



# **A New Tax System (Income Tax Laws Amendment) Act 1999**

**No. 60, 1999**



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**An Act to implement A New Tax System by  
amending the law about income tax, and for related  
purposes**

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**An Act to implement A New Tax System by  
amending the law about income tax, and for related  
purposes**

*[Assented to 8 July 1999]*

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *A New Tax System (Income Tax Laws Amendment) Act 1999*.

## **2 Commencement**

(1) This Act commences, or is taken to have commenced:

- 
- (a) after all the Acts listed in subsection (2) have received the Royal Assent; and
  - (b) on the day after the last day on which any of those Acts received the Royal Assent.
- (2) These are the Acts that must have received the Royal Assent for this Act to commence:
- (a) the *A New Tax System (Goods and Services Tax) Act 1999*;
  - (b) the *A New Tax System (Goods and Services Tax Administration) Act 1999*;
  - (c) the *A New Tax System (Goods and Services Tax Imposition—Excise) Act 1999*;
  - (d) the *A New Tax System (Goods and Services Tax Imposition—Customs) Act 1999*;
  - (e) the *A New Tax System (Goods and Services Tax Imposition—General) Act 1999*.

### **3 Schedule(s)**

- (1) Subject to section 2, each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.
- (2) The Income Tax Regulations are amended as set out in the applicable items in Schedule 3 to this Act, and any other item in that Schedule has effect according to its terms.

## **Schedule 1—Exempting from income tax bonus payments made to certain older Australians**

### ***Income Tax Assessment Act 1997***

#### **1 Section 11-15 (table item headed “social security or like payments”)**

Before:

child care assistance ..... 52-120

Insert:

bonus payments made to certain older Australians ..... Subdivision  
52-E

#### **2 After subsection 36-20(3)**

Insert:

(3A) ***Excluded exempt income*** also includes exempt income to which section 52-130 (about exempting bonus payments made to certain older Australians) applies.

#### **3 After Subdivision 52-D**

Insert:

### **Subdivision 52-E—Exempt payments under the A New Tax System (Bonuses for Older Australians) Act 1999**

#### **Table of sections**

52-130 Bonus payments made to certain older Australians are exempt

#### **52-130 Bonus payments made to certain older Australians are exempt**

A payment made to you under the *A New Tax System (Bonuses for Older Australians) Act 1999* is exempt from income tax.

## **Schedule 2—Abolition of the savings and investment income tax offset**

### **Part 1—Amendment of the Income Tax Assessment Act 1997**

#### **1 Section 13-1 (table item headed “eligible termination payments (ETPs)”)**

Omit:

savings and investment income, payments included in..... Subdivision  
61-A

#### **2 Section 13-1 (table item headed “savings and investment income”)**

Repeal the item.

#### **3 Section 13-1 (table item headed “superannuation”)**

Omit:

undeducted contributions..... Subdivision  
61-A

#### **4 Section 13-1 (table item headed “superannuation”)**

Omit “also”.

#### **5 Subdivision 61-A**

Repeal the Subdivision, substitute:

*[The next Subdivision is Subdivision 61-G.]*

#### **6 Section 995-1(1)(definition of *savings and investment income*)**

Repeal the definition.



## **7 Application**

The amendments made by this Part apply to assessments for the 1999-2000 income year and later income years.

## **Part 2—Consequential amendments of the Income Tax Assessment Act 1936**

### **8 Paragraph 221YAB(1)(b) (definition of *Qualifying rebates*)**

Omit “of this Act and the tax offset under Subdivision 61-A of the *Income Tax Assessment Act 1997*”.

### **9 Paragraph 221YDA(1)(da)**

Omit “and the tax offset to which he or she will be entitled for that year of income under Subdivision 61-A of the *Income Tax Assessment Act 1997*”.

### **10 Subparagraph 221YDA(2)(a)(ii)**

Omit “and the tax offset under Subdivision 61-A of the *Income Tax Assessment Act 1997*”.

### **11 Subparagraph 221YDA(2)(a)(ii)**

Omit “and that tax offset”.

### **12 Application**

The amendments made by this Part apply for the purposes of working out amounts of provisional tax (including instalments) payable for the 1999-2000 income year and later income years.

## **Schedule 3—Increase in rebates for low income aged persons and certain pensioners**

### ***Income Tax Regulations***

#### **1 Regulation 150AA (definition of *rebate amount*)**

Omit “subregulation 150AB(2)”, substitute “subregulations 150AB(2) and (2A)”.

#### **2 Subregulation 150AB(1) (definition of *rebate amount*)**

Omit “subregulation (2)”, substitute “subregulations (2) and (2A)”.

#### **3 After subregulation 150AB(2)**

Insert:

(2A) For this regulation, a taxpayer’s *rebate amount* for the 2000-2001 year of income or a later year of income is increased:

- (a) by \$250 if, for at least one day during that income year, he or she would be treated as *not* being a member of a couple for the purposes of applying column 2 of item 1 of Table B in point 1064-B1 of SSA91; or
- (b) by \$175 in any other case.

#### **4 Subregulation 150AB(3) (definition of *rebate amount*)**

Omit “subregulation (2)”, substitute “subregulations (2) and (2A)”.

#### **5 Subregulation 151(2) (definition of *Taxpayer’s rebate amount*)**

Omit “subregulation (3)”, substitute “subregulations (3) and (3A)”.

#### **6 After subregulation 151(3)**

Insert:

(3A) Subject to subregulation (5), for the purposes of this regulation, the ***Taxpayer's rebate amount*** for the 2000-2001 year of income or a later year of income is increased:

- (a) by \$250 if the taxpayer has received a single-rate pension; or
- (b) by \$175 in any other case.

## **7 Subregulation 151(5)**

Omit “subregulation (3)”, substitute “subregulations (3) and (3A)”.

## **8 Amendment or repeal of Income Tax Regulations**

The amendment of the Income Tax Regulations by this Schedule does not prevent the amendment or repeal, by regulations, of the Income Tax Regulations as amended by this Schedule.

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*[Minister's second reading speech made in—  
House of Representatives on 2 December 1998  
Senate on 10 December 1998]*

(223/98)

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