

PAY-ROLL TAX AMENDMENT ACT

No. 7 of 1989

AN ACT to amend the *Pay-roll Tax Act 1971*.

[Assented to 13 November 1989]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Pay-roll Tax Amendment Act 1989*.

Commencement

2. This Act shall—
 - (a) if it receives the Royal Assent on or before 1 November 1989, come into operation on the day on which it receives the Royal Assent; or

- (b) if it receives the Royal Assent after 1 November 1989, be deemed to have come into operation on 1 November 1989.

Principal Act

3. In this Act the *Pay-roll Tax Act 1971** is referred to as the principal Act.

[*Reprinted as at 30 March 1989.]

Section 5 amended

4. Section 5 of the principal Act is amended—

- (a) in subsection (10), by inserting after “December 1988” the following—

“ but during or before the month of October 1989 ”; and

- (b) by repealing subsection (12) and substituting the following subsections—

“ (12) Where the amount of taxable wages paid or payable by an employer for the period commencing on 1 July 1989 and ending on 31 October 1989 is—

(a) not more than \$393 333, the rate of pay-roll tax for the period is 3.75%;

(b) more than \$393 333 but less than \$708 000, the rate of pay-roll tax for the period is to be ascertained in accordance with the following formula—

$$\frac{14\,750 + \frac{3}{50}(U - 393\,333)}{U} \times 100$$

U = amount of taxable wages paid or payable for the period;

- (c) \$708 000 or more, the rate of pay-roll tax for the period is 5.75%.

(13) Where the amount of taxable wages paid or payable by an employer for a month after the month of October 1989 is—

- (a) not more than \$100 000, the rate of pay-roll tax payable each month is 3.95%;
- (b) more than \$100 000 but less than \$166 667, the rate of pay-roll tax payable each month is to be ascertained in accordance with the following formula—

$$\frac{3\,950 + 0.0645(V - 100\,000)}{V} \times 100$$

V = amount of taxable wages paid or payable for the month;

- (c) not less than \$166 667 but less than \$208 335, the rate of pay-roll tax payable each month is to be ascertained in accordance with the following formula—

$$\frac{8\,250 + 0.102(V - 166\,667)}{V} \times 100$$

V = amount of taxable wages paid or payable for the month;

- (d) \$208 335 or more, the rate of pay-roll tax payable each month is 6%.

(14) Where the amount of taxable wages paid or payable by an employer for the period commencing on 1 November 1989 and ending on 30 June 1990 is—

- (a) not more than \$800 000, the rate of pay-roll tax for the period is 3.95%;
- (b) more than \$800 000, but less than \$1 333 333, the rate of pay-roll tax for the period is to be ascertained in accordance with the following formula—

$$\frac{31\,600 + 0.0645(W - 800\,000)}{W} \times 100$$

W = amount of taxable wages paid or payable for the period;

- (c) not less than \$1 333 333, but less than \$1 666 667, the rate of pay-roll tax for the period is to be ascertained in accordance with the following formula—

$$\frac{66\,000 + 0.102 (W - 1\,333\,333)}{W} \times 100$$

W = amount of taxable wages paid or payable for the period;

- (d) \$1 666 667 or more, the rate of pay-roll tax for the period is 6%.

(15) Where the amount of taxable wages paid or payable by an employer for a financial year commencing on 1 July 1990 or 1 July of a subsequent year is—

- (a) not more than \$1 200 000, the rate of pay-roll tax for the year is 3.95%;
- (b) more than \$1 200 000 but less than \$2 000 000, the rate of pay-roll tax for the year is to be ascertained in accordance with the following formula—

$$\frac{47\,400 + 0.0645 (X - 1\,200\,000)}{X} \times 100$$

X = amount of taxable wages paid or payable for the year;

- (c) not less than \$2 000 000 but less than \$2 500 000, the rate of pay-roll tax for the year is to be ascertained in accordance with the following formula—

$$\frac{99\,000 + 0.102 (X - 2\,000\,000)}{X} \times 100$$

X = amount of taxable wages paid or payable for the year;

- (d) \$2 500 000 or more, the rate of pay-roll tax for the year is 6%.

