Taxation (Interest on Overpayments and Early Payments) Act 1983

No. 12, 1983

Compilation No. 50

Compilation date:	20 October 2016
Includes amendments up to:	Act No. 64, 2016
Registered:	25 October 2016

Prepared by the Office of Parliamentary Counsel, Canberra

Authorised Version C2016C00981 registered 25/10/2016

About this compilation

This compilation

This is a compilation of the *Taxation (Interest on Overpayments and Early Payments) Act 1983* that shows the text of the law as amended and in force on 20 October 2016 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part I—Preliminary 1

1 Short title 1
2 Commencement 1
3 Interpretation 1
3A Provision of correlative relief 5
3B Application of the *Criminal Code* 7
3C Meaning of *relevant tax* 7

Part II—Administration 9

4 General administration of Act 9
7 Annual report 9

Part IIA—Interest on early payments 10

8A Entitlement to interest 10
8B Interest period 11
8C Rate of interest 11
8D No double entitlement to interest 11

Part IIB—Interest on overpayments resulting from assessments 13

8E Entitlement to interest—ordinary taxpayers 13
8F Interest period—ordinary taxpayers 15
8G Entitlement to interest—full self-assessment taxpayers 17
8H Interest period—full self-assessment taxpayer 18
8I Rate of interest 19
8K Interpretation 20

Part IIC—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Assessment and Collection) Act 1997 21

8L Interpretation 21
8M Entitlement to interest 21
8N Period of interest 21
8P Rate of interest 22

Authorised Version C2016C00981 registered 25/10/2016

Part IID—Interest on overpayments resulting from certain amendments of assessments made under the Termination Payments Tax (Assessment and Collection) Act 1997 23

8Q Interpretation 23
8R Entitlement to interest....23
8S Period of interest 23
8T Rate of interest....24

Part IIE—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997 25

8U Interpretation 25
8V Entitlement to interest....25
8W Period of interest 26
8X Rate of interest....26

Part IIF—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Assessment and Collection) Act 1997 27

8Y Interpretation 27
8Z Entitlement to interest....27
8ZA Period of interest 28
8ZB Rate of interest....28

Part IIG—Interest on certain amounts of tax on no-TFN contributions income of superannuation providers 29

8ZC Interpretation 29
8ZD Entitlement to interest....29
8ZE Period of interest 30
8ZF Rate of interest....30

Part III—Interest on overpayments resulting from decisions to which this Act applies 31

9 Entitlement to interest....31
10 Amount of interest....34

Authorised Version C2016C00981 registered 25/10/2016

11 Limit on overpayment of interest where correlative relief in respect of foreign income tax 35

Part IIIA—Interest on overpayments resulting from certain remissions, refunds and credits 36

12A Entitlement to interest 36
12B Period of interest 37
12C Rate of interest 37

Part IIIAA—Delayed refund interest on running balance account (RBA) surpluses 38

12AA Entitlement to interest for RBA surpluses after notification of BAS amount or petroleum resource rent tax amount 38
12AB Entitlement to interest for RBA surpluses after request for remission 38
12AC Entitlement to interest for RBA surpluses after request for refund 39
12AD Period of interest for RBA surpluses 39
12AE Rate of interest for RBA surpluses 39
12AF Definitions 40

Part IIIB—Adjustment of interest 41

12D Interest to be in multiples of 1 cent 41
12E Small amounts of interest not to be paid 41
12F Adjustment where amount to be paid by, or refunded to, person does not exceed 49 cents 41

Part IV—Miscellaneous 42

15 Regulations 42

Endnotes 43

Endnote 1—About the endnotes 43

Endnote 2—Abbreviation key 45

Endnote 3—Legislation history 46

Endnote 4—Amendment history 62

Authorised Version C2016C00981 registered 25/10/2016

Authorised Version C2016C00981 registered 25/10/2016

An Act relating to the payment of interest in respect of certain overpayments and early payments of tax

Part I—Preliminary

1 Short title

This Act may be cited as the *Taxation (Interest on Overpayments and Early Payments) Act 1983*.

2 Commencement

This Act shall be deemed to have come into operation on 14 February 1983.

3 Interpretation

(1) In this Act, unless the contrary intention appears:

Commissioner means the Commissioner of Taxation.

compulsory ABSTUDY SSL repayment amount has the same meaning as in the *Student Assistance Act 1973*.

compulsory repayment amount has the same meaning as in the *Higher Education Support Act 2003*.

compulsory SSL repayment amount has the same meaning as in Chapter 2AA of the *Social Security Act 1991*.

compulsory TSL repayment amount has the same meaning as in the *Trade Support Loans Act 2014*.

decision to which this Act applies means:

(a) a decision of the Commissioner upon an objection; or

(b) a decision of the Tribunal in relation to an objection; or

Authorised Version C2016C00981 registered 25/10/2016

(c) a decision of a court in relation to:

(i) an objection; or

(ii) a decision of the kind referred to in paragraph (b); or

(caa) a decision under Subdivision 263-A (about foreign revenue claims) in Schedule 1 to the *Taxation Administration Act 1953*; or

(cab) in a case where the expression is used in relation to relevant tax of a kind referred to in item 91 of the table in section 3C (Pay as you go withholding non-compliance tax)—a decision of the Commissioner under section 18-130 in Schedule 1 to the *Taxation Administration Act 1953*; or

Note: Section 18-130 in Schedule 1 to the *Taxation Administration Act 1953* requires the Commissioner to give a notice to a director of a company if the Commissioner is satisfied of certain matters.

(ca) in a case where the expression is used in relation to relevant tax of a kind referred to in items 5 to 50 of the table in section 3C—a decision of the Commissioner to amend an assessment made in relation to a taxpayer reducing the liability of the taxpayer to tax; or

(caaa) in a case where the expression is used in relation to relevant tax of a kind referred to in item 60 of the table in section 3C—a decision of the Commissioner to give a notice under subsection 282-18(4) of the *Private Health Insurance Act 2007*; or

(cb) in a case where the expression is used in relation to fringe benefits tax imposed by the *Fringe Benefits Tax Act 1986*—a decision of the Commissioner to amend an assessment made in relation to an employer reducing the liability of the employer to tax, other than:

(i) a decision to give effect to an application or request by or on behalf of the employer for an amendment of the assessment; or

(ii) a decision made in consequence of another decision of the Commissioner to amend another assessment (whether of or by the employer or of another person), being another decision that was made to give effect to an application or request by or on behalf of the

Authorised Version C2016C00981 registered 25/10/2016

employer or the other person, as the case may be, for the amendment of the other assessment; or

(d) in a case where the expression is used in relation to relevant tax of a kind referred to in item 120 of the table in section 3C—a decision of the Commissioner to amend an assessment made in relation to a person reducing the liability of the person to relevant tax or other tax, other than:

(i) a decision to give effect to an application or request by or on behalf of the person for an amendment of the assessment; or

(ii) a decision made in consequence of another decision of the Commissioner to amend another assessment (whether of the person or of another person), being another decision that was made to give effect to an application or request by or on behalf of the person or the other person, as the case may be, for the amendment of the other assessment.

Deputy Commissioner means a Deputy Commissioner of Taxation.

double tax agreement means an agreement within the meaning of the *International Tax Agreements Act 1953*.

