



Western Australia

Revenue Laws Amendment (Taxation) Act 1998

No. 18 of 1998

An Act to amend the —

- *Land Tax Act 1976*; and
- *Stamp Act 1921*,

and for related purposes.

[Assented to 30 June 1998]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This Act may be cited as the *Revenue Laws Amendment (Taxation) Act 1998*.

2. Commencement

- (1) Subject to this section, this Act comes into operation on the day on which it receives the Royal Assent.
- (2) If this Act receives the Royal Assent on or before 1 July 1998 —
 - (a) Part 2; and
 - (b) subject to subsections (4) and (5), Part 3,come into operation on 1 July 1998.
- (3) If this Act receives the Royal Assent after 1 July 1998 —
 - (a) Part 2; and
 - (b) subject to subsections (4) and (5), Part 3,are deemed to have come into operation on 1 July 1998.
- (4) Section 12(11) is deemed to have come into operation on 30 April 1998 in relation to a policy of insurance that is effected on or after 30 April 1998 and before 1 July 1998 if —
 - (a) the period for which the policy is valid commences on or after 1 July 1998; or
 - (b) the period for which the policy is valid commences on or after 30 April 1998 and before 1 July 1998 and the policy replaces another policy with the same insurer that would otherwise have expired on or after 1 July 1998.

- (5) Section 12(11) is deemed to have come into operation on 30 April 1998 in relation to a policy of insurance that is renewed on or after 30 April 1998 and before 1 July 1998 if—
- (a) the period for which the policy is renewed commences on or after 1 July 1998; or
 - (b) the policy being renewed would otherwise have expired on or after 1 July 1998.

Part 2 — *Land Tax Act 1976* amended

3. Act amended by this Part

The amendments in this Part are to the *Land Tax Act 1976**.

[* *Act No.13 of 1976.*

For subsequent amendments see 1997 Index to Legislation of Western Australia, Table 1, p. 129.]

4. Section 10 amended

Section 10 is amended by deleting “, and for each year of assessment thereafter,”.

5. Section 11 added

After section 10 the following section is added —

“

11. Land tax rate from 1998

For the year of assessment commencing on 1 July 1998, and for each year of assessment thereafter, land tax is imposed, and shall be payable pursuant to the *Land Tax Assessment Act 1976*, at the rate shown in Schedule 7.

”.

6. Schedule 7 added

After Schedule 6 the following Schedule is added —

“

Schedule 7

[s. 11]

Unimproved value of the land under the <i>Land Tax Assessment Act 1976</i>		Rate
Exceeding	Not exceeding	
\$	\$	
0	10 000	Nil
10 000	85 000	\$15.00 + 0.15 cent for each \$1 in excess of \$10 000
85 000	170 000	\$127.50 + 0.25 cent for each \$1 in excess of \$85 000
170 000	270 000	\$340.00 + 0.45 cent for each \$1 in excess of \$170 000
270 000	500 000	\$790.00 + 0.80 cent for each \$1 in excess of \$270 000
500 000	800 000	\$2 630.00 + 1.20 cents for each \$1 in excess of \$500 000
800 000	1 200 000	\$6 230.00 + 1.60 cents for each \$1 in excess of \$800 000
1 200 000		\$12 630.00 + 2.00 cents for each \$1 in excess of \$1 200 000

”

Part 3 — Stamp Act 1921 amended

7. Act amended by this Part

The amendments in this Part are to the *Stamp Act 1921**.

[* Reprinted as at 23 January 1996.

For subsequent amendments see 1997 Index to Legislation of Western Australia, Table 1, pp. 217-20.]

8. Section 31 amended

Section 31(7) is amended by deleting “\$2” in the 2 places where it occurs and in each place inserting instead —

“ \$5 ”.

9. Section 75AE amended

Section 75AE(2)(b) is amended by deleting “\$85 000” and inserting instead —

“ \$135 000 ”.