Section 6 amended**5. Section 6 of the principal Act is amended—**

(a) by inserting after subsection (9) the following subsection—

“ (9a) In subsections (10), (11) and (21) “prescribed rate” means—

(a) in respect of a year, month or other period ending on or before 31 October 1989—5.75%;

(b) in respect of a year, month or other period commencing on or after 1 November 1989—6%. ”;

(b) in each of subsections (10), (11) and (21), by deleting “5.75%” and substituting, in each case, the following—

“ the prescribed rate ”;

(c) in subsection (11), by deleting paragraph (f) and substituting the following paragraphs—

“ (f) the period commencing on 1 July 1989 and ending on 31 October 1989;

(g) the period commencing on 1 November 1989 and ending on 30 June 1990;

(h) the period of any financial year commencing on 1 July 1990 or 1 July of a subsequent year. ”;

(d) in subsection (12), by deleting “and (23)” and substituting the following—

“ , (23), (26) and (27) ”;

(e) in subsection (21), by deleting “and (25)” and substituting the following—

“ , (25), (28) and (29) ”;

- (f) by repealing subsection (23) and substituting the following subsection—

“ (23) Where the estimated total interstate wages and taxable wages paid or payable by an employer for the period commencing on 1 July 1989 and ending on 31 October 1989 is—

- (a) not more than \$393 333, the rate of pay-roll tax for the period shall be determined as 3.75%;
- (b) more than \$393 333 but less than \$708 000, the rate of pay-roll tax for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{14\,750 + \frac{3}{50}(Z - 393\,333)}{Z} \times 100$$

Z = amount of total interstate wages and taxable wages estimated by the employer to be paid or payable for the period;

- (c) \$708 000 or more, no determination shall be made under this subsection. ”; and

- (g) by repealing subsection (25) and substituting the following subsections—

“ (25) Subject to subsection (21), where the amount of total interstate and taxable wages paid or payable by an employer for the period commencing on 1 July 1989 and ending on 31 October 1989 is—

- (a) not more than \$393 333, the rate of pay-roll tax for the period is 3.75%;
- (b) more than \$393 333 but less than \$708 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{14\,750 + \frac{3}{50}(ZB - 393\,333)}{ZB} \times 100$$

ZB = amount of total interstate wages and taxable wages paid or payable for the period;

- (c) \$708 000 or more, the rate of pay-roll tax for the period is 5.75%;

(26) Where the estimated total interstate wages and taxable wages paid or payable by an employer for the period commencing on 1 November 1989 and ending on 30 June 1990 is—

- (a) not more than \$800 000, the rate of pay-roll tax payable each month for the period shall be determined as 3.95%;
- (b) more than \$800 000 but less than \$1 333 333, the rate of pay-roll tax payable each month for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{31\,600 + 0.0645 (ZC - 800\,000)}{ZC} \times 100$$

ZC = amount of total interstate wages and taxable wages estimated by the employer to be paid or payable for the period;

- (c) not less than \$1 333 333 but less than \$1 666 667, the rate of pay-roll tax payable each month for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{66\,000 + 0.102 (ZC - 1\,333\,333)}{ZC} \times 100$$

ZC = amount of total interstate wages and taxable wages estimated by the employee to be paid or payable for the period;

- (d) \$1 666 667 or more, no determination shall be made under this subsection.

(27) Where the estimated total interstate wages and taxable wages paid or payable by an employer for a financial year commencing on 1 July 1990 or 1 July of a subsequent year is—

- (a) not more than \$1 200 000, the rate of pay-roll tax payable each month for the year shall be determined as 3.95%;

- (b) more than \$1 200 000 but less than \$2 000 000, the rate of pay-roll tax payable each month for the year shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{47\,400 + 0.0645 (ZD - 1\,200\,000)}{ZD} \times 100$$

ZD = amount of total interstate wages and taxable wages estimated by the employer to be paid or payable for the year;

- (c) not less than \$2 000 000 but less than \$2 500 000, the rate of pay-roll tax payable each month for the year shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{99\,000 + 0.102 (ZD - 2\,000\,000)}{ZD} \times 100$$

ZD = amount of total interstate wages and taxable wages estimated by the employer to be paid or payable for the year;

- (d) \$2 500 000 or more, no determination shall be made under this subsection.

