Approved for reprint 28th February, 1961.

WESTERN AUSTRALIA. \_\_\_\_

# DEATH DUTIES (TAXING).

25° Geo. V., No. XXVIII.

# No. 29 of 1934.

[As amended by Acts:

No. 17 of 1939 assented to 22nd November, 1939; No. 53 of 1941 assented to 15th January, 1942; No. 25 of 1942 assented to 9th December, 1942; No. 75 of 1956<sup>1</sup> assented to 14th January, 1957; and reprinted pursuant to the provisions of the Amendments Incorporation Act, 1938.]

AN ACT to impose duties on the Estates of deceased persons; on certain Interests disposed of and accruing to beneficiaries under settlements and other non-testamentary dispositions; and on Shares of deceased shareholders in foreign companies carrying on business in Western Australia.

# [Assented to 28th December, 1934.]

RE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:----

This Act may be cited as the Death Duties Short title and com-1. (Taxing) Act, 1934-1956, and shall come into operation on a day to be fixed by proclamation."

The Administration Act (Estate and Succes-2. sion Duties) Amendment Act, 1934 (as incorporated in the Administration Act, 1903-1934, and herein- Asse after called "the Assessment Act"), shall be read as Amended by No. 75 of one with this Act.

1934, s. 1 amended by No. 75 of 1956, s. 1.

Reference to provisions of Assessment 1956, s. 3.

<sup>&</sup>lt;sup>1</sup> Came into operation on the day fixed by proclamation for the coming into operation of the Administration Act Amendment Act, 1956, i.e., 1st February, 1957, vide Gazette dated 1st February, 1957, page 161.

<sup>&</sup>lt;sup>2</sup> This Act was proclaimed to come into operation on the 1st January, 1935: See Gazette dated 28th December, 1934, p. 1983. 40313/9/60-1,800.

Imposition of duties generally; amended by No. 75 of 1956, s. 4; estate duty;

settlement duty;

on other non-testamentary dispositions;

companies duties, 3. Subject to the provisions and limitations of the Assessment Act duties are imposed on—

- (a) the final balances of the estates of deceased persons;
- (b) property disposed of by any settlement;
- (c) any benefit accruing or any interest arising or received under any other non-testamentary dispositions within the meaning of the section formerly numbered as twentynine but now numbered as ninety of the Assessment Act;
- (d) the shares of interests of deceased persons domiciled out of Western Australia in foreign companies carrying on business in Western Australia

at the rates declared by this Act.

4. (1) The rates of duty payable on the final balances of the estates of deceased persons

- (a) dying after the coming into operation of this Act and before the coming into operation of the Administration Act Amendment Act, 1956, shall be such as are declared by Parliament in Part I. of the First Schedule to this Act; or
- (b) dying after the coming into operation of the Administration Act Amendment Act, 1956, shall be such as are declared by Parliament in Part II. of the First Schedule to this Act;

(2) The rates of duty payable in respect of all

property, both real and personal, disposed of by any settlement within the meaning of the Assessment Act on the death of the settlor or other person on whose death the trusts or dispositions of the settle-

settlement duty;

Cf. s. 85 of the Administration Act, 1903-1954; reprinted in Vol. 9 as approved 21st June, 1955. ment take effect

(a) shall be such as are declared by Parliament in Part I. of the Second Schedule to this Act, if the death occurred before the coming into operation of the Administration Act Amendment Act, 1956; or

duty; estate duty; Amended by No. 75 of 1956, s. 5. Cf. s. 69 of the Adminis

Rates of

Cf. s. 69 of the Administration Act. 1903-1954, reprinted in Vol. 9 as approved 21st June, 1955. (b) shall be such as are declared by Parliament in Part II. of the Second Schedule to this Act, if the death occurs after the coming into operation of the Administration Act Amendment Act, 1956;

(3) The rates of duty payable in respect of the duty on other not other not state of the state o net present value of any benefit, beneficial interest, testamenannuity, or other interest accruing to or received by sitions; or arising in favour of any person on the death of any other person, and which is chargeable with duty under the provisions of the section formerly numbered as twenty-nine but now numbered as ninety, of the Assessment Act

- (a) shall be such as are declared by Parliament S. 29 now in Part I. of the Third Schedule to this Act as . 90 of the Adminisif the death occurred before the coming into operation of the Administration Act Amendment Act, 1956; or
- (b) shall be such as are declared by Parliament in Part II. of the Third Schedule to this Act, if the death occurs after the coming into operation of the Administration Act Amendment Act, 1956;

(4) The rates of duty payable by a foreign com- <sup>company</sup><sub>duty;</sub> pany carrying on business in Western Australia in respect of the value as ascertained in accordance with subsection (2) of the section formerly numbered as section fifty-two but now numbered as one hundred and fourteen, of the Assessment Act of the share or interest of any deceased person who was domiciled at the date of his death out of Western Australia, and who held any shares or interest in such company at the date of his death.

