

LAND TAX AND INCOME TAX.

13° GEO. V., No. XXIII.

No. 41 of 1922.**AN ACT to impose a Land Tax and an Income Tax.**

[Assented to 23rd December, 1922.]

MOST GRACIOUS SOVEREIGN,—

Preamble.

WE, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Western Australia in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the duties hereinafter mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted: And be it therefore 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 Tax and Income Tax Act, 1922.*

Grant of land tax and income tax for the year ending 30th June, 1923.

2. For the year ending the thirtieth day of June, One thousand nine hundred and twenty-three, there shall be charged, levied, collected, and paid for the use of His Majesty, under and subject to the Land and Income Tax Assessment Act, 1907, the Land and Income Tax Assessment Act Amendment Act, 1917, the Land and Income Tax Assessment Act Amendment Act, 1918, and the Land and Income Tax Assessment Amendment Act, 1921, and in manner therein prescribed—

(1) A land tax at the rate of one penny for every pound sterling 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 one penny for every pound sterling—

- (i) of a sum equal to twenty times the amount of the annual rent reserved by the lease; or
- (ii) if the lessee has applied for a new lease under subsection four of section thirty of the Land Act Amendment Act, 1917, and such application has been approved, or if the lessee has, under the provisions of the Land Act Amendment Act, 1918, paid double rent in respect of his holding, of a sum equal to twenty times the amount of the annual rent payable or paid by the lessee; and

(2) An income tax on the income chargeable of all taxpayers at the rates prescribed by section three of this Act.

3. (1.) When the whole of the income chargeable of a taxpayer does not exceed £6,672, the rate of tax per pound sterling shall be 2·007 pence where the income chargeable is £101 sterling, and shall increase uniformly with each increase of one pound sterling of the income chargeable by ·007 of one penny.

Rate of Income
Tax.

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

R = rate of tax in pence per pound sterling.

I = income chargeable in pounds sterling.

$R = \{ 2 + \cdot 007 (I - 100) \}$ pence.

When the whole of the income chargeable of a taxpayer exceeds £6,672, the rate of tax for every pound sterling thereof shall be forty-eight pence.

(2.) Where the "income chargeable" of any person is less than one hundred and one pounds the rate of tax shall be two-pence in the pound.

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

Minimum amount
payable.

5. (1.) If the income chargeable of any person, together with income received by him in respect of the dividends of a company subject to duty under the Dividend Duties Act, 1902, amounts during the year ending the 30th day of June, 1922, to such a sum as if it were all income chargeable would be liable to income tax at a rate exceeding one shilling and threepence for every pound sterling thereof, without regard to the super-tax imposed by section six, income tax shall be payable by such person on the amount of such aggregate in-

Income from
dividends.

come, but he shall receive credit for the duty payable under the Dividend Duties Act, 1902, in respect of his income derived from a company as aforesaid.

(2.) If any person not in receipt of any income chargeable is, during the year ending the 30th day of June, 1922, in receipt of income derived from dividends within the meaning of the Dividend Duties Act, 1902, and such income, after all deductions allowed by law, exceeds the sum which under this Act would be chargeable as income at a higher rate of tax in the pound than one shilling and threepence, without regard to the super-tax imposed by section six, such person shall be liable to pay income tax on such income, but such person shall receive credit for the amount of duty payable in respect of such income under the Dividend Duties Act, 1902:

Provided that in any assessment made under this section a deduction shall be allowed for interest incurred by the person in the production of the income derived from dividends.

Super-tax of 15
per cent.

6. (1.) In addition to the income tax payable under the preceding provisions of this Act, there shall be charged, levied, collected, and paid, for the use of His Majesty under and subject to the Acts referred to in section two, on the income chargeable of all taxpayers, and on such incomes as are liable to tax under section five, a super-tax equal to fifteen per centum of the amount of the income tax imposed as aforesaid:

Provided that this subsection shall not apply to the income of any taxpayer whose income as defined by section two of the Land and Income Tax Assessment Act, 1907, without any deduction under paragraphs (3), (7), (10), or (12) of section thirty thereof, except in respect of rates and taxes of business premises occupied by the taxpayer, does not exceed two hundred and sixty-four pounds.

(2.) In addition to the land tax payable under the preceding provisions of this Act, there shall be charged, levied, collected, and paid for the use of His Majesty, under and subject to the Acts referred to in section two, a super-tax equal to fifteen per centum on the amount of the land tax imposed as aforesaid.

Section 56 of 1907,
No. 15, not to
apply.

7. Section fifty-six of the Land and Income Tax Assessment Act, 1907, shall not apply to the land tax or income tax to be levied and collected for the financial year ending the 30th day of June, 1923.