FS assessment debt means an FS assessment debt under:

(a) subsection 19AB(2) of the *Social Security Act 1991*; or

(b) the *Student Assistance Act 1973* as in force at a time on or after 1 July 1998.

full self-assessment taxpayer has the same meaning as in subsection 6(1) of the Tax Act.

income tax means:

(a) income tax as defined in subsection 6(1) of the Tax Act; or

(b) Medicare Levy payable in accordance with Part VIIB of the Tax Act.

income tax crediting amount, in relation to income tax payable by a person for a year of income, means:

Authorised Version C2016C00981 registered 25/10/2016

(a) any amount of a credit that does not arise under any of the following:
  (i) Division 770 of the *Income Tax Assessment Act 1997*;
  (ii) section 96-50 in Schedule 1 to the *Taxation Administration Act 1953*;
  (iii) the *International Tax Agreements Act 1953*; or
(b) any offset under former section 160AQK of the Tax Act; or
(c) any tax offset that is subject to the refundable tax offset rules.

Note 1: Division 67 of the *Income Tax Assessment Act 1997* lists the tax offsets that are subject to the refundable tax offset rules.

Note 2: For credits that arise under section 18-170 or 18-175 in Schedule 1 to the *Taxation Administration Act 1953*, see subsection (3) of this section.

late payment interest, in respect of an amount, means interest payable solely to compensate for the time value of the amount.

objection means a taxation objection within the meaning of Part IVC of the *Taxation Administration Act 1953*.

person includes:
(a) a body politic; and
(b) a body corporate; and
(c) a partnership; and
(d) any other unincorporated association or body of persons.

provide correlative relief has the meaning given by section 3A.

relevant tax has the meaning given by section 3C.

Second Commissioner means a Second Commissioner of Taxation.

Tax Act means the *Income Tax Assessment Act 1936* or the *Income Tax Assessment Act 1997*.

Tribunal means the Administrative Appeals Tribunal.

Authorised Version C2016C00981 registered 25/10/2016

year of income means year of income as defined in subsection 6(1) of the Tax Act.

(2) A reference in this Act to a liability of a person to the Commonwealth is a reference to a liability of a person to the Commonwealth arising under, or by virtue of, an Act of which the Commissioner has the general administration.

Credits under section 18-170 or 18-175 in Schedule 1 to the Taxation Administration Act 1953

(3) To avoid doubt, for the purposes of this Act, a credit of an individual that arises under section 18-170 or 18-175 in Schedule 1 to the *Taxation Administration Act 1953* relates to the income tax payable by the individual for the year of income in which the individual becomes entitled to the credit.

Note: Subdivision 18-D in Schedule 1 to the *Taxation Administration Act 1953* provides that a director, or an associate of a director, of a company that does not comply with its obligations under Part 2-5 (Pay as you go (PAYG) withholding) must pay Pay as you go withholding non-compliance tax in certain circumstances. Sections 18-170 and 18-175 entitle the director or associate to a credit if the company subsequently complies with its obligations.

3A Provision of correlative relief

(1) For the purposes of this Act, a decision to which this Act applies is made to ***provide correlative relief*** for juridical double taxation in respect of the taxing of an amount under a law of a foreign country if:

(a) there is a double tax agreement applying to Australia and the foreign country; and

(b) a provision of the double tax agreement has been prescribed, or the manner of operation of a provision of the double tax agreement has been prescribed, for the purposes of this paragraph; and

(c) the decision is made, or the applying of the income tax crediting amount takes place, in giving effect, or in circumstances that would enable effect to be given, to the

Authorised Version C2016C00981 registered 25/10/2016

provision mentioned in paragraph (b), or to that provision in its operation in the prescribed manner, as a result of the taxing of the amount under the law of the foreign country.

(1A) For the purposes of this Act, a decision to which this Act applies is made to ***provide correlative relief*** for economic double taxation if:

(a) there is a double tax agreement applying to Australia and one of the following (a ***treaty partner***):

(i) a foreign country or a constituent part of a foreign country;

(ii) an overseas territory; and

(b) the treaty partner taxes profits, or purports to tax profits, in accordance with, or consistent with the principles of:

(i) if the treaty partner is the United Kingdom—Article 9 of the United Kingdom convention (within the meaning of the *International Tax Agreements Act 1953*); or

(ii) otherwise—a corresponding provision of another double tax agreement; and

Note: Article 9 of the United Kingdom convention deals with profits of associated enterprises.

(c) the decision is made in giving effect to subsection 24(3) of that Act.

(2) For the purposes of this Act, a decision to which this Act applies is also made to ***provide correlative relief*** in respect of the taxing of an amount under a law of a foreign country (the ***primary foreign country***) if:

(a) there is no double tax agreement applying to Australia and the primary foreign country; and

(b) a provision of a double tax agreement applying to Australia and a foreign country other than the primary foreign country has been prescribed, or the manner of operation of a provision of such an agreement has been prescribed, for the purposes of this paragraph; and

(c) the decision is made in circumstances that would enable effect to be given to the provision mentioned in paragraph (b), or to that provision in its operation in the

Authorised Version C2016C00981 registered 25/10/2016

prescribed manner, as a result of the taxing of the amount under the law of the primary foreign country, if the double tax agreement had instead applied to Australia and the primary foreign country.

3B Application of the *Criminal Code*

Chapter 2 of the *Criminal Code* applies to all offences against this Act.

Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

3C Meaning of *relevant tax*

In this Act:

relevant tax means any of these:

Relevant taxes

Item	Type of tax
5	Tax as defined in subsection 6(1) of the Tax Act
15	General interest charge under former section 170AA of the *Income Tax Assessment Act 1936*
20	Shortfall interest charge under Division 280 in Schedule 1 to the *Taxation Administration Act 1953*
25	Interest under section 102AAM of the Tax Act
45	Amounts that are treated under Subdivision 154-D of the *Higher Education Support Act 2003* as if they were income tax
46	Amounts that are treated under Part 2AA.5 of the *Social Security Act 1991* as if they were income tax
47	Amounts that are treated under Division 6 of Part 2 of the *Student Assistance Act 1973* as if they were income tax
48	Amounts that are treated under Part 3.3 of the *Trade Support Loans Act 2014* as if they were income tax
50	Amounts that are treated under section 12ZN of the *Student Assistance Act 1973* as if they were income tax

Authorised Version C2016C00981 registered 25/10/2016

Relevant taxes	
Item	**Type of tax**
55	Withholding tax as defined in subsection 6(1) of the Tax Act
60	Liabilities under section 282-18 of the *Private Health Insurance Act 2007*
80	An amount payable to the Commissioner under section 16-80 in Schedule 1 to the *Taxation Administration Act 1953*
85	An amount payable to the Commissioner under subsection 222AJA(3) of the Tax Act
90	An amount payable to the Commissioner under Subdivision 16-A (other than section 16-50) in Schedule 1 to the *Taxation Administration Act 1953*
91	Pay as you go withholding non-compliance tax
92	An amount payable to the Commissioner under Subdivision 263-A (about foreign revenue claims) in Schedule 1 to the *Taxation Administration Act 1953*
95	Trust recoupment tax, applied penalty tax or penalty tax, as defined in subsection 3(1) of the *Trust Recoupment Tax Assessment Act 1985*
110	Tax, or additional tax, referred to in subsection 93(1) of the *Fringe Benefits Tax Assessment Act 1986*
120	Tax within the meaning of subsection 85(1) of the *Petroleum Resource Rent Tax Assessment Act 1987*
145	Indirect tax within the meaning of subsection 995-1(1) of the *Income Tax Assessment Act 1997*
150	A penalty or charge payable under Subdivision 105-D in Schedule 1 to the *Taxation Administration Act 1953*
155	GST assessed under the *A New Tax System (Goods and Services Tax) Act 1999*

Authorised Version C2016C00981 registered 25/10/2016

Part II—Administration

4 General administration of Act

The Commissioner has the general administration of this Act.