- (a) shall be such as are declared by Parliament in Part I. of the Fourth Schedule to this Act, if the death occurred before the coming into operation of the Administration Act Amendment Act. 1956; or
- (b) shall be such as are declared by Parliament in Part II. of the Fourth Schedule to this Act, if the death occurs after the coming into operation of the Administration Act Amendment Act, 1956.

other non-

tration Act, 1903-1954 reprinted in Vol.9 as approved 21st June. 1955.

# Death Duties (Taxing).

#### THE FIRST SCHEDULE.

Part 1.—Deceased Persons dying before the coming into operation of the Administration Act Amendment Act, 1956.

The rates of duty payable on the final balance of the estate of a deceased person:—

| of a deceased person.   |                          |
|---|--------------------------|
| Where the final balance does not exceed £200                                    | Nil                      |
| Where the final balance of such estate<br>exceeds £200 but does not exceed £500 | 1 per cent.              |
| Where such final balance exceeds £500 but<br>does not exceed £1,000             | 2 per cent.              |
| Where such final balance exceeds £1,000 but<br>does not exceed £2,500           | 3 per cent.              |
| Where such final balance exceeds £2,500 but<br>does not exceed £4,500           | 4 per cent.              |
| Where such final balance exceeds £4,500 but<br>does not exceed £6,000           | 5 per cent.              |
| Where such final balance exceeds £6,000 but<br>does not exceed £7,000           | 6 per cent.              |
| Where such final balance exceeds £7,000 but<br>does not exceed £8,000           | 6 <del>3</del> per cent. |
| Where such final balance exceeds £8,000 but<br>does not exceed £9,000           | 63 per cent.             |
| Where such final balance exceeds £9,000 but<br>does not exceed £10,000          | 64 per cent.             |
| Where such final balance exceeds £10,000 but<br>does not exceed £11,000         | 7 <del>]</del> per cent. |
| Where such final balance exceeds £11,000 but<br>does not exceed £12,000         | 73 per cent.             |
| Where such final balance exceeds £12,000 but<br>does not exceed £13,000         | 7 <del>}</del> per cent. |
| Where such final balance exceeds £13,000 but<br>does not exceed £14,000         | 74 per cent.             |
| Where such final balance exceeds £14,000 but<br>does not exceed £15,000         | 8 <del>1</del> per cent. |
| Where such final balance exceeds £15,000 but<br>does not exceed £16,000         | 8 <del>%</del> per cent. |
| Where such final balance exceeds £16,000 but<br>does not exceed £17,000         | 83 per cent.             |
| Where such final balance exceeds £17,000 but<br>does not exceed £18,000         | 8 <del>4</del> per cent. |
| Where such final balance exceeds £18,000 but<br>does not exceed £19,000         | 9 per cent.              |
| Where such final balance exceeds £19,000 but<br>does not exceed £20,000         | 9½ per cent.             |
|   |                          |

Where such final balance exceeds £20,000, a minimum rate of 10 per cent., increasing to a maximum rate of 20 per cent. by grade increases of  $\frac{1}{2}$  per cent. for and in respect of every £5,000 by which such final balance exceeds £20,000;

(2) Provided that, in so far as any beneficial interest
 passes to the widower or widow, or the parent or any issue of the deceased person, and who was at the date of the death of the deceased a *bona fide* resident of and domiciled

Duty payable under ss. 69 and 69A (1) of the Ad-ministration Act, 1903-1954 reprinted in Vol. 9 as approved 21st June, 1955, and further amended by Act No. 62 of 1955 and by Adminis-tration Act Amendment Act, 1956. Sub-heading to Part I added by No. 75 of 1956, s. 6.

Amended by No. 17 of 1939, s. 2 (a).

Amended by No. 17 of 1939, s. 2 (b). in Western Australia, duty shall be assessed in respect of such beneficial interest at one-half of the rates declared in this Schedule if the final balance of the estate of the deceased person does not exceed six thousand pounds.