10. Section 75AG amended

Section 75AG(5)(c) is amended as follows:

(a) in subparagraph (i) by deleting “\$85 000” and inserting instead —

“ \$135 000 ”;

(b) in subparagraph (i) by deleting “\$127 500” and inserting instead —

“ \$202 500 ”;

(c) in subparagraph (ii) by deleting “\$33 000” and inserting instead —

“ \$52 000 ”.

11. Section 80 amended

Section 80 is amended by deleting “subitem (4)” and inserting instead —

“ subitem (5) ”.

12. Second Schedule amended

(1) Item 4(1) of the Second Schedule is amended as follows:

(a) in paragraph (a) by deleting “\$1.75” and inserting instead —

“ \$1.95 ”;

(b) in paragraph (b) by deleting “\$1 400 and \$2.50” and inserting instead —

“ \$1 560 and \$2.85 ”;

(c) in paragraph (c) by deleting “\$1 900 and \$3.25” and inserting instead —

“ \$2 130 and \$3.70 ”;

(d) in paragraph (d) by deleting “\$6 775 and \$4” and inserting instead —

“ \$7 680 and \$4.55 ”;

(e) in paragraph (e) by deleting “\$16 775 and \$4.25” and inserting instead —

“ \$19 055 and \$4.85 ”.

s. 12

- (2) Item 4(5) of the Second Schedule is deleted and the following subitem is inserted instead —

“

- (5) Transfer of land under the *Transfer of Land Act 1893* on a sale thereof or conveyance or transfer of any other property where the purchaser is an entitled person under section 75AE — The purchaser

- (a) where the amount or value of the consideration does not exceed \$100 000 \$1.50 for every \$100 of the amount or value of the consideration and every fractional part of \$100

- (b) where the amount or value of the consideration exceeds \$100 000 \$1 500 and \$5.50 for every \$100 and every fractional part of \$100 by which the amount or value of the consideration exceeds \$100 000

”.

- (3) Item 5(1) of the Second Schedule is amended by deleting “5.00” and inserting instead —

“ 20.00 ”.

- (4) Item 6 of the Second Schedule is amended by deleting “\$5.00” in the 2 places where it occurs and in each place inserting instead —
“ \$20.00 ”.
- (5) Item 8 of the Second Schedule is amended by deleting “5.00” in the 2 places where it occurs and in each place inserting instead —
“ 20.00 ”.
- (6) Item 9 of the Second Schedule is amended by deleting “\$2.00” in the 2 places where it occurs and in each place inserting instead —
“ \$5.00 ”.
- (7) Item 12(4) of the Second Schedule is amended by deleting “5.00” and inserting instead —
“ 20.00 ”.
- (8) After item 12(4) of the Second Schedule the following subitem is inserted —
“
(5) Re-appraisalment of rent (s. 80) 5.00 The lessee
”.
- (9) Item 13 of the Second Schedule is amended as follows:
- (a) in subitem (3)(a) by deleting “10.00” and inserting instead —
“ 20.00 ”;
 - (b) in subitem (3)(d) by deleting “5.00” and inserting instead —
“ 20.00 ”.

s. 13

- (10) Item 15(1) of the Second Schedule is amended by deleting “5.00” and inserting instead —
“ 20.00 ”.
- (11) Item 16 of the Second Schedule is amended as follows:
- (a) in subitem (1)(a) by deleting “3%” and inserting instead —
“ 5% ”;
 - (b) in subitem (1)(c) by deleting “5%” and inserting instead —
“ 8% ”;
 - (c) in subitem (2) by deleting “0.05” and inserting instead —
“ 0.08 ”.

13. Saving

Subject to section 2(4) and (5), and without limiting the operation of the *Interpretation Act 1984*, the provisions of the *Stamp Act 1921* as in force immediately before 1 July 1998 continue to have effect in relation to instruments executed before 1 July 1998.

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