

LAND AND INCOME TAX ASSESSMENT.

22° GEO. V., No. XLII.

No. 42 of 1931.

AN ACT to amend section fifty-five of the Land and Income Tax Assessment Act, 1907-1924.

[Assented to 3rd December, 1931.]

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:—

Short title.

1. This Act may be cited as the *Land and Income Tax Assessment Act Amendment Act, 1931*, and shall be read as one with the Land and Income Tax Assessment Act, 1907-1924, as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1924, hereinafter referred to as the principal Act.

Amendment
of s. 55.

2. Section fifty-five of the principal Act is hereby repealed, and a section is inserted in lieu thereof, as follows:—

Income tax may be
paid by instal-
ments in certain
cases.

55. (1.) Any taxpayer who has lodged his income tax returns in accordance with the provisions of this Act for any year of assessment, and who is liable for income tax in respect thereof, shall, within fourteen days after a date to be notified by the Commissioner by publication in the *Government Gazette*, make application to the Commissioner for payment by monthly or other periodical instalments of the income tax payable or to become payable by him in respect of the income chargeable shown in such return, notwithstanding that such income tax may not then have been assessed.

(2.) Upon receipt of such application the Commissioner shall fix the amount of the monthly or other periodical instalment to be paid at such amount as he shall deem reasonable, based on the income chargeable shown in the return of the taxpayer calculated at the rate which shall then have last been imposed by law in respect of such income. When the Commissioner has fixed the amount of the monthly or other periodical instalment as aforesaid, he shall give notice thereof to the taxpayer in the prescribed form, and fix the dates of payment for such instalments.

(3.) When a taxpayer has received from the Commissioner the notice mentioned in subsection (2) hereof, he shall thereafter, on or before the due date fixed for payment of each and every periodical instalment as aforesaid, pay to the Commissioner the amount of such monthly or other periodical instalment on account of the income tax payable or to become payable by him.

(4.) As and when the amount of the income tax payable by such taxpayer is assessed by the Commissioner under this Act, credit shall be given to the taxpayer for the amount of the monthly or other periodical instalments already paid by him on account of the same. If the amount of such instalments shall exceed the amount of the income tax assessed, the taxpayer shall be entitled forthwith to a refund of the excess under and in accordance with the provisions of section sixty-one of this Act. If the amount of such instalments is less than the amount of the income tax assessed, the balance of income tax payable after giving credit for the amount of instalments paid shall be due and payable within the time prescribed by section fifty-two of this Act, but such balance may during such time be paid by means of such monthly instalments.

3. The principal Act, as amended by the Land and Income Tax Assessment Act Amendment Act, 1930 (No. 42 of 1930), and by this Act may be cited as the Land and Income Tax Assessment Act, 1907-1931.

Citation of principal Act as amended.