Note: An effect of this provision is that people who acquire information under this Act are subject to the confidentiality obligations and exceptions in Division 355 in Schedule 1 to the *Taxation Administration Act 1953*.

7 Annual report

(1) The Commissioner shall, as soon as practicable after 30 June in each year, prepare and furnish to the Minister a report on the working of this Act.

(2) The Minister shall cause a copy of a report furnished to him or her under subsection (1) to be laid before each House of the Parliament within 15 sitting days of that House after the day on which he or she receives the report.

(3) For the purposes of section 34C of the *Acts Interpretation Act 1901*, a report that is required by subsection (1) to be furnished as soon as practicable after 30 June in a year shall be taken to be a periodic report relating to the working of this Act during the year ending on that 30 June.

Authorised Version C2016C00981 registered 25/10/2016

Part IIA—Interest on early payments

8A Entitlement to interest

(1) If:

(a) a person makes a payment of, or on account of:

(i) income tax; or

(ia) shortfall interest charge under Division 280 in Schedule 1 to the *Taxation Administration Act 1953*; or

(iia) compulsory repayment amount; or

(iib) compulsory SSL repayment amount; or

(iic) compulsory ABSTUDY SSL repayment amount; or

(iid) compulsory TSL repayment amount; or

(iii) FS assessment debt; or

(v) interest under section 102AAM of the Tax Act; or

(va) a penalty under section 163A of the Tax Act; or

(vb) general interest charge under section 163B, or former section 170AA, of the Tax Act; and

(b) the payment is made more than 14 days before the day (the ***appropriate due day***) on which the tax, debt, interest, amount or instalment concerned becomes due and payable;

interest is payable by the Commissioner to the person on the payment, calculated in respect of the period applicable under section 8B at the rate specified in section 8C.

(2) A reference in paragraph (1)(a) to a person making a payment of, or on account of:

(a) income tax; or

(ba) compulsory repayment amount; or

(bb) compulsory SSL repayment amount; or

(bc) compulsory ABSTUDY SSL repayment amount; or

(bd) compulsory TSL repayment amount; or

(c) FS assessment debt;

Authorised Version C2016C00981 registered 25/10/2016

does not include a reference to the making of a deduction or payment under Part VI (other than Division 1) of the Tax Act.

(3) A reference in paragraph (1)(a) to a person making a payment of, or on account of, any thing listed in any of the subparagraphs of that paragraph does not include a reference to the person being deemed or taken, by the Tax Act or any other Act, to have paid the thing because of the crediting or applying of any relevant tax, income tax crediting amount or other payment.

8B Interest period

(1) Subject to subsection (2), interest under section 8A is payable to a person for the period:

(a) if the person is not a full self-assessment taxpayer—from the beginning of the later of the following days:

(i) the day on which the payment is made;

(ii) the day on which the notice notifying the tax, debt, interest or instalment concerned is issued; and

(b) if the person is a full self-assessment taxpayer—from the beginning of the day on which the payment is made;

until the end of the appropriate due day.

(2) If the payment is to any extent refunded before the appropriate due day, interest is not payable on the payment to that extent in respect of any period after the day on which the refund takes place.

8C Rate of interest

Interest under section 8A is payable at the base interest rate (within the meaning of the Tax Act).

8D No double entitlement to interest

If:

(a) interest is payable under this Part on a payment in respect of a period; and

Authorised Version C2016C00981 registered 25/10/2016

(b) interest is also payable under Part IIIA on the whole or part of the payment in respect of the whole or part of the period;

then interest is not payable under this Part on the whole or part of the payment in respect of the whole or part of the period.

Authorised Version C2016C00981 registered 25/10/2016

Part IIB—Interest on overpayments resulting from assessments

8E Entitlement to interest—ordinary taxpayers

(1) If:

(a) a person who is not a full self-assessment taxpayer furnishes a return of income for a year of income; and

(b) an assessment is made of the income tax payable by the person for the year of income; and

(c) the notice of assessment notifies that the Commissioner has credited, applied or refunded (which crediting, applying or refunding is the ***notice crediting***) one or more income tax crediting amounts in relation to the income tax payable by the person for the year of income; and

(d) the sum of the income tax crediting amounts in paragraph (c) exceeds the sum of the following amounts:

(i) income tax payable under the assessment (after allowing any rebate, except a tax offset that is subject to the refundable tax offset rules, or deduction under subsection 100(2) of the Tax Act and before allowing any crediting, applying or other payment);

(iii) a compulsory repayment amount that is notified in the notice of assessment;

(iiia) a compulsory SSL repayment amount that is notified in the notice of assessment;

(iiib) a compulsory ABSTUDY SSL repayment amount that is notified in the notice of assessment;

(iiic) a compulsory TSL repayment amount that is notified in the notice of assessment;

(iv) an FS assessment debt that is notified in the notice of assessment;

Authorised Version C2016C00981 registered 25/10/2016

(iva) a liability under section 282-18 of the *Private Health Insurance Act 2007* that is notified in the notice of assessment;

(v) interest for the year of income payable by the person under section 102AAM of the Tax Act immediately before the notice crediting; and

(e) the notice crediting occurs more than 30 days or more after the day on which the person furnishes the return of income;

interest is payable by the Commissioner to the person on the excess mentioned in paragraph (d), calculated in respect of the period applicable under section 8F at the rate specified in section 8I.

Note: Division 67 of the *Income Tax Assessment Act 1997* lists the tax offsets that are subject to the refundable tax offset rules.

(2) If:

(a) a person who is not a full self-assessment taxpayer furnishes a return of income for a year of income; and

(b) an assessment is made of the income tax payable by the person for the year of income; and

(c) after the notice of assessment is issued to the person, the Commissioner credits, applies or refunds (which crediting, applying or refunding is a ***post-notice crediting***) one or more income tax crediting amounts in relation to the income tax payable by the person for the year of income; and

(d) the sum of the income tax crediting amounts in paragraph (c) exceeds the sum of the following amounts:

(i) income tax payable for the year of income by the person immediately before the post-notice crediting;

Note: This is the amount payable under the assessment for the year of income as reduced by any rebate, deduction under subsection 100(2) of the Tax Act, crediting, applying or other payment made before the post-notice crediting.

(iii) a compulsory repayment amount, worked out by reference to the person's taxable income of the year of income, payable by the person immediately before the post-notice crediting;

Authorised Version C2016C00981 registered 25/10/2016

(iiia) a compulsory SSL repayment amount, worked out by reference to the person's taxable income of the year of income, payable by the person immediately before the post-notice crediting;

(iiib) a compulsory ABSTUDY SSL repayment amount, worked out by reference to the person's taxable income of the year of income, payable by the person immediately before the post-notice crediting;

(iiic) a compulsory TSL repayment amount, worked out by reference to the person's taxable income of the year of income, payable by the person immediately before the post-notice crediting;

(iv) an FS assessment debt, worked out by reference to the person's taxable income of the year of income, payable by the person immediately before the post-notice crediting;

(iva) a liability under section 282-18 of the *Private Health Insurance Act 2007*, payable by the person immediately before the post-notice crediting;

(v) interest for the year of income payable by the person under section 102AAM of the Tax Act immediately before the post-notice crediting;

interest is payable by the Commissioner to the person on the excess mentioned in paragraph (d), calculated in respect of the period applicable under section 8F at the rate specified in section 8I.

8F Interest period—ordinary taxpayers

(1) If subsection 8E(1) applies, the interest is payable on the excess mentioned in paragraph 8E(1)(d) for the period from the beginning of the 30th day after the day on which the person furnishes the return of income until the end of the day on which the notice of assessment is issued.