(3) Provided further, that in respect of the final balance of the estate of a deceased person who at the time of his death was a member of the naval, military, or air forces of His Majesty the King or of any ally of Great Britain; or was a member of any medical corps nursing service attached to any of the forces aforesaid engaged on active service in connection with any war being waged between the Commonwealth of Australia and any other power and whose death is the result of such person being engaged on such active service aforesaid—

- (a) when such final balance does not exceed one thousand pounds, this Schedule shall not apply, and no duty shall be payable; and
- (b) when such final balance exceeds one thousand pounds, then, subject to paragraph (c) hereof, duty shall be assessed at one-half the rates declared in this schedule; and
- (c) when such final balance exceeds one thousand pounds, and, in so far as any beneficial interest passes to the widower, or widow, or the parent, or any issue of the deceased person, and such widower, widow, parent, or issue was at the date of the death of the deceased person a bona fide resident of and domiciled in Western Australia, duty shall be assessed in respect of such beneficial interest at one-quarter of the rates declared in this Schedule.

#### Part II.—Persons dying after the coming into operation of Duty payable the Administration Act Amendment Act, 1956.

The rate of duty declared by Parliament and imposed Act, 1903-Act, 1903-1954 reby this Act, and payable under the Assessment Act subject 1954 reby this Act, in respect of the several amounts set out in column 1 of the following table as the final balance of a deceased person's estate, is the rate set out in column 2 of the table opposite the amount in column 1 of the table.

under ss. 69 and 69A (2) of the Administration Act, 1903-1954 reprinted in Vol. 9 as approved 21st June, 1955, and further amended by Act No. 62 of 1955 and by the Administration Act Amendment Act, 1956. Part II added by No. 75 of 1956, s. 6.

Proviso (3) added by No. 53 of 1941, s 2. Amended by No 25 of 1942, s. 2.

| Column 1.                     |        |    |     |     |                | Co   | lumn 2.     |   |        |
|-------------------------------|--------|----|-----|-----|----------------|------|-------------|---|--------|
| Amount of<br>Final<br>Balance |        |    |     |     |                | Rate | e of Duty.  |   |        |
| £                             | £      | s. | d.  |     | s.             | d.   |             |   | £      |
| 0- 1,000                      |        |    |     |     |                | е    | xempt.      |   |        |
| 1.001- 5.000                  |        |    |     |     | 1              | 6 fc | or each com | plete £1 over                           | 1,000  |
| 5.001-10.000                  | 300    | 0  | 0 1 | olu | s 1            | 9    | ,,          | - "                                     | 5.000  |
| 10.001-15.000                 | 737    | 10 | 0   | ,,  | $\overline{2}$ | 4    | **          | **                                      | 10,000 |
| 15.001-20.000                 | 1.320  | 16 | 8   | "   | 2              | 8    | **          | "                                       | 15,000 |
| 20.001-25.000                 | 1,987  | 10 | õ   | "   | 3              | Õ    | **          | **                                      | 20,000 |
| 25.001-30.000                 | 2,737  | 10 | Õ   | ,,  | 3              | 4    | "           | **                                      | 25,000 |
| 30,001-35,000                 | 3.570  | 16 | 8   | "   | 3              | 8    | "           | 17                                      | 30,000 |
| 35,001-40,000                 | 4.487  | 10 | õ   | ,,  | 4              | õ    | ,,          | **                                      | 35,000 |
| 40.001-45.000                 | 5,487  | ĩõ | Õ   |     | 4              | 4    | **          | **                                      | 40,000 |
| 45.001-50.000                 | 6.570  | 16 | Š.  | **  | 4              | 8    | **          | **                                      | 45,000 |
| 50.001-55.000                 | 7.737  | ĩõ | õ   | **  | 4<br>5<br>5    | õ    | **          | **                                      | 50,000 |
| 55.001-60.000                 | 8.987  | 10 | ŏ   | ,,  | 5              | 4    | ""          | **                                      | 55,000 |
| 60.001-65.000                 | 10,320 | 1ě | Ř   | ,,  | 5              | 8    | "           | **                                      | 60,000 |
| 65.001-70.000                 | 11.737 | 10 | ŏ   | ,,  | 6              | ō    | 13          | **                                      | 65,000 |
| 70,001-75,000                 | 13.237 | 10 | ด้  | ,,  | 6              | 4    | "           | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | 70,000 |
| over 75,000                   | 14,820 |    | ĕ   | ,,  | Ğ              | ŝ    | ,,          | "                                       | 75.000 |

## TABLE.

#### THE SECOND SCHEDULE.

Part I.—Death of Settlor or other Person occurring before the coming into operation of the Administration Act Amendment Act, 1956.