(28) Subject to subsection (21), where the amount of total interstate wages and taxable wages paid or payable by an employer for the period commencing on 1 November 1989 and ending on 30 June 1990 is—

- (a) not more than \$800 000, the rate of pay-roll tax for the period is 3.95%;
- (b) more than \$800 000 but less than \$1 333 333, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{31\,600 + 0.0645 (ZE - 800\,000)}{ZE} \times 100$$

ZE = amount of total interstate wages and taxable wages paid or payable for the period;

- (c) not less than \$1 333 333 but less than \$1 666 667, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{66\,000 + 0.102 (ZE - 1\,333\,333)}{ZE} \times 100$$

ZE = amount of total interstate wages and taxable wages paid or payable for the period;

- (d) \$1 666 667 or more, the rate of pay-roll tax for the period is 6%.

(29) Subject to subsection (21), where the amount of total interstate wages and taxable wages paid or payable by an employer for a financial year commencing on 1 July 1990 or 1 July of a subsequent year is—

- (a) not more than \$1 200 000, the rate of pay-roll tax is 3.95%;

- (b) more than \$1 200 000 but less than \$2 000 000, the rate of pay-roll tax payable for the year is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{47\,400 + 0.0645 (ZF - 1\,200\,000)}{ZF} \times 100$$

ZF = amount of total interstate wages and taxable wages paid or payable for the year;

- (c) not less than \$2 000 000 but less than \$2 500 000, the rate of pay-roll tax payable for the year is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{99\,000 + 0.102 (ZF - 2\,000\,000)}{ZF} \times 100$$

ZF = amount of total interstate wages and taxable wages paid or payable for the year;

- (d) \$2 500 000 or more, the rate of pay-roll tax for the year is 6%. ”.

Section 7 amended**6.** Section 7 of the principal Act is amended—

(a) by inserting after subsection (10) the following subsection—

“ (10a) in subsections (11), (12) and (23) “prescribed rate” means—

(a) in respect of a year, month or other period ending on or before 31 October 1989—5.75%;

(b) in respect of a year, month or other period commencing on or after 1 November 1989—6%. ”;

(b) in each of subsections (11), (12) and (23), by deleting “5.75%” and substituting, in each case, the following—

“ the prescribed rate ”;

(c) in subsection (12), by deleting paragraph (f) and substituting the following paragraphs—

“ (f) the period commencing on 1 July 1989 and ending on 31 October 1989;

(g) the period commencing on 1 November 1989 and ending on 30 June 1990;

(h) the period of any financial year commencing on 1 July 1990 or 1 July of a subsequent year. ”;

(d) in subsection (14), by deleting “and (25)” and substituting the following—

“ , (25), (28) and (29) ”;

(e) in subsection (23), by deleting “and (27)” and substituting the following—

“ , (27), (30) and (31) ”;

- (f) by repealing subsection (25) and substituting the following subsection—

“ (25) Where the estimated total interstate wages and taxable wages paid or payable by all members of the group that pay taxable wages in Western Australia for the period commencing on 1 July 1989 and ending on 31 October 1989 is—

- (a) not more than \$393 333, the rate of pay-roll tax payable each month by each member of the group shall be determined as 3.75%;
- (b) more than \$393 333 but less than \$708 000, the rate of pay-roll tax payable each month by each member of the group shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{14\,750 + \frac{3}{50} (ZE - 393\,333)}{ZE} \times 100$$

ZE = amount of total interstate wages and taxable wages estimated to be paid or payable for the period by all members of the group that pay taxable wages in Western Australia;

- (c) \$708 000 or more, no determination shall be made under this subsection. ”; and

- (g) by repealing subsection (27) and substituting the following subsections—

“ (27) Subject to subsection (23), where the amount of total interstate wages and taxable wages paid or payable by all members of a group that pay taxable wages in Western Australia for the period commencing on 1 July 1989 and ending on 31 October 1989 is—

- (a) not more than \$393 333, the rate of pay-roll tax payable for the period is 3.75%;

- (b) more than \$393 333 but less than \$708 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{14\,750 + \frac{3}{50} (ZG - 393\,333)}{ZG} \times 100$$

ZG = amount of total interstate wages and taxable wages paid or payable for the year by all members of the group that pay taxable wages in Western Australia;

- (c) \$708 000 or more, the rate of pay-roll tax for the period is 5.75%.

