

TASMANIA

**TAXATION AND MISCELLANEOUS
AMENDMENTS BILL 2023**

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TAXATION AND MISCELLANEOUS AMENDMENTS BILL 2023

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

LAURA ROSS, *Clerk of the House*
31 May 2023

*(Brought in by the Treasurer, the Honourable Michael Darrel
Joseph Ferguson)*

A BILL FOR

**An Act to amend the *Duties Act 2001* and the *First Home
Owner Grant Act 2000***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Taxation and Miscellaneous Amendments Act 2023*.

2. Commencement

This Act commences on 1 July 2023 but if this Act does not receive the Royal Assent by that date it is taken to have commenced on 1 July 2023.

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Part 2 – Duties Act 2001 Amended

PART 2 – DUTIES ACT 2001 AMENDED

3. Principal Act

In this Part, the *Duties Act 2001** is referred to as the Principal Act.

4. Section 199 amended (Exemptions)

Section 199(1)(db) of the Principal Act is amended by omitting subparagraph (ii) and substituting the following subparagraph:

- (ii) the application is made, or notice is lodged –
 - (A) on or after 1 July 2021 but before 1 July 2023; or
 - (B) on or after 1 July 2023 but before 1 January 2024 and is in respect of a new motor vehicle for which the contract of sale was entered into before 25 May 2023;

*No. 15 of 2001

**PART 3 – FIRST HOME OWNER GRANT ACT 2000
AMENDED**

5. Principal Act

In this Part, the *First Home Owner Grant Act 2000** is referred to as the Principal Act.

6. Section 18 amended (Amount of grant)

Section 18(2) of the Principal Act is amended as follows:

- (a) by inserting the following paragraph after paragraph (aj):
 - (ak) if the first home owner grant relates to an eligible transaction that satisfies section 18K, the amount is \$30 000; or
- (b) by omitting from paragraph (b) “section 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I or 18J” and substituting “section 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J or 18K”.

7. Section 18K inserted

After section 18J of the Principal Act, the following section is inserted in Division 5:

*No. 19 of 2000

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Part 3 – First Home Owner Grant Act 2000 Amended

18K. Conditions on increase in grant

- (1) An eligible transaction satisfies this section if –
 - (a) the commencement date of the eligible transaction is on or after 1 July 2023 but before 1 July 2024; and
 - (b) the eligible transaction is completed in accordance with section 13(5) within 24 months after the commencement date of the eligible transaction.
- (2) If satisfied there are good reasons to do so and if a request by the applicant is made before a decision on the application has been varied or reversed under section 23, the Commissioner may extend the period referred to in subsection (1) for the eligible transaction to be completed, even though the period has expired.
- (3) Despite subsection (1), an eligible transaction does not satisfy this section if the Commissioner considers that the eligible transaction replaces a transaction, entered into before 1 July 2023, that is for the same property and that is between substantially, or that benefits substantially, the same parties.
- (4) For the avoidance of doubt, a payment of \$30 000 that –

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- (a) was made in anticipation of the *Taxation and Miscellaneous Amendments Act 2023* receiving the Royal Assent; and
- (b) was made on or after 1 July 2023 but before the *Taxation and Miscellaneous Amendments Act 2023* received the Royal Assent –

is taken to be a first home owner grant payment, for the purposes of this Act, made in relation to an eligible transaction to which this section, as inserted by that Act, applies.

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Part 4 – Repeal of Act

PART 4 – REPEAL OF ACT

8. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.