

Fact Sheet

Taxation and Related Legislation (Miscellaneous Amendments) Act 2017

The *Taxation and Related Legislation (Miscellaneous Amendments) Act 2017* received Royal Assent on 8 May 2017. The Act amends the following Acts:

- the *Duties Act 2001*;
- the *Land Tax Act 2000*;
- the *Payroll Tax Act 2008*;
- the *Taxation Administration Act 1997*; and

and makes consequential amendments to a number of other non-taxation Acts.

All amendments become effective from 1 July 2017, except for:

- the amendment to Section 199 of the *Duties Act*, which commenced on 8 May 2017 (the date of Royal Assent); and
- the amendment to Section 29 of the *Payroll Tax Act*, which commenced retrospectively from 1 July 2016.

This fact sheet provides a general summary of the more significant amendments made to the Acts.

The Duties Act has been amended to:

- i) reduce the evidence required for an exemption from duty when transferring a motor vehicle from a deceased estate to the intended beneficiary [section 199(1)(ab)];
- ii) remove the imposition of duty on various instruments which do not effect a change of ownership of land, including:
 - a. applications to amend strata plans [repeal of section 6(1)(b)(v)];
 - b. the establishment of a trust relating to unidentified property or non-dutiable property [repeal of section 42];
 - c. instruments relating to managed investment schemes which do not transfer, or have the effect of transferring, land in Tasmania [repeal of section 43(1)];
 - d. instruments that establish or amend governing provisions of superannuation funds and various other superannuation related instruments [repeal of section 44];
- iii) provide for the mechanism by which electronic documents have duty verified and are endorsed. This will make duty validation and endorsement for property transactions available for electronic conveyancing in Tasmania, expected to be introduced in 2018 [section 244].

The Land Tax Act has been amended to:

- provide that, where a property has a principal residence land classification and the owner (who was residing at the property) dies, the property will, in certain circumstances, continue to receive the principal residence land classification for the financial year following death [section 6(9)].

The Payroll Tax Act has been amended to:

- ensure that the exempt component of motor vehicle allowance is available to Tasmanian employers by aligning the Act with changes to the *Income Tax Assessment Act 1997 (Cth)* [section 29].

The Taxation Administration Act and other acts have been amended to:

- provide a framework for the Commissioner of State Revenue to collect information relating to transfers of land occurring from 1 July 2017 onwards, which is required to be reported to the Australian Government [section 20A].

As a consequence of amendments made to the Taxation Administration Act, and in order to streamline the collection of information during the property transfer process, minor amendments were also made to the *Valuation of Land Act 2001*, the *Land Titles Act 1980* and the *Local Government Act 1993*.

More information from the State Revenue Office

Phone: (03) 6166 4400
(weekdays, 9:00am to 5:00pm)

Email: revenuereview@treasury.tas.gov.au

Website: www.sro.tas.gov.au

In person: Level 3, 80 Elizabeth Street, Hobart
(weekdays, 9:00am to 5:00pm)