Government Business Enterprises and State-owned Companies, will remain taxable.
- The Taxation Administration Act is to be amended to:
  - allow the Commissioner of State Revenue to suspend or revoke the suspension of an objection determination if there are reasonable grounds to do so; and
  - provide the Commissioner of State Revenue with the discretion to waive the prescribed fee for lodging a duty instrument at the State Revenue Office for assessment.