(28) Where the estimated total interstate wages and taxable wages paid or payable by all members of the group that pay taxable wages in Western Australia for the period commencing on 1 November 1989 and ending on 30 June 1990 is—

- (a) not more than \$800 000, the rate of pay-roll tax payable each month by each member of the group for the period shall be determined as 3.95%;
- (b) more than \$800 000 but less than \$1 333 333, the rate of pay-roll tax payable each month by each member of the group for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{31\,600 + 0.0645 (ZH - 800\,000)}{ZH} \times 100$$

ZH = amount of total interstate wages and taxable wages estimated to be paid or payable for the period by all members of the group that pay taxable wages in Western Australia;

- (c) not less than \$1 333 333 but less than \$1 666 667, the rate of pay-roll tax payable each month by each member of the group for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{66\,000 + 0.102 (ZH - 1\,333\,333)}{ZH} \times 100$$

ZH = amount of total interstate wages and taxable wages estimated to be paid or payable for the period by all members of the group that pay taxable wages in Western Australia;

- (d) \$1 666 667 or more, no determination shall be made under this subsection.

(29) Where the estimated total interstate wages and taxable wages paid or payable by all members of the group that pay taxable wages in Western Australia for a financial year commencing on 1 July 1990 or 1 July of a subsequent year is—

- (a) not more than \$1 200 000, the rate of pay-roll tax payable each month by each member of the group for the year shall be determined as 3.95%;
- (b) more than \$1 200 000 but less than \$2 000 000, the rate of pay-roll tax payable each month by each member of the group for the year shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{47\,400 + 0.0645 (ZI - 1\,200\,000)}{ZI} \times 100$$

ZI = amount of total interstate wages and taxable wages estimated to be paid or payable for the year by all members of the group that pay taxable wages in Western Australia;

- (c) not less than \$2 000 000 but less than \$2 500 000, the rate of pay-roll tax payable each month by each member of the group for the year shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{99\,000 + 0.102 (ZI - 2\,000\,000)}{ZI} \times 100$$

ZI = amount of total interstate wages and taxable wages estimated to be paid or payable for the year by all members of the group that pay taxable wages in Western Australia;

- (d) \$2 500 000 or more, no determination shall be made under this subsection.

(30) Subject to subsection (23), where the amount of total interstate wages and taxable wages paid or payable by all members of a group that pay taxable wages in Western Australia for the period commencing on 1 November 1989 and ending on 30 June 1990 is—

- (a) not more than \$800 000, the rate of pay-roll tax for the period is 3.95%;
- (b) more than \$800 000 but less than \$1 333 333, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{31\,600 + 0.0645 (ZJ - 800\,000)}{ZJ} \times 100$$

ZJ = amount of total interstate wages and taxable wages paid or payable for the period by all members of the group that pay taxable wages in Western Australia;

- (c) not less than \$1 333 333 but less than \$1 666 667, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{66\,000 + 0.102 (ZJ - 1\,333\,333)}{ZJ} \times 100$$

ZJ = amount of total interstate wages and taxable wages paid or payable for the period by all members of the group that pay taxable wages in Western Australia;

- (d) \$1 666 667 or more, the rate of pay-roll tax for the period is 6%.

(31) Subject to subsection (23), where the amount of total interstate wages and taxable wages paid or payable by all members of a group that pay taxable wages in Western Australia for a financial year commencing on 1 July 1990 or 1 July of a subsequent year is—

- (a) not more than \$1 200 000, the rate of pay-roll tax for the year is 3.95%;
- (b) more than \$1 200 000 but less than \$2 000 000, the rate of pay-roll tax payable for the year is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{47\,400 + 0.0645 (ZK - 1\,200\,000)}{ZK} \times 100$$

ZK = amount of total interstate wages and taxable wages paid or payable for the year by all members of the group that pay taxable wages in Western Australia;

- (c) not less than \$2 000 000 but less than \$2 500 000, the rate of pay-roll tax payable for the year is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{99\,000 + 0.102 (ZK - 2\,000\,000)}{ZK} \times 100$$

ZK = amount of total interstate wages and taxable wages paid or payable for the year by all members of the group that pay taxable wages in Western Australia;

- (d) \$2 500 000 or more, the rate of pay-roll tax for the year is 6%. ”.
-