#### Duties Payable in respect of any Settlement.

(1) The duties payable in respect of any property disposed of by any settlement or settlements shall be at the following rates:—

| Where the aggregate value of the property<br>disposed of by the settlement or settle-<br>ments does not exceed £200<br>Where such aggregate value exceeds £200 | Nil                      |
|--|--------------------------|
| but does not exceed £500   | 1 per cent.              |
| Where such aggregate value exceeds £500<br>but does not exceed £1,000  | 2 per cent.              |
| Where such aggregate value exceeds £1,000<br>but does not exceed £2,500  | 3 per cent.              |
| Where such aggregate value exceeds £2,500<br>but does not exceed £4,500  | 4 per cent.              |
| Where such aggregate value exceeds £4,500<br>but does not exceed £6,000  | 5 per cent.              |
| Where such aggregate value exceeds £6,000<br>but does not exceed £7,000  | 6 per cent.              |
| Where such aggregate value exceeds £7,000<br>but does not exceed £8,000  | 6 <del>3</del> per cent. |
| Where such aggregate value exceeds £8,000<br>but does not exceed £9,000  | 6 <del>3</del> per cent. |
| Where such aggregate value exceeds £9,000<br>but does not exceed £10,000   | 6 <del>1</del> per cent. |

Duty chargeable under s. 85 of the Administration Act, 1903-1954 reprinted in Vol. 9 as approved 21st June, 1955 as further amended by Act No. 62 of 1955 and by the Administration Act, Amendment Act, 1956. Sub-heading to Part I added by No. 75 of 1956. 7.

| Where such aggregate value exceeds<br>but does not exceed £11.000 | £10,000 |
|---|---------|
| Where such aggregate value exceeds<br>but does not exceed £12,000 | £11,000 |
| Where such aggregate value exceeds<br>but does not exceed £13,000 | £12,000 |
| Where such aggregate value exceeds<br>but does not exceed £14,000 | £13,000 |
| Where such aggregate value exceeds<br>but does not exceed £15,000 | £14,000 |
| Where such aggregate value exceeds<br>but does not exceed £16,000 |         |
| Where such aggregate value exceeds<br>but does not exceed £17,000 | £16,000 |
| Where such aggregate value exceeds<br>but does not exceed £18,000 | £17,000 |
| Where such aggregate value exceeds<br>but does not exceed £19,000 | £18,000 |
| Where such aggregate value exceeds<br>but does not exceed £20,000 | £19,000 |

Where such aggregate value exceeds £20,000. a minimum rate of 10 per cent. increasing to a maximum rate of 20 per cent. by grade increases of  $\frac{1}{2}$  per cent. for and in respect of every £5,000 by which such aggregate value exceeds £20,000;

(2) Provided that, in so far as any beneficial interest Amended by passes to the widower or widow, or the parent or the issue 1939, s. 3 (b). of any settlor under any settlement, and who was at the date of the death of the settlor a bona fide resident of and domiciled in Western Australia, duty shall be assessed in respect of such beneficial interest at one-half of the rates declared in this Schedule if the aggregate value of the property disposed of by the settlement or settlements does not exceed six thousand pounds.

(3) Provided further, that in respect of the property disposed of by any settlement or settlements made by a person who subsequently at the time of his death was a member of the naval, military, or air forces of His Majesty the King or of any ally of Great Britain; or was a member of any medical corps nursing service attached to any of the forces aforesaid engaged on active service in connection with any war being waged between the Commonwealth of Australia and any other power and whose death is the result of such person being engaged on such active service aforesaid-

- (a) when the aggregate value of such property does not exceed one thousand pounds, this Schedule shall not apply and no duty shall be payable; and
- (b) when the aggregate value of such property exceeds one thousand pounds, then, subject to paragraph (c) hereof, duty shall be assessed at one-half of the rates declared in this Schedule: and

71 per cent. 73 per cent.  $7\frac{3}{5}$  per cent. 71 per cent. 8<sup>1</sup>/<sub>2</sub> per cent. 8<sup>g</sup> per cent. 8<sup>3</sup> per cent. 84 per cent. 9 per cent. 9½ per cent.

> Amended by No 17 of 1939, s. 3 (a).

Proviso (3) added by No. 53 of 1941, s. 3. Amended by No. 25 of 1942, 8. 3.

(c) when the aggregate value of such property exceeds one thousand pounds, and, in so far as any beneficial interest passes to the widower or widow, or the parent, or any issue of the settlor under the settlement, and such widower, widow, parent, or issue was at the date of the death of the settlor a *bona fide* resident of and domiciled in Western Australia, duty shall be assessed in respect of such beneficial interest at one-quarter of the rates declared in this Schedule.

