

WESTERN AUSTRALIA

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# PAY-ROLL TAX AMENDMENT ACT

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No. 28 of 1988

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

[Assented to 24 November 1988]

The Parliament of Western Australia enacts as follows:

## Short title

1. This Act may be cited as the *Pay-roll Tax Amendment Act 1988*.

## Commencement

2. (1) Subject to subsection (2), this Act shall come into operation on 1 January 1989.

(2) Section 6 (1) shall be deemed to have come into operation on 1 January 1988 immediately after the coming into operation of the *Pay-roll Tax Amendment Act 1987*.

**Principal Act**

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

[\*Reprinted as at 2 February 1987 and amended by Act No. 97 of 1987.]

**Section 5 amended**

4. Section 5 of the principal Act is amended—

(a) in subsection (7), by inserting after “December 1987” the following—

“ but during or before the month of December 1988 ”;

(b) by repealing subsection (9) and substituting the following subsections—

“ (9) Where the amount of taxable wages paid or payable by an employer for the period commencing on 1 July 1988 and ending on 31 December 1988 is—

(a) not more than \$550 000, the rate of pay-roll tax for the period is 3.75%;

(b) more than \$550 000 but less than \$990 000, the rate of pay-roll tax for the period is to be ascertained in accordance with the following formula—

$$\frac{20\,625 + \frac{3}{50}(R - 550\,000)}{R} \times 100$$

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

(c) \$990 000 or more, the rate of pay-roll tax for the period is 5.75%.

(10) Where the amount of taxable wages paid or payable by an employer for a month after the month of December 1988 is—

(a) not more than \$98 333, the rate of pay-roll tax payable each month is 3.75%;

- (b) more than \$98 333 but less than \$177 000, the rate of pay-roll tax payable each month is to be ascertained in accordance with the following formula—

$$\frac{3\ 687.5 + \frac{3}{50}(S - 98\ 333)}{S} \times 100$$

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

- (c) \$177 000 or more, the rate of pay-roll tax payable each month is 5.75%.

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

- (a) not more than \$590 000, the rate of pay-roll tax for the period is 3.75%;
- (b) more than \$590 000, but less than \$1 062 000, the rate of pay-roll tax for the period is to be ascertained in accordance with the following formula—

$$\frac{22\ 125 + \frac{3}{50}(T - 590\ 000)}{T} \times 100$$

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

- (c) \$1 062 000 or more, the rate of pay-roll tax for the period is 5.75%.

(12) Where the amount of taxable wages paid or payable by an employer for a financial year commencing on 1 July 1989 or 1 July of a subsequent year is —

- (a) not more than \$1 180 000, the rate of pay-roll tax for the year is 3.75%;

- (b) more than \$1 180 000 but less than \$2 124 000, the rate of pay-roll tax for the year is to be ascertained in accordance with the following formula—

$$\frac{44\,250 + \frac{3}{50}(U - 1\,180\,000)}{U} \times 100$$

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

- (c) \$2 124 000 or more, the rate of pay-roll tax for the year is 5.75%.

### Section 6 amended

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

- (a) in subsection (11), by deleting paragraph (d) and substituting the following paragraphs—

“ (d) the period commencing on 1 July 1988 and ending on 31 December 1988;

(e) the period commencing on 1 January 1989 and ending on 30 June 1989;

(f) the period of any financial year commencing on 1 July 1989 or 1 July of a subsequent year. ”;

- (b) in subsection (12), by deleting “and (18)” and substituting the following—

“ (18), (22) and (23) ”;

- (c) by repealing subsection (18) and substituting the following subsection—

“ (18) Where the estimated total interstate wages and taxable wages paid or payable by an employer for the period commencing on 1 July 1988 and ending on 31 December 1988 is—

- (a) not more than \$550 000, the rate of pay-roll tax for the period shall be determined as 3.75%;

- (b) more than \$550 000 but less than \$990 000, the rate of pay-roll tax for the period shall be determined (calculated to 2 decimal points) in accordance with the following formula—

$$\frac{20\,625 + \frac{3}{50}(V - 550\,000)}{V} \times 100$$

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

- (c) \$990 000 or more, no determination shall be made under this subsection. ”;
- (d) by repealing subsection (20) and substituting the following subsection—

“ (20) 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 1988 and ending on 31 December 1988 is—

- (a) not more than \$550 000, the rate of pay-roll tax for the period is 3.75%;
- (b) more than \$550 000 but less than \$990 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{20\,625 + \frac{3}{50}(X - 550\,000)}{X} \times 100$$

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

- (c) \$990 000 or more, the rate of pay-roll tax for the period is 5.75%. ”;
- (e) in subsection (21), by deleting “and (20)” and substituting the following—

“ (20), (24) and (25) ”;

(f) by inserting after subsection (21) the following subsections—

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

- (a) not more than \$590 000, the rate of pay-roll tax payable each month for the period shall be determined as 3.75%;
- (b) more than \$590 000 but less than \$1 062 000, 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—

$$\frac{22\,125 + \frac{3}{50}(Y - 590\,000)}{Y} \times 100$$

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

- (c) \$1 062 000 or more, no determination shall be made under this subsection.

