
TREASURY AND FINANCE

TR301

Commonwealth Places (Mirror Taxes Administration) Act 1999
Duties Act 2008
First Home Owner Grant Act 2000
Taxation Administration Act 2003

Finance Regulations Amendment Regulations 2020

SL 2020/206

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Finance Regulations Amendment Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

Part 2 — *Commonwealth Places (Mirror Taxes Administration) Regulations 2007* amended

3. Regulations amended

This Part amends the *Commonwealth Places (Mirror Taxes Administration) Regulations 2007*.

4. Regulation 3 amended

- (1) In regulation 3(4) after “modification” insert:

prescribed

- (2) In regulation 3(5) after “modifications” insert:

prescribed

(3) After regulation 3(5) insert:

(6) The modification prescribed in regulation 31A has effect on and from 1 July 2019.

5. Regulation 31 amended

In regulation 31:

- (a) delete “(other than section 17(1) and (3))”;
- (b) delete “references” and insert:

reference

6. Regulation 31A inserted

After regulation 31 insert:

31A. Section 23N inserted

At the end of Part 2 Division 6 insert —

23N. Dual liability for assessment year beginning 1 July 2019

- (1) For the purposes of the assessment year beginning on 1 July 2019, in section 16A —
 - (a) a reference to Part 2 Division 2 of this Act is taken to include a reference to Part 2 Division 6 of this Act; and
 - (b) a reference to Part 2 Division 2 of the applied Pay-roll Tax Assessment Act is taken to include a reference to Part 2 Division 6 of the applied Pay-roll Tax Assessment Act.
- (2) For the purposes of the assessment year beginning on 1 July 2019, in section 20A —
 - (a) a reference to Part 2 Division 3 of this Act is taken to include a reference to Part 2 Division 6 of this Act; and
 - (b) a reference to Part 2 Division 3 of the applied Pay-roll Tax Assessment Act is taken to include a reference to Part 2 Division 6 of the applied Pay-roll Tax Assessment Act.

Part 3 — *Duties Regulations 2008* amended

7. Regulations amended

This Part amends the *Duties Regulations 2008*.

8. Regulation 4AA inserted

After regulation 4A insert:

4AA. Primary production prescribed (Act s. 101A(1)(e))

(1) In this regulation —

production-based agistment means the rearing of living creatures in accordance with an agistment arrangement provided for in a contract, or agreement, that is in writing, if —

- (a) the agistment arrangement provided for in the contract or agreement is limited to agistment of the living creatures for a purpose referred to in the section 101A(1)(b)(ii) or (iii) of the Act; and
- (b) the contract or agreement is made between —
 - (i) a person who may lawfully use dutiable property for the rearing of living creatures; and
 - (ii) a person to whom subparagraph (i) does not apply who owns the living creatures.

(2) For the purposes of section 101A(1)(e) of the Act, production-based agistment is prescribed as primary production.

9. Regulation 5A inserted

After regulation 5 insert:

5A. Insurance for liability to pay damages in respect of compensable injury prescribed (Act s. 209(2)(j))

- (1) For the purposes of section 209(2)(j) of the Act, insurance required to be obtained and kept under the *Workers' Compensation and Injury Management Act 1981* section 160(1)(b) is prescribed.
- (2) This regulation applies to a premium, or an instalment of a premium, paid in relation to a contract of insurance as described in subregulation (1) on or after 1 October 2011.

Part 4 — *First Home Owner Grant Regulations 2000* amended

10. Regulations amended

This Part amends the *First Home Owner Grant Regulations 2000*.

11. Regulation 7 amended

In regulation 7(2a):

- (a) in paragraphs (a) and (b) delete “strata plan or survey-strata plan” and insert:

strata titles scheme

- (b) in paragraph (c) delete “strata plan or survey-strata plan,” and insert:

strata titles scheme,

Part 5 — *Taxation Administration Regulations 2003* amended

12. Regulations amended

This Part amends the *Taxation Administration Regulations 2003*.

13. Regulation 5C amended

In regulation 5C delete “1.7%” and insert:

0.2%

14. Regulation 13M inserted

After regulation 13L insert:

13M. Disclosure of information to Australian Building and Construction Commissioner (s. 114(3)(g))

- (1) In this regulation —

Australian Building and Construction Commissioner means the Australian Building and Construction Commissioner referred to in the *Building and Construction Industry (Improving Productivity) Act 2016* (Commonwealth) section 15(1);

prescribed purpose means a purpose related to the Australian Building and Construction Commissioner carrying out their functions under the *Building and Construction Industry (Improving Productivity) Act 2016* (Commonwealth).

- (2) For the purposes of section 114(3)(g) of the Act, the Commissioner may disclose to the Australian Building and Construction Commissioner for a prescribed purpose information or material that was disclosed to or obtained by the Commissioner under a taxation Act.

V. MOLAN, Clerk of the Executive Council.