(2) If subsection 8E(2) applies and subsection (3) of this section does not apply, the interest is payable on the excess mentioned in paragraph 8E(2)(d) for the period from the beginning of the day on

Authorised Version C2016C00981 registered 25/10/2016

which the notice of assessment is issued until the end of the day on which the post-notice crediting occurs.

(3) If:

(a) subsection 8E(2) applies; and

(b) one or more payments have been made (including any taken to have been made because of the crediting or applying of any amount) of any amounts mentioned in subparagraphs 8E(1)(d)(i) to (v) (including those amounts as increased or decreased for any reason) after the notice of assessment is issued and before the post-notice crediting;

the interest is payable:

(c) on so much of the excess as is attributable to a particular payment mentioned in paragraph (b)—for the period from the beginning of the day on which the payment was made until the end of the day on which the post-notice crediting occurs; and

(d) on so much of the excess as is not attributable to payments mentioned in paragraph (b)—for the period from the beginning of the day on which the notice of assessment is issued until the end of the day on which the post-notice crediting occurs.

(4) For the purposes of subsection (3), but subject to subsection (5), the excess is attributable to a particular payment to the extent that it would be set off against that payment if it were set off in succession against each of the payments in the reverse of the order in which they were made.

(5) For the purposes of subsection (4), any payment is to be disregarded to the extent that:

(a) it consists of an amount on which interest is payable under section 9; or

(b) it has been taken into account in any previous application of subsection (4) of this section in relation to a post-notice crediting occurring before the current post-notice crediting.

Authorised Version C2016C00981 registered 25/10/2016

8G Entitlement to interest—full self-assessment taxpayers

(1) If:

(a) a person who is a full self-assessment taxpayer furnishes a return of income for a year of income; and

(b) after the person furnishes the return, the Commissioner credits, applies or refunds (which crediting, applying or refunding is the ***first crediting***) one or more income tax crediting amounts in relation to the income tax payable by the person for the year of income; and

(c) the Commissioner has not previously credited, applied or refunded any income tax crediting amount in relation to the income tax payable by the person for the year of income; and

(d) the sum of the income tax crediting amounts in paragraph (b) exceeds the sum of the following amounts:

(i) income tax payable by the person for the year of income (after allowing any rebate, except a tax offset that is subject to the refundable tax offset rules, or deduction under subsection 100(2) of the Tax Act and before any crediting, applying or other payment);

(iii) interest for the year of income payable by the person under section 102AAM of the Tax Act immediately before the first crediting; and

(e) if the person furnishes the return of income for the year of income 30 days or more before the due date for payment of the assessed tax—the first crediting occurs 30 days or more after the day on which the person furnishes the return; and

(f) if the person furnishes the return of income for the year of income after 30 days or more before the due date for payment of the assessed tax—the first crediting occurs after the due date for payment of the assessed tax;

interest is payable by the Commissioner to the person on the excess mentioned in paragraph (d), calculated in respect of the period applicable under section 8H at the rate specified in section 8I.

Note: Division 67 of the *Income Tax Assessment Act 1997* lists the tax offsets that are subject to the refundable tax offset rules.

Authorised Version C2016C00981 registered 25/10/2016

(2) If:

(a) a person who is a full self-assessment taxpayer furnishes a return of income for a year of income; and

(b) after the first crediting, the Commissioner credits, applies or refunds (which crediting, applying or refunding is a ***later crediting***) one or more income tax crediting amounts in relation to the income tax payable by the person for the year of income; and

(c) the sum of the income tax crediting amounts in paragraph (b) exceeds the sum of the following amounts:

(i) income tax payable for the year of income by the person immediately before the later crediting;

Note: This is the income tax payable for the year of income as reduced by any rebate, deduction under subsection 100(2) of the Tax Act, crediting, applying or other payment made before the later crediting.

(iii) interest for the year of income payable by the person under section 102AAM of the Tax Act immediately before the later crediting; and

interest is payable by the Commissioner to the person on the excess mentioned in paragraph (c), calculated in respect of` the period applicable under section 8H at the rate specified in section 8I.

8H Interest period—full self-assessment taxpayer

(1A) If subsection 8G(1) applies to a person who is a full self-assessment taxpayer, the interest is payable on the excess mentioned in paragraph 8G(1)(d) for the period from the beginning of the earlier of the following days:

(a) the 30th day after the day on which the person furnishes the return of income for the year of income;

(b) the due date for payment of the assessed tax;

until the end of the day on which the first crediting occurs.

(2A) If subsection 8G(2) applies to a person who is a full self-assessment taxpayer and subsection (3) of this section does not apply, the interest is payable on the excess mentioned in paragraph 8G(2)(c) for the period from the beginning of the due

Authorised Version C2016C00981 registered 25/10/2016

date for payment of assessed tax until the end of the day on which the later crediting occurs.

(3) If:

(a) subsection 8G(2) applies; and

(b) one or more payments have been made (including any taken to have been made because of the crediting or applying of any amount) of any amounts mentioned in subparagraphs 8G(1)(d)(i) to (iii) after the first crediting and before the later crediting;

the interest is payable:

(c) on so much of the excess as is attributable to a particular payment mentioned in paragraph (b)—for the period from the beginning of the day on which the payment was made until the end of the day on which the later crediting occurs; and

(d) on so much of the excess as is not attributable to payments mentioned in paragraph (b), for the period from the beginning of the due date for payment of assessed tax until the end of the day on which the later crediting occurs.

(4) For the purposes of subsection (3), but subject to subsection (5), the excess is attributable to a particular payment to the extent that it would be set off against that payment if it were set off in succession against each of the payments in the reverse of the order in which they were made.

(5) For the purposes of subsection (4), any payment is to be disregarded to the extent that:

(a) it consists of an amount on which interest is payable under section 9; or

(b) it has been taken into account in any previous application of subsection (4) of this section in relation to a later crediting occurring before the current later crediting.

8I Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

8K Interpretation

If the crediting, applying or refunding of an income tax crediting amount takes place at different times, the whole of the income tax crediting amount is taken for the purposes of this Part to have been credited, applied or refunded at the earlier or earliest of those times.

Authorised Version C2016C00981 registered 25/10/2016

Part IIC—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Assessment and Collection) Act 1997

8L Interpretation

Expressions used in this Part that are defined in the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* have the same meanings as in that Act.

8M Entitlement to interest

If:

(a) an assessment is made under the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* in respect of a person's liability to pay superannuation contributions surcharge or an advance instalment; and

(b) the person has paid the assessed amount of the surcharge or instalment; and

(c) the assessment is amended (otherwise than under section 18 of that Act) reducing the liability of the person to pay surcharge or the instalment;

interest is payable by the Commissioner to the person in accordance with this Part on the amount by which the surcharge or instalment payable by the person under the amended assessment is less than the surcharge or instalment that was paid by the person under the assessment that was amended.

8N Period of interest

The interest is payable for the period that:

(a) started on the later of the following days:

Authorised Version C2016C00981 registered 25/10/2016

(i) the day on which the amount of the surcharge or advance instalment was paid;

(ii) the day by which the amount of the surcharge or advance instalment was required to be paid; and

(b) ends on the day on which the assessment was amended.

8P Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

Part IID—Interest on overpayments resulting from certain amendments of assessments made under the Termination Payments Tax (Assessment and Collection) Act 1997

8Q Interpretation

Expressions used in this Part that are defined in the *Termination Payments Tax (Assessment and Collection) Act 1997* have the same meanings as in that Act.