(23) Where the estimated total interstate wages and taxable wages paid or payable by an employer for a financial year commencing on 1 July 1989 or 1 July of a subsequent year is—

- (a) not more than \$1 180 000, the rate of pay-roll tax payable each month for the year shall be determined as 3.75%;

- (b) more than \$1 180 000 but less than \$2 124 000, 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—

$$\frac{44\,250 + \frac{3}{50}(Z - 1\,180\,000)}{Z} \times 100$$

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

- (c) \$2 124 000 or more, no determination shall be made under this subsection.

(24) 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 January 1989 and ending on 30 June 1989 is—

- (a) not more than \$590 000, the rate of pay-roll tax for the period is 3.75%;
- (b) more than \$590 000 but less than \$1 062 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{22\,125 + \frac{3}{50}(ZA - 590\,000)}{ZA} \times 100$$

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

- (c) \$1 062 000 or more, the rate of pay-roll tax for the period is 5.75%.

(25) 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 1989 or 1 July of a subsequent year is—

- (a) not more than \$1 180 000, the rate of pay-roll tax is 3.75%;

- (b) more than \$1 180 000 but less than \$2 124 000, 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—

$$\frac{44\,250 + \frac{3}{50}(ZB - 1\,180\,000)}{ZB} \times 100$$

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

- (c) \$2 124 000 or more, the rate of pay-roll tax for the year is 5.75%.

### Section 7 amended

6. (1) Section 7 of the principal Act is amended in subsection (2) (b) by deleting “500 000” and substituting the following—

“ 1 100 000 ”.

(2) Section 7 of the principal Act is further amended—

- (a) in subsection (12), by deleting paragraph (d) and substituting the following paragraphs—

“ (d) the period commencing on 1 July 1988 and ending on 31 December 1988;

(e) the period commencing on 1 January 1989 and ending on 30 June 1989;

(f) the period of any financial year commencing on 1 July 1989 or 1 July of a subsequent year. ”;

- (b) in subsection (14), by deleting “and (20)” and substituting the following—

“ (20), (24) and (25) ”;



- (c) by repealing subsection (20) and substituting the following subsection—

“ (20) 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 1988 and ending on 31 December 1988 is—

- (a) not more than \$550 000, the rate of pay-roll tax payable each month by each member of the group shall be determined as 3.75%;
- (b) more than \$550 000 but less than \$990 000, 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—

$$\frac{20\ 625 + \frac{3}{50} (ZA - 550\ 000)}{ZA} \times 100$$

ZA = 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) \$990 000 or more, no determination shall be made under this subsection. ”;

- (d) by repealing subsection (22) and substituting the following subsection—

“ (22) 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 1988 and ending on 31 December 1988 is—

- (a) not more than \$550 000, the rate of pay-roll tax payable for the period is 3.75%;

- (b) more than \$550 000 but less than \$990 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{20\,625 + \frac{3}{50}(ZC - 550\,000)}{ZC} \times 100$$

ZC = 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) \$990 000 or more, the rate of pay-roll tax for the period is 5.75%.”;
- (e) in subsection (23), by deleting “and (22)” and substituting the following—

“ , (22), (26) and (27) ”; and

- (f) by inserting after subsection (23) the following subsections—

“ (24) 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 January 1989 and ending on 30 June 1989 is—

- (a) not more than \$590 000, the rate of pay-roll tax payable each month by each member of the group for the period shall be determined as 3.75%;

- (b) more than \$590 000 but less than \$1 062 000, 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—

$$\frac{22\,125 + \frac{3}{50}(ZD - 590\,000)}{ZD} \times 100$$

ZD = 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) \$1 062 000 or more, no determination shall be made under this 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 a financial year commencing on 1 July 1989 or 1 July of a subsequent year is—

- (a) not more than \$1 180 000, the rate of pay-roll tax payable each month by each member of the group for the year shall be determined as 3.75%;
- (b) more than \$1 180 000 but less than \$2 124 000, 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—

$$\frac{44\,250 + \frac{3}{50}(ZE - 1\,180\,000)}{ZE} \times 100$$

ZE = 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) \$2 124 000 or more, no determination shall be made under this subsection.

(26) 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 January 1989 and ending on 30 June 1989 is—

- (a) not more than \$590 000, the rate of pay-roll tax for the period is 3.75%;
- (b) more than \$590 000 but less than \$1 062 000, the rate of pay-roll tax for the period is to be ascertained (calculated to 4 decimal points) in accordance with the following formula—

$$\frac{22\,125 + \frac{3}{50} (ZF - 590\,000)}{ZF} \times 100$$

ZF = 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) \$1 062 000 or more, the rate of pay-roll tax for the period is 5.75%.

(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 a financial year commencing on 1 July 1989 or 1 July of a subsequent year is—

- (a) not more than \$1 180 000, the rate of pay-roll tax for the year is 3.75%;

- (b) more than \$1 180 000 but less than \$2 124 000, 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—

$$\frac{44\,250 + \frac{3}{50}(ZG - 1\,180\,000)}{ZG} \times 100$$

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) \$2 124 000 or more, the rate of pay-roll tax for the year is 5.75%. ”.
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