| Duty payable<br>under s. 85 of<br>the Ad-<br>ministration<br>Act, 1903-<br>1954 re-   | Part II.—Death of Settlor or other Person occurring after<br>the coming into operation of the Administration Act<br>Amendment Act, 1956.   |
|---|--|
| printed in<br>Vol. 9 as<br>approved<br>21st June,<br>1955, and<br>further<br>amended by<br>Act No. 62 of<br>1955 and by<br>the Ad-<br>ministration<br>Act<br>Amendment<br>Act, 1956.<br>Part II<br>added by<br>No. 75 of<br>1956, E. 7. | The rate of duty declared by Parliament and imposed<br>by this Act, and chargeable under the Assessment Act<br>subject to the provisions and limitations referred to in<br>section three of this Act, in respect of the several amounts<br>set out in column 1 of the following table as the aggregate<br>value of property disposed of by any settlement or settle-<br>ments, is the rate set out in column 2 of the table opposite<br>the amount in column 1 of the table. |

| Column 1.     |        |    |     |           |               |                | Column 2.    |               |        |
|---------------|--------|----|-----|-----------|---------------|----------------|--------------|---------------|--------|
| Amount of     |        |    |     |           |               |                |              |               |        |
| Aggregate     |        |    |     |           |               | $\mathbf{R}$ a | te of Duty.  |               |        |
| Value.        |        |    |     |           |               |                | -            |               |        |
| £             | £      | s. | d.  |           | s.            | d.             |              |               | £      |
| 0- 1,000      |        |    |     |           |               |                | exempt.      |               |        |
| 1,001- 5,000  |        |    |     |           | 1             | 6              | for each com | plete £1 over | 1,000  |
| 5,001-10,000  | 300    | 0  | 0 ] | plu       | $\mathbf{s1}$ | 9              | **           | *1            | 5,000  |
| 10,001-15,000 | 737    | 10 | 0   | "         | <b>2</b>      | - 4            | "            | **            | 10,000 |
| 15,001-20,000 | 1,320  | 16 | 8   | <b>33</b> | 2<br>3        | 8              | **           | **            | 15,000 |
| 20,001-25,000 | 1,987  | 10 | 0   | "         | 3             | 0              | **           | ,,            | 20,000 |
| 25,001-30,000 | 2,737  | 10 | 0   | **        | 3             | 4              | **           | **            | 25,000 |
| 30,001-35,000 | 3,570  | 16 | 8   | ,,        | 3             | 8              | **           | **            | 30,000 |
| 35,001-40,000 | 4,487  | 10 | 0   | **        | 4             | 0              | **           | **            | 35,000 |
| 40,001-45,000 | 5,487  | 10 | 0   | "         | 4             | 4              | **           | **            | 40,000 |
| 45,001-50,000 | 6,570  |    |     | "         | 4             | 8              | ,,           | **            | 45,000 |
| 50,001-55,000 | 7,737  | 10 |     | "         | 5             | 0              | **           | **            | 50,000 |
| 55,001-60,000 | 8,987  | 10 |     | ,,        | 5             | - 4            | ,,           | ,,            | 55,000 |
| 60,001-65,000 | 10,320 | 16 | 8   | .,,       | 5             | - 8            | "            | **            | 60,000 |
| 65,001-70,000 | 11,737 | 10 | 0   | "         | 6             | 0              | **           | *1            | 65,000 |
| 70,001-75,000 | 13,237 | 10 | 0   | **        | 6             | - 4            | **           | 19            | 70,000 |
| over 75,000   | 14,820 | 16 | 8   | ,,        | 6             | 8              | **           | **            | 75,000 |

#### THE THIRD SCHEDULE.

#### Part I.—Death occurring before the coming into operation of the Administration Act Amendment Act, 1956.

#### Duties Payable in respect of other Non-testamentary Dispositions.

(1) The duties payable in respect of any benefit accruing to or received by any person, or interest arising under any other non-testamentary disposition within the meaning of the section formerly numbered as twenty-nine and now numbered as ninety, of the Assessment Act, shall be assessed on the net present value of such property or interest accruing at the following rates:--