8R Entitlement to interest

If:

(a) an assessment is made under the *Termination Payments Tax (Assessment and Collection) Act 1997* in respect of a taxpayer's liability to pay termination payments surcharge; and

(b) the taxpayer has paid the assessed amount of the surcharge; and

(c) the assessment is amended reducing the liability of the taxpayer to pay surcharge;

interest is payable by the Commissioner to the taxpayer in accordance with this Part on the amount by which the surcharge payable by the taxpayer under the amended assessment is less than the surcharge that was paid by the taxpayer under the assessment that was amended.

8S Period of interest

The interest is payable for the period that:

(a) started on the later of the following days:

(i) the day on which the amount of the surcharge was paid;

Authorised Version C2016C00981 registered 25/10/2016

(ii) the day by which the amount of the surcharge was required to be paid; and

(b) ends on the day on which the assessment was amended.

8T Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

Part IIE—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997

8U Interpretation

Expressions used in this Part that are defined in the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* have the same meanings as in that Act.

8V Entitlement to interest

If:

(a) an assessment is made under the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* in respect of a person's liability to pay superannuation contributions surcharge; and

(b) the person has paid the assessed amount of the surcharge; and

(c) the assessment is amended (otherwise than under section 16 of that Act) reducing the liability of the person to pay surcharge;

interest is payable by the Commissioner to the person in accordance with this Part on the amount by which the surcharge payable by the person under the amended assessment is less than the surcharge that was paid by the person under the assessment that was amended.

Authorised Version C2016C00981 registered 25/10/2016

Section 8W

8W Period of interest

The interest is payable for the period that:

(a) started on the later of the following days:

(i) the day on which the amount of the surcharge was paid;

(ii) the day by which the amount of the surcharge was required to be paid; and

(b) ends on the day on which the assessment was amended.

8X Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

Part IIF—Interest on overpayments resulting from certain amendments of assessments made under the Superannuation Contributions Tax (Assessment and Collection) Act 1997

8Y Interpretation

Expressions used in this Part that are defined in the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* have the same meanings as in that Act.

8Z Entitlement to interest

If:

(a) an assessment is made under the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* in respect of a superannuation provider's liability to pay superannuation contributions surcharge in respect of a person who has failed to provide a tax file number; and

(b) the superannuation provider has paid the assessed amount of the surcharge in respect of the person; and

(c) the assessment is amended under section 18 of the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* after the person provides a tax file number reducing the liability of the provider to pay surcharge;

interest is payable by the Commissioner to the superannuation provider in accordance with this Part on the amount by which the surcharge payable by the provider under the amended assessment is less than the surcharge that was paid by the provider under the assessment that was amended.

Authorised Version C2016C00981 registered 25/10/2016

Section 8ZA

8ZA Period of interest

The interest is payable for the period that:

(a) started on the later of the following days:

(i) the day on which the amount of the surcharge was paid;

(ii) the day by which the amount of the surcharge was required to be paid; and

(b) ends on the day on which the assessment was amended.

8ZB Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

Part IIG—Interest on certain amounts of tax on no-TFN contributions income of superannuation providers

8ZC Interpretation

Expressions used in this Part that are defined in the *Income Tax Assessment Act 1997* have the same meanings as in that Act.

8ZD Entitlement to interest

(1) Interest is payable by the Commissioner to a superannuation provider in accordance with this Part on the amount set out in subsection (2) if:

(a) an individual quoted his or her tax file number to his or her employer at a time before the end of an income year (the ***past year***); and

(b) the employer was required by section 133 of the *Retirement Savings Accounts Act 1997* or section 299C of the *Superannuation Industry (Supervision) Act 1993* to inform the superannuation provider of the individual's tax file number by the end of the past year, but did not; and

(c) as a result, a contribution was an amount of no-TFN contributions income of the superannuation provider of the past year; and

(d) an amount of tax (the ***interest-bearing tax***) payable in respect of that no-TFN contributions income counts towards the tax offset under Subdivision 295-J of the *Income Tax Assessment Act 1997* for an income year (the ***current year***) for the superannuation provider; and

(e) the tax offset under that Subdivision is applied in making an assessment in respect of the superannuation provider for the current year.

Authorised Version C2016C00981 registered 25/10/2016

(2) The interest is payable on each amount of interest-bearing tax.

8ZE Period of interest

The interest is payable for the period that:

(a) started on the later of the following days:

(i) the day on which the amount of interest-bearing tax was paid;

(ii) the day by which the amount of interest-bearing tax was required to be paid; and

(b) ends on the day on which the assessment is made.

8ZF Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Note: For the meaning of ***base interest rate*** see section 8AAD of the *Taxation Administration Act 1953*.

Authorised Version C2016C00981 registered 25/10/2016

Part III—Interest on overpayments resulting from decisions to which this Act applies

9 Entitlement to interest

(1) Subject to sections 11, 11A and 12, where:

(a) an amount of relevant tax is paid by a person to the Commissioner (in this subsection referred to as the ***amount paid***); and

(b) as a result of a decision to which this Act applies, the whole or a part of the amount paid is overpaid by the person and is refunded to the person or applied against any liability of the person to the Commonwealth;

interest calculated in accordance with subsections (2) and (3) and sections 10 and 10A is payable by the Commissioner to the person in respect of:

(c) in a case where the whole of the amount paid is so refunded or applied—the amount paid; or

(d) in a case where a part of the amount paid is so refunded or applied—the part of the amount paid so refunded or applied.

(1A) If:

(a) apart from this subsection, subsection (1) would apply to an overpayment; and

(b) the decision to which this Act applies mentioned in that subsection was made wholly or partly to provide correlative relief, for juridical double taxation or economic double taxation, in respect of the taxing of an amount under a law of a foreign country; and

(c) either:

(i) the law of the foreign country did not require the payment of late payment interest in respect of the amount; or

Authorised Version C2016C00981 registered 25/10/2016

(ii) the law of the foreign country did require the payment of late payment interest but the payment had not been made by the time the decision to which this Act applies was made;

subsection (1) does not apply to the overpayment to the extent to which it is attributable to the provision of the correlative relief.

(1B) Subsection (1) does not apply to an overpayment to the extent that the overpayment results from the person providing or receiving a financial benefit (within the meaning of the *Income Tax Assessment Act 1997*) under a look-through earnout right (within the meaning of that Act).

(2) Where an amount of relevant tax has, whether by agreement or otherwise, been paid by a person to the Commissioner in instalments, each instalment shall, for the purposes of section 10, be treated as a separate amount of relevant tax paid by the person to the Commissioner.

(3) Where:

(a) an amount of relevant tax has, whether by agreement or otherwise, been paid by a person to the Commissioner in instalments; and

(b) as a result of a decision to which this Act applies, a part only of the amount of relevant tax is overpaid by the person and is refunded to the person or applied against any liability of the person to the Commonwealth;

the amount so refunded or applied shall, for the purposes of section 10, be attributed to the instalments in reverse order to the order in which the instalments were paid to the Commissioner.

(4) Where the Commissioner applies an amount that has been paid to him or her by a person against the liability of another person to pay an amount of relevant tax, the other person shall, for the purposes of this Act, be deemed to have paid to the Commissioner, to the extent of the amount so applied and on the day on which the amount is so applied, the amount of relevant tax.

(6) Where:

Authorised Version C2016C00981 registered 25/10/2016

(a) at a particular time, a company pays an amount of franking deficit tax;

(b) at a later time (in this subsection called the ***offset time***), the company becomes entitled to a tax offset that is attributable, in whole or in part, to so much of the company's franking deficit tax liability as was discharged by the payment of that amount; and

(c) as a result of a decision to which this Act applies (being a decision made after the offset time), the whole or part of the amount paid by the company is overpaid;

the amount paid by the company shall be taken to have been applied, at the offset time, against a liability of the company to the Commonwealth as a result of that decision.

