

LAND TAX AND INCOME TAX.

1° AND 2° GEO. VI., No. XXII.

No. 22 of 1937.

AN ACT to impose a Land Tax and an Income Tax.

[Assented to 18th January, 1938.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Land Tax and Income Tax Act, 1937.* Short title.
2. The Land and Income Tax Assessment Act, 1907, and its amendments, so far as applicable to land tax, and the Income Tax Assessment Act, 1937, so far as applicable to income tax, are incorporated with and shall be read as one with this Act. Incorporation.
3. Land tax and income tax are imposed at the several rates declared in this Act. Imposition of land tax and income tax.
4. Pursuant to the Land and Income Tax Assessment Act, 1907, and its amendments, for the year ending the thirtieth day of June, one thousand nine hundred and thirty-eight, land tax is imposed at the rate specified in the First Part of the Schedule. Imposition of land tax.
5. Unless and until Parliament otherwise determines, for the year of assessment ending the thirtieth day of June, one thousand nine hundred and thirty-eight, and for each year of assessment thereafter, the rates of income tax payable under the Income Tax Assessment Act, 1937, by companies on their taxable income, and under section *one hundred and twenty-three* of that Act in respect of interest paid or credited by companies to per-

Imposition of
income tax
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panies.

sons who are non-residents of Australia; and in respect of racing stakes under section *one hundred and forty-eight* of the said Act, shall be as follows:—

- (a) the rate of income tax payable by a company (other than a life assurance company) on its taxable income shall be as set out in the Second Part of the Schedule;
- (b) the rate of income tax payable by a life assurance company on its taxable income shall be as set out in the Third Part of the Schedule;
- (c) the rate of income tax payable by a company under section *one hundred and twenty-three* of the said Act in respect of interest paid or credited by a company to any person who is not a resident of Australia shall be as set out in the Fourth Part of the Schedule;
- (d) the rate of income tax payable on racing stakes subject to tax under section *one hundred and forty-eight* of the said Act shall be as set out in the Fifth Part of the Schedule.

Rate of tax payable by taxpayers other than companies.

6. For the year of assessment ending the thirtieth day of June, one thousand nine hundred and thirty-eight, income tax shall be payable under the Income Tax Assessment Act, 1937, by all persons (other than companies) at the rates set out in the Sixth Part of the Schedule.

THE SCHEDULE.

FIRST PART.

Rate of Land Tax.

The rate of land tax shall be twopence for every pound of the unimproved value, as assessed by or under the said Acts, of all land chargeable with such tax:

Provided that the tax payable in respect of a pastoral lease shall be at the rate of twopence for every pound:—

- (i) of a sum equal to twenty times the amount of the annual rent reserved by the lease in cases other than those mentioned in the next following paragraph of this proviso; or
- (ii) of a sum equal to twenty times the amount of the annual rent payable or paid by the lessee if such lessee—
 - (a) prior to the commencement of the Land Act, 1933, has applied for a new lease under subsection (4) of section thirty of the Land Act Amendment Act, 1917, and such application has been approved; or
 - (b) has paid double rent in respect of his holding under the provisions of the Land Act Amendment Act, 1918; or

(c) has applied for a new lease under subsection (1) of section one hundred and fourteen of the Land Act, 1933, and such application has been approved:

Provided further, that such land tax shall not apply to improved land within the meaning of section nine (as amended by Act No. 8 of 1936) of the Land and Income Tax Assessment Act, 1907-1931, held at noon on the thirtieth day of June, one thousand nine hundred and thirty-seven, and used solely or principally for the purposes of an agricultural, pastoral, horticultural, apicultural, grazing, pig-raising, or poultry-farming business:

Provided further, that the minimum amount payable by any person for land tax shall be two shillings and sixpence.

SECOND PART.

Rate of Income Tax payable by a Company (other than a Life Assurance Company).

The rate of tax shall be one shilling and fivepence farthing per pound of the taxable income of the company.

THIRD PART.

Rate of Income Tax payable by a Life Assurance Company.

The rate of tax payable by a life assurance company shall be one shilling and threepence per pound of its taxable income.

FOURTH PART.

Rate of Income Tax payable by a Company on interest under Section One hundred and twenty-three of the Income Tax Assessment Act, 1937.

The rate of tax shall be one shilling and fivepence farthing per pound of interest paid or credited.

FIFTH PART.

Rate of Income Tax payable on Racing Stakes.

The rate of tax shall be fourpence in the pound on the amount of the stakes.

SIXTH PART.

Rate of Income Tax payable by all Persons (other than Companies).

(1) When the whole of the taxable income does not exceed six thousand six hundred and seventy-two pounds the rate of tax per pound, subject as hereinafter provided, shall be 2.007 pence where the taxable income is one hundred and one pounds and shall increase uniformly with each increase of one pound of the taxable income by .007 of one penny.

Such rate of tax may be calculated from the following formula:--

R = rate of tax in pence per pound.

I = taxable income in pounds.

$R = 2 + .007 (I-100)$ pence.

When the whole of the taxable income exceeds six thousand six hundred and seventy-two pounds the rate of tax for every pound thereof shall be forty-eight pence.

(2) When the taxable income of any person is less than one hundred and one pounds the rate of tax shall be twopence in the pound.

(3) Provided that, for the year of assessment ending the thirtieth day of June, one thousand nine hundred and thirty-eight, the rate of tax to be levied as aforesaid shall be reduced by twenty per centum.

(4) The minimum amount payable by any taxpayer for income tax shall be two shillings and sixpence.