| Where the value of such interest does not<br>exceed £200        | Nil                      |
|---|--------------------------|
| Where the value of such interest exceeds                        | 1411                     |
| where the value of such interest exceeds                        |                          |
| £200 but does not exceed £500                                   | 1 per cent.              |
| Where such value exceeds £500 but does not                      |                          |
| exceed £1,000   | 2 per cent.              |
| Where such value exceeds £1,000 but does                        |                          |
| not exceed £2,500   | 3 per cent.              |
| not exceed £2,500   |                          |
| not exceed £4,500   | 4 per cent.              |
| Where such value exceeds £4,500 but does                        |                          |
| not exceed £6 000   | 5 per cent.              |
| not exceed £6,000   |                          |
| not exceed \$7 000  | 6 non cont               |
| not exceed £7,000<br>Where such value exceeds £7,000 but does   | 6 per cent.              |
| where such value exceeds £7,000 but does                        | <b>a</b> a               |
| not exceed 18,000   | 6 <del>3</del> per cent. |
| not exceed £8,000<br>Where such value exceeds £8,000 but does   |                          |
| not exceed f9 000   | 6§ per cent.             |
| Where such value exceeds £9,000 but does                        | • -                      |
| not exceed £10.000  | 6# per cent.             |
| Where such value exceeds £10,000 but does                       | •••                      |
| not exceed £11.000  | 71 per cent.             |
| Where such value exceeds £11,000 but does                       | 15 per cent.             |
| not exceed \$19,000   | 73 per cent.             |
| not exceed £12,000<br>Where such value exceeds £12,000 but does | ra per cent.             |
| where such value exceeds £12,000 but does                       | <b>**</b>                |
| not exceed £13,000<br>Where such value exceeds £13,000 but does | 73 per cent.             |
| where such value exceeds £13,000 but does                       |                          |
| not exceed £14,000  | 7 <b>\$</b> per cent.    |
| Where such value exceeds £14,000 but does                       |                          |
| not exceed £15,000  | 81 per cent.             |
| Where such value exceeds £15,000 but does                       | • -                      |
| not exceed £16,000  | 8 <sup>2</sup> per cent. |
| Where such value exceeds £16,000 but does                       | 05 PO1 00110.            |
| not exceed £17,000  | 83 per cent.             |
| Where such value exceeds £17,000 but does                       | og ber cent.             |
| where such value exceeds \$11,000 bit upes                      | 04                       |
| not exceed £18,000<br>Where such value exceeds £18,000 but does | 84 per cent.             |
| where such value exceeds £18,000 but does                       | • · · ·                  |
| not exceed £19,000<br>Where such value exceeds £19,000 but does | 9 per cent.              |
| where such value exceeds £19,000 but does                       |                          |
| not exceed £20,000  | 9½ per cent.             |
|   |                          |

Where such value exceeds £20,000, a minimum rate of 10 per cent. increasing to a maximum rate of 20 per cent. by grade increases of  $\frac{1}{2}$  per cent. for and in respect of every £5,000 by which such value exceeds £20,000. Amended by No. 17 of 1939, s. 4 (a)...

Duty chargeable under s. 90, formerly numbered as section 29, of the Administration Act, 1903-1954 reprinted in Vol. 9 as approved 21st June, 1955 and further Act, Schedule amended by No. 75 of 1956, s. 8.

Amended by No. 17 of 1939, s. 4 (b), (2) Provided that, in so far as any beneficial interest accrues to or is received by or arises in favour of any person who is the widower or widow, or the parent or issue of the deceased person from whom such share or interest is derived, and who was a *bona fide* resident of and domiciled in Western Australia at the date of the death of the deceased, duty shall be assessed in respect of such beneficial interest, at one-half of the rates declared in this Schedule if the value of the property disposed of by the non-testamentary disposition does not exceed six thousand pounds.

(3) Provided further, that in respect of any benefit accruing to or received by any person or of any interest arising under any other non-testamentary disposition within the meaning of section twenty-nine of the Assessment Act made by a person who subsequently at the time of his death was a member of the naval, military, or air forces of His Majesty the King or of any ally of Great Britain; or was a member of any medical corps nursing service attached to any of the forces aforesaid engaged on active service in connection with any war being waged between the Commonwealth of Australia and any other power and whose death is the result of such person being engaged on such active service aforesaid—

- (a) when the value of such benefit or interest does not exceed one thousand pounds, this Schedule shall not apply and no duty shall be payable; and
- (b) when the value of such benefit or interest exceeds one thousand pounds, then, subject to paragraph (c) hereof, duty shall be assessed in respect of such benefit or interest at one-half of the rates declared in this Schedule; and
- (c) when the value of such benefit or interest exceeds one thousand pounds, and in so far as any benefit or interest accrues to or is received by or arises in favour of a person who is the widower, or widow, or the parent or issue of the deceased person from whom such benefit or interest is derived, and such widower, widow, parent, or issue was at the date of the death of the deceased person a *bona fide* resident of and domiciled in Western Australia, duty shall be assessed in respect of such benefit or interest at one-quarter of the rates declared in this Schedule.

Proviso (3) added by No. 53 of 1941, s. 4. Amended by No. 25 of 1942,s. 4.