(7) In subsection (6), ***franking deficit tax*** and ***tax offset*** have the meanings given by subsection 995-1(1) of the *Income Tax Assessment Act 1997*.

Liabilities under section 282-18 of the Private Health Insurance Act 2007

(8) For the purposes of this section, if:

(a) the Commissioner gives a notice to a person under subsection 282-18(4) of the *Private Health Insurance Act 2007*; and

(b) the notice states that the person is liable to pay an amount to the Commonwealth under section 282-18 of that Act; and

(c) the person pays the stated amount to the Commissioner; and

(d) the stated amount exceeds the amount the person is liable to pay under that section; and

(e) the excess is refunded to the person or applied against any liability of the person to the Commonwealth;

treat the excess as being overpaid by the person, and so refunded or applied, as a result of the decision of the Commissioner to give the notice.

Note 1: The decision of the Commissioner to give the notice is a decision to which this Act applies. See section 3.

Authorised Version C2016C00981 registered 25/10/2016

Note 2: Liabilities under section 282-18 of the *Private Health Insurance Act 2007* are relevant tax. See section 3C.

10 Amount of interest

(1) Interest payable to a person by virtue of section 9 in respect of an amount of relevant tax, or the part of an amount of relevant tax, refunded to the person, or applied against any liability of the person to the Commonwealth, as a result of a decision to which this Act applies shall be calculated:

(a) in respect of the period that commenced on the later of the following days:

(i) the day on which notice of the assessment, determination or decision, being the assessment, determination or decision in relation to which the decision to which this Act applies was made, was issued to the person by the Commissioner;

(ii) the day on which the amount of relevant tax was paid to the Commissioner;

and ended on the day on which the amount of the relevant tax or the part of the amount of relevant tax, as the case may be, was so refunded or applied; and

(b) at the base interest rate (within the meaning of the Tax Act).

(2) For the purposes of subparagraph (1)(a)(i), if the decision to which this Act relates is a decision of the Commissioner under section 18-130 in Schedule 1 to the *Taxation Administration Act 1953* in relation to an amount of Pay as you go withholding non-compliance tax, the notice of the decision in relation to which that decision was made is the notice the Commissioner gives to the person under section 18-140 in that Schedule in relation to that amount of tax.

Authorised Version C2016C00981 registered 25/10/2016

11 Limit on overpayment of interest where correlative relief in respect of foreign income tax

If:

(a) apart from this section, interest is payable in respect of the whole or part (which whole or part is the ***overpayment***) of an amount of relevant tax; and

(b) the decision to which this Act applies mentioned in subsection 9(1) was made wholly or partly to provide correlative relief, for juridical double taxation or economic double taxation, in respect of the taxing of an amount under a law of a foreign country; and

(c) as a result, the whole or part (which whole or part is the ***correlative relief amount***) of the overpayment is attributable to the provision of the correlative relief; and

(d) the interest on the overpayment, to the extent that it is attributable to the correlative relief amount, exceeds the lesser of:

(i) the amount of the late payment interest paid in respect of the amount taxed under the law of the foreign country, expressed in Australian currency at the exchange rate applicable at the time when the taxing of the amount under the law of the foreign country takes place;

Note: Such interest must have been paid or subsection 9(1A) would prevent the correlative relief amount from attracting interest under this Part.

(ii) the correlative relief amount;

the interest otherwise payable on the overpayment is reduced by the amount of the excess in paragraph (d).

Authorised Version C2016C00981 registered 25/10/2016

Part IIIA—Interest on overpayments resulting from certain remissions, refunds and credits

12A Entitlement to interest

(1) If:

(a) the Commissioner, as a result of a request by a person:

(i) remits, under section 8AAG of, the *Taxation Administration Act 1953*, the whole or part of an amount that has been paid to the Commissioner in respect of general interest charge payable under section 163AA of the Tax Act or section 5-15 of the *Income Tax Assessment Act 1997*; or

(ia) remits, under section 280-160 in Schedule 1 to the *Taxation Administration Act 1953*, the whole or part of an amount that has been paid to the Commissioner in respect of shortfall interest charge payable under Division 280 in that Schedule; or

(iv) refunds the whole or part of a payment made by a person on account of something listed in subsection (1A); and

(b) the remission, refund or crediting takes place more than 30 days after the day on which the request is made;

interest is payable by the Commissioner to the person on the amount remitted, refunded or credited, calculated in respect of the period applicable under section 12B at the rate specified in section 12C.

(1A) For the purposes of subparagraph (1)(a)(iv), the following are listed:

(a) income tax;

(b) compulsory repayment amount;

(ba) compulsory SSL repayment amount;

Authorised Version C2016C00981 registered 25/10/2016

(bb) compulsory ABSTUDY SSL repayment amount;
(c) compulsory TSL repayment amount;
(d) FS assessment debt;
(e) interest under section 102AAM of the Tax Act.

(2) A reference in subparagraph (1)(a)(iv) to a person making a payment on account of something listed in subsection (1A) does not include a reference to the making of a deduction or payment under Division 5 of the Tax Act.

12B Period of interest

The interest is payable for the period from the beginning of the 30th day after the day on which the request was made until the end of the day on which the remission, refund or crediting takes place.

12C Rate of interest

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

Part IIIAA—Delayed refund interest on running balance account (RBA) surpluses

12AA Entitlement to interest for RBA surpluses after notification of BAS amount or petroleum resource rent tax amount

If:

(a) the Commissioner has allocated a BAS amount or petroleum resource rent tax amount to an RBA of an entity; and

(b) section 12AB does not apply (that section is about remission of penalties); and

(c) under subsection 8AAZLF(1) of the *Taxation Administration Act 1953*, the Commissioner is required to refund to the entity the whole or part of an RBA surplus for that RBA; and

(d) the refund takes place after the RBA interest day;

then interest is payable by the Commissioner to the entity on the amount refunded.

Note: Section 12AF defines ***BAS amount***, ***petroleum resource rent tax amount***, ***RBA surplus*** and ***RBA interest day***.

12AB Entitlement to interest for RBA surpluses after request for remission

If:

(a) the Commissioner has allocated a BAS amount or petroleum resource rent tax amount to an RBA of an entity; and

(b) the entity requests the Commissioner to remit a penalty of which the entity has been notified by the Commissioner; and

(c) as a result of the Commissioner remitting the penalty, the Commissioner is required, under subsection 8AAZLF(1) of the *Taxation Administration Act 1953*, to refund to the entity the whole or part of an RBA surplus for that RBA; and

(d) the refund takes place after the RBA interest day;

Authorised Version C2016C00981 registered 25/10/2016

then interest is payable by the Commissioner to the entity on the amount refunded.

Note: Section 12AF defines ***BAS amount***, ***petroleum resource rent tax amount***, ***RBA surplus*** and ***RBA interest day***.

12AC Entitlement to interest for RBA surpluses after request for refund

If:

(a) the Commissioner has allocated a payment to an RBA of an entity; and

(b) the Commissioner has allocated or intends to allocate a BAS amount or petroleum resource rent tax amount to that RBA; and

(c) under subsection 8AAZLF(2) of the *Taxation Administration Act 1953*, the Commissioner, as a result of a request by the entity, is required to refund the whole or part of an RBA surplus for that RBA; and

(d) the refund takes place after the RBA interest day;

then interest is payable by the Commissioner to the entity on the amount refunded.

Note: Section 12AF defines ***BAS amount***, ***petroleum resource rent tax amount***, ***RBA surplus*** and ***RBA interest day***.