# Part II.—Death occurring after the coming into operation Duty charge of the Administration Act Amendment Act, 1956.

The rate of duty declared by Parliament and imposed by this Act and chargeable under the Assessment Act subject to the provisions and limitations referred to in section three of this Act, in respect of the several amounts set out in column 1 of the following table as the net present value of any increase accrued, or of any beneficial interest vested, received, accrued, or arisen, under any nontestamentary referred to in the section formerly numbered as twenty-nine and now numbered as ninety, of the Assessment Act, is the rate set out in column 2 of the table opposite the amount in column 1 of the table.

| Duty          |
|---------------|
| chargeable    |
| under s. 90,  |
| formerly      |
| numbered as   |
| s. 29. of the |
| Administra-   |
| tion Act,     |
| 1903-1954     |
| reprinted in  |
| Vol. 9 as     |
| approved      |
| 21st June,    |
| 1955 and      |
| further       |
| amended by    |
| the Ad-       |
| ministration  |
|               |
| Act           |
| Amendment     |
| Act, 1956.    |
| Part II       |
| added by      |
| No. 75 of     |
| 1956 s.8.     |
|               |

| <u> </u>              | <u> </u> |    |    |          | <b>FA</b> | BLE | l            | <u> </u>      |        |
|-----------------------|----------|----|----|----------|-----------|-----|--------------|---------------|--------|
| Column 1              |          |    |    |          |           |     | Column 2.    |               |        |
| Net Present<br>Value. |          |    |    |          |           | Ra  | te of Duty.  |               |        |
| £                     | £        | s. | d. |          | s.        | d.  |              |               | £      |
| 0- 1,000              |          |    |    |          |           |     | exempt.      |               |        |
| 1,001- 5,000          |          | ~  | -  |          | 1         |     | for each com | plete £1 over |        |
| 5,001-10,000          | 300      | 0  |    | plu      |           | 9   | ,,           | "             | 5,000  |
| 10,001-15,000         | 737      | 10 | -  | ,,<br>,, | 2         | 4   | ,,           | ,,            | 10,000 |
| 15,001-20,000         | 1,320    | 16 | 8  | "        | 2         | 8   | ,,           | ,,            | 15,000 |
| 20,001-25,000         | 1,987    | 10 | ~  | ,,       | 3         | 0   | **           | **            | 20,000 |
| 25,001-30,000         | 2.737    | 10 | Ő  | ,,       | 3         | 4   |              | **            | 25,000 |
| 30,001-35,000         | 3,570    | 16 | -  | ,,       | 3         | 8   | ,,           | ,,            | 30,000 |
| 35,001-40,000         | 4,487    | 10 | 0  | "        | 4         | 0   | ,,           | ,,            | 35,000 |
| 40,001-45,000         | 5,487    | 10 | 0  | ,,       | 4         | 4   | ,,           | ,,            | 40,000 |
| 45,001-50,000         | 6,570    | 16 | 8  | ,,       | 4         | 8   | ,,           | ,,            | 45,000 |
| 50,001-55,000         | 7,737    | 10 | 0  | "        | 5         | 0   | ,,           | ,,            | 50,000 |
| 55,001-60,000         | 8,987    | 10 | 0  | ,,       | 5         | 4   | **           | "             | 55,000 |
| 60,001-65,000         | 10,320   | 16 | 8  | ,,       | 5         | 8   | ,,           | ,,            | 60,000 |
| 65,001-70,000         | 11,737   | 10 | Ő  | ,,       | 6         | 0   | ,,           | ,,            | 65,000 |
| 70,001-75,000         | 13,237   |    | -  | "        | 6         | 4   | ,,           | **            | 70,000 |
| over 75,000           | 14,820   | 16 | 8  | ~        | 6         | 8   | <i>,</i> ,   | ,,            | 75,000 |

## THE FOURTH SCHEDULE.

- Part I.—Death of Member occurring before the coming into operation of the Administration Act Amendment Act, 1956.
- Duties payable by Foreign Companies carrying on Business in Western Australia in respect of the Share or Interest of a deceased Shareholder domiciled out of Western Australia at the date of his death.

(1) The duties payable in respect of the share or tration A Amendm interest of a deceased person who was at the date of his Act, 1956 death domiciled out of Western Australia, shall be payable Fourth Schedule

Duty chargeable under s. 114 (2) of the Administration Act, 1903-1954 reprinted in Vol 9 as approved 21st June, 1955 and further amended by the Administration Act Amendment Fourth Schedule amended by No. 75 of 1956, s. 9.