12AD Period of interest for RBA surpluses

Interest under this Part is payable for the period from the end of the RBA interest day until the end of the day on which the refund takes place.

12AE Rate of interest for RBA surpluses

Interest under this Part is payable at the base interest rate (within the meaning of the Tax Act).

Authorised Version C2016C00981 registered 25/10/2016

12AF Definitions

In this Part:

BAS amount has the same meaning as in subsection 995-1(1) of the Tax Act.

petroleum resource rent tax amount has the same meaning as in subsection 995-1(1) of the Tax Act.

RBA interest day for an RBA surplus means the 14th day after the latest of the following days:

(a) either:

(i) if section 12AA applies—the day on which the surplus arises; or

(ii) if section 12AB or 12AC applies—the day on which the relevant request is made;

(b) if, by the day applicable under paragraph (a), the person has not given the Commissioner a notification that:

(i) is required for the refund under section 8AAZLG or 8AAZLGB (as the case requires) of the *Taxation Administration Act 1953*; and

(ii) that is accurate so far as it relates to the refund;

the day on which that notification is given to the Commissioner;

(c) unless the Commissioner has given a direction under subsection 8AAZLH(3) of the *Taxation Administration Act 1953*—the day on which the person nominates a financial institution account for the purposes of that section.

RBA surplus has the same meaning as in section 8AAZA.

Authorised Version C2016C00981 registered 25/10/2016

Part IIIB—Adjustment of interest

12D Interest to be in multiples of 1 cent

If an amount of interest calculated under this Act is not a multiple of 1 cent, the amount of interest is to be:

(a) if the amount of interest is a multiple of 0.5 cent—increased by 0.5 cent; or

(b) in any other case—increased or decreased, as the case requires, to the nearest multiple of 1 cent.

12E Small amounts of interest not to be paid

If, apart from this section, an amount of interest:

(a) would be payable to a person under this Act; and

(b) is less than 50 cents;

the amount is not payable to the person.

12F Adjustment where amount to be paid by, or refunded to, person does not exceed 49 cents

If:

(a) an amount of interest payable to a person under this Act is applied in discharge of a liability of the person to the Commonwealth; and

(b) the amount (if any) remaining to be paid (the ***net amoun*t**) by the person in relation to that liability is less than 50 cents;

the net amount is not payable by the person.

Authorised Version C2016C00981 registered 25/10/2016

Part IV—Miscellaneous

Note: For rules about allocation of credits arising under this Act, see Division 3 of Part IIB of the *Taxation Administration Act 1953*.

15 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Authorised Version C2016C00981 registered 25/10/2016

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2
The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4
Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes
The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments
A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can

Authorised Version C2016C00981 registered 25/10/2016

be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation "(md)" added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation "(md not incorp)" is added to the details of the amendment included in the amendment history.

Authorised Version C2016C00981 registered 25/10/2016

Endnote 2—Abbreviation key

ad = added or inserted

am = amended

amdt = amendment

c = clause(s)

C[x] = Compilation No. x

Ch = Chapter(s)

def = definition(s)

Dict = Dictionary

disallowed = disallowed by Parliament

Div = Division(s)

ed = editorial change

exp = expires/expired or ceases/ceased to have effect

F = Federal Register of Legislation

gaz = gazette

LA = *Legislation Act 2003*

LIA = *Legislative Instruments Act 2003*

(md) = misdescribed amendment can be given effect

(md not incorp) = misdescribed amendment cannot be given effect

mod = modified/modification

No. = Number(s)

o = order(s)

Ord = Ordinance

orig = original

par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)

pres = present

prev = previous

(prev…) = previously

Pt = Part(s)

r = regulation(s)/rule(s)

reloc = relocated

renum = renumbered

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s)

Sch = Schedule(s)

Sdiv = Subdivision(s)

SLI = Select Legislative Instrument

SR = Statutory Rules

Sub-Ch = Sub-Chapter(s)

SubPt = Subpart(s)

underlining = whole or part not commenced or to be commenced

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Taxation (Interest on Overpayments) Act 1983	12, 1983	8 June 1983	14 Feb 1983	
Taxation Laws Amendment Act 1984	123, 1984	19 Oct 1984	ss. 1 and 2: Royal Assent s. 319(1): *(a)* Remainder: 14 Dec 1984	s. 385(2)
Trust Recoupment Tax (Consequential Amendments) Act 1985	4, 1985	29 Mar 1985	5 Apr 1985 (*see* s. 2)	—
Sales Tax Laws Amendment Act 1985	47, 1985	30 May 1985	ss. 3, 4(2), 11, 12 and Part XI (ss. 54–56): 21 Aug 1981 ss. 5, 18, 20, 22, 24, 28(2), 39, 40, 45, 48, 50, 51 and 53: 10 May 1985 (*see* s. 2(3)) Remainder: Royal Assent	s. 2(4) and (5)
Taxation Laws Amendment Act 1985	49, 1985	30 May 1985	30 May 1985	s. 43
Taxation Laws Amendment Act (No. 2) 1985	123, 1985	28 Oct 1985	28 Oct 1985	—
Fringe Benefits Tax (Miscellaneous Provisions) Act 1986	41, 1986	24 June 1986	24 June 1986 (*see* s. 2(1))	s. 2(2)
Taxation Laws Amendment Act 1986	46, 1986	24 June 1986	Part IV (ss. 31–41): 1 July 1986 Part V (ss. 42, 43): 28 Oct 1985 Remainder: Royal Assent	s. 47

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Taxation Boards of Review (Transfer of Jurisdiction) Act 1986	48, 1986	24 June 1986	s. 31, Parts VII and VIII (ss. 45–56): *(b)* Remainder: 1 July 1986	—
Taxation Laws Amendment Act (No. 4) 1986	154, 1986	18 Dec 1986	s. 8(c): 10 June 1986 Part II (ss. 3–6), ss. 8(a) and 9–11: 1 Jan 1987 ss. 26(b), (c), 28, 40 and 49(3), (7): 1 Jan 1987 (*see* s. 2(4) and *Gazette* 1986, No. S650) s. 55: 1 Mar 1987 (*see Gazette* 1987, No. S32) Remainder: Royal Assent	—
Taxation Laws Amendment (Company Distributions) Act 1987	58, 1987	5 June 1987	5 June 1987 (*see* s. 2)	—
Taxation Laws Amendment Act 1987	61, 1987	5 June 1987	5 June 1987	—
Taxation Laws Amendment Act (No. 2) 1987	62, 1987	5 June 1987	s. 56: 1 July 1987 (*see Gazette* 1987, No. S131) *(c)*	—
Petroleum Resource Rent Tax (Miscellaneous Provisions) Act 1987	145, 1987	18 Dec 1987	15 Jan 1988 (*see* s. 2)	—
Taxation Laws Amendment (Tax File Numbers) Act 1988	97, 1988	25 Nov 1988	s. 12 and Schedule 2 (in part): 1 July 1989 (*see* s. 2(2) and *Gazette* 1989, No. S159) Remainder: 1 Jan 1989 (*see* s. 2(1) and *Gazette* 1988, No. S399)	—
Higher Education Funding Act 1988	2, 1989	6 Jan 1989	ss. 88 and 89: Royal Assent *(d)*	—