on the net present value of the share or interest of such deceased person, as ascertained in accordance with the provisions of subsection (2) of the section formerly numbered as fifty-two but now numbered as one hundred and fourteen of the Assessment Act and shall be at the following rates:—

| Where the value of such share or interest as<br>so ascertained does not exceed £1,000<br>Where the value of such share or interest as | Nil                      |
|---|--------------------------|
| where the value of such share of morest as  |                          |
| so ascertained exceeds £1,000 but does  | 3 per cent.              |
| not exceed £2.500   | 3 per cent.              |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £2,500 but does  |                          |
| not exceed £4,500   | 4 per cent.              |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £4,500 but does  |                          |
| not exceed £6,000   | 5 per cent.              |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £6,000 but does  |                          |
| not exceed £7,000   | 6 per cent.              |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £7,000 but does  |                          |
| not exceed £8,000   | 6 <del>3</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £8,000 but does  |                          |
| not exceed £9,000   | 63 per cent.             |
| Where the value of such share or interest as  | og por vont.             |
| so ascertained exceeds £9,000 but does  |                          |
| not exceed £10,000  | 64 per cent.             |
| Where the value of such share or interest as  | os per cent.             |
| so ascertained exceeds £10,000 but does   |                          |
|   | 71 man agent             |
| not exceed £11,000  | 7 <del>]</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £11,000 but does   |                          |
| not exceed £12,000  | 7 <del>3</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £12,000 but does   |                          |
| not exceed £13,000  | 73 per cent.             |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £13,000 but does   |                          |
| not exceed £14,000  | 7 <del>]</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £14,000 but does   |                          |
| not exceed £15,000  | 8 <del>]</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £15,000 but does   |                          |
| not exceed £16,000  | 8 <del>3</del> per cent. |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £16,000 but does   |                          |
| not exceed £17,000  | 8 <sup>3</sup> per cent. |
| Where the value of such share or interest as  | V5 per cent.             |
| so ascertained exceeds £17,000 but does   |                          |
|   | 8ª per cent.             |
| Where the value of such share or interest as  | os per cent.             |
| where the value of such share of interest as  |                          |
| so ascertained exceeds £18,000 but does   | 9 per cent.              |
| not exceed £19,000  | 9 per cent.              |
| Where the value of such share or interest as  |                          |
| so ascertained exceeds £19,000 but does   | 01                       |
| not exceed £20,000  | $9\frac{1}{2}$ per cent. |
|   |                          |
| Where the value of such share or interest as  |                          |
|   |                          |

After the value of such share of interest as so ascertained exceeds £20,000, a minimum rate of 10 per cent., increasing to a maximum rate of 20 per cent. by grade increases of  $\frac{1}{2}$  per cent. for and in respect of every £5,000 by which the value of such share or interest exceeds £20,000.

Amended by No. 17 of 1939, s. 5. Part II.—Death of Member occurring after the coming into Duty charge operation of the Administration Act Amendment Act, unde s.114
1956.

The rate of duty declared by Parliament and imposed by this Act and chargeable under the Assessment Act subject to the provisions and limitations referred to in section three of this Act in respect of the several amounts set out in column 1 of the following table as the net present value of the shares or stock held by a deceased member at the date of his death, as ascertained in accordance with the provisions of subsection (2) of the section formerly numbered as fifty-two and now numbered as one hundred and fourteen, of the Assessment Act, is the rate set out in column 2 of the table opposite the amount set out in column 1 of the table.

Column 1 Column 2. Present Net Rate of Duty. Value of Shares or Stock. £ £ s. d. d. £ s. 0- 1,000 exempt. 1,001- 5,000 1 6 for each complete £1 over 1.000 5,001-10,000 300 0 0 plus 1 9 ... 5,000 ,, 737 10 ,, 10,001-15,000 0 ,,, 2 4 10,000 ,, 15,001-20,000 1,320 16 ,, ,, 8 2 8 15,000 20,001-25,000 ,, 1,987 10 3 ,, " 0 0 20,000 33 ,, 25.001-30.000 2.73710 0 4 ,,, ,,, 25,000 30,001-35,000 ,,, ,, ,, 3,570 16 8 8 30,000 35.001-40,000 \*\* ,, 4.487 10 ., 0 4 0 35,000 ,, 40.001-45.000 \*\* ,, 5.487 10 0 4 4 40.000 ,, ,, ,, 45,001-50,000 6,570 16 8 8 4 45,000 50,001-55,000 ,, ,, ,, 7,737 10 0 5 0 50.000 ,, ,, ,, 55,001-60,000 8,987 10 5 0 4 55,000 60,001-65,000 ,, 5 8 ,, ,, 10.320 16 8 60,000 ,, ,, ,, 65,001-70,000 11,737 10 0 6 0 65,000 ,, ,, 70,001-75,000 13,237 10 ,, 0 6 4 70,000 ,, over 75,000 ,, 14,820 16 8 6 8 ,, 75,000

TABLE.

Duty chargeable under s. 114 (2) of the Administration Act, 1903-1954 reprinted in Vol. 9 as approved 21st June, 1955 and further amended by the Administration Act Amendment Act, 1956. Part II added by No. 75 of 1956, s. 9.