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Training Guarantee (Administration) Act 1990	60, 1990	16 June 1990	s. 43 and Part 10 (ss. 88–95): 31 Oct 1990 (*see Gazette* 1990, No. S272) Remainder: 1 July 1990	—
Taxation Laws Amendment Act (No. 3) 1991	216, 1991	24 Dec 1991	s. 113: 1 Mar 1992 (*see Gazette* 1992, No. GN7) *(e)*	ss. 114 and 116
Sales Tax Amendment (Transitional) Act 1992	118, 1992	30 Sept 1992	28 Oct 1992	—
Student Assistance Amendment Act 1992	138, 1992	19 Nov 1992	Div. 3 of Part 3 (ss. 31–43): 1 Jan 1993 Remainder: Royal Assent	—
Higher Education Funding Legislation Amendment Act 1993	116, 1993	24 Dec 1993	Part 4 (ss. 26, 27): 1 Jan 1994 *(f)*	—
Taxation Laws Amendment Act (No. 3) 1993	118, 1993	24 Dec 1993	Part 12 (ss. 160–166): Royal Assent *(g)*	ss. 161, 163, 164 and 166
Taxation Laws Amendment Act (No. 3) 1994	138, 1994	28 Nov 1994	s. 7(2): Royal Assent *(h)*	—
Taxation Laws Amendment Act (No. 4) 1994	181, 1994	19 Dec 1994	Schedule 1 (items 22–85): 13 Oct 1994 Remainder: Royal Assent	Sch. 5 (items 1, 46)
Taxation Laws Amendment Act (No. 2) 1995	169, 1995	16 Dec 1995	Schedule 8 (items 9, 10): Royal Assent *(i)* Schedule 10 (item 3): 19 Dec 1994 *(i)* Schedule 10 (items 4–6): *(i)*	Sch. 8 (item 10) and Sch. 10 (item 6)
Taxation Laws Amendment Act (No. 3) 1995	170, 1995	16 Dec 1995	Schedule 2 (items 62–64): Royal Assent *(j)*	Sch. 2 (item 64)

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Taxation Laws Amendment (International Tax Agreements) Act 1996	39, 1996	9 Oct 1996	9 Oct 1996	Sch. 3 (item 3)
Statute Law Revision Act 1996	43, 1996	25 Oct 1996	Schedule 5 (items 144–146): Royal Assent *(k)*	—
Income Tax (Consequential Amendments) Act 1997	39, 1997	17 Apr 1997	1 July 1997	—
Superannuation Contributions Tax (Consequential Amendments) Act 1997	71,1997	5 June 1997	5 June 1997	—
Audit (Transitional and Miscellaneous) Amendment Act 1997	152, 1997	24 Oct 1997	Schedule 2 (item 1247): 1 Jan 1998 (*see Gazette* 1997, No. GN49) *(l)*	—
Superannuation Contributions and Termination Payments Taxes Legislation Amendment Act 1997	191, 1997	7 Dec 1997	Schedule 8: Royal Assent *(m)*	—
Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998	45, 1998	17 June 1998	Schedule 12 (item 47): 1 July 1998 *(n)*	—
Taxation Laws Amendment Act (No. 3) 1998	47, 1998	23 June 1998	Schedule 4 (items 66–68): Royal Assent *(o)*	—

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Taxation Laws Amendment (Farm Management Deposits) Act 1998	85, 1998	2 July 1998	Schedule 5 (item 3): 2 Jan 1999 *(p)*	—
Taxation Laws Amendment Act (No. 3) 1999	11, 1999	31 Mar 1999	Schedule 1 (items 353–371, 398, 399, 402, 404): 1 July 1999 *(q)*	Sch. 1 (items 402, 404) Sch. 1 (items 398, 399) (am. by 178, 1999, Sch. 2 (items 89–91))
as amended by				
A New Tax System (Pay As You Go) Act 1999	178, 1999	22 Dec 1999	Schedule 2 (items 88–91): Royal Assent *(r)*	—
Statute Stocktake Act 1999	118, 1999	22 Sept 1999	22 Sept 1999	Sch. 2 (item 33)
A New Tax System (Indirect Tax and Consequential Amendments) Act 1999	176, 1999	22 Dec 1999	Schedule 8 (item 26): *(s)*	—
A New Tax System (Pay As You Go) Act 1999	178, 1999	22 Dec 1999	Schedule 1 (items 6, 8, 70–78): 1 July 2000 Remainder: Royal Assent	Sch. 2 (items 35, 92, 93) s. 2(1A) (ad. by 179, 1999, Sch. 10 (item 19))

Authorised Version C2016C00981 registered 25/10/2016

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
as amended by				
A New Tax System (Tax Administration) Act 1999	179, 1999	22 Dec 1999	Schedule 10 (item 19): 22 Dec 1999 *(t)*	—
Tax Laws Amendment (2004 Measures No. 7) Act 2005	41, 2005	1 Apr 2005	Schedule 10 (item 244): *(u)*	—
A New Tax System (Tax Administration) Act 1999	179, 1999	22 Dec 1999	Schedule 11 (items 113, 114): 1 July 2000 *(v)* Schedule 13 (items 1, 5, 6): *(v)* Schedule 13 (items 2–4): *(v)* Schedule 16 (items 20–37): *(v)*	Sch. 13 (item 6) and Sch. 16 (item 37)
A New Tax System (Tax Administration) Act (No. 2) 2000	91, 2000	30 June 2000	Schedule 2 (items 121, 129): *(w)*	Sch. 2 (item 129)
Indirect Tax Legislation Amendment Act 2000	92, 2000	30 June 2000	Schedule 9 (items 17, 18): *(x)*	Sch. 9 (item 18)
Youth Allowance Consolidation Act 2000	106, 2000	6 July 2000	Schedule 5 (item 5): Royal Assent *(y)*	—
Taxation Laws Amendment Act (No. 8) 2000	156, 2000	21 Dec 2000	Schedule 7 (item 21): Royal Assent *(z)*	—
Treasury Legislation Amendment (Application of Criminal Code) Act (No. 2) 2001	146, 2001	1 Oct 2001	s. 4 and Schedule 4 (items 129–131): 15 Dec 2001 *(za)*	s. 4

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Taxation Laws Amendment (Research and Development) Act 2001	170, 2001	1 Oct 2001	Schedule 3 (items 14–19): Royal Assent *(zb)*	Sch. 3 (item 19)
International Tax Agreements Amendment Act 2003	123, 2003	5 Dec 2003	5 Dec 2003	—
Higher Education Support (Transitional Provisions and Consequential Amendments) Act 2003	150, 2003	19 Dec 2003	Sch 2 (items 161–168): 1 Jan 2004 (s 2(1) item 16)	—
Taxation Laws Amendment Act (No. 1) 2004	101, 2004	30 June 2004	Sch 11 (item 16): 22 Dec 1999 (s 2(1) item 12)	—
Tax Laws Amendment (Improvements to Self Assessment) Act (No. 1) 2005	75, 2005	29 June 2005	29 June 2005	Sch. 1 (item 31)
Tax Laws Amendment (Improvements to Self Assessment) Act (No. 2) 2005	161, 2005	19 Dec 2005	Schedule 1 (items 57–59): Royal Assent	Sch. 1 (item 59)
Tax Laws Amendment (2006 Measures No. 2) Act 2006	58, 2006	22 June 2006	Schedule 7 (items 194–209): 1 July 2006 (s 2(1) item 21)	—
Fuel Tax (Consequential and Transitional Provisions) Act 2006	73, 2006	26 June 2006	Schedule 5 (items 166, 167): 1 July 2006 (*see* s. 2(1))	—
International Tax Agreements Amendment Act (No. 1) 2006	100, 2006	14 Sept 2006	Schedule 1 (items 27–31): Royal Assent	Sch. 1 (item 11)

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006	101, 2006	14 Sept 2006	Schedule 1 (items 1, 300–317), Schedule 2 (items 971–995), Schedule 5 (items 158–163) and Schedule 6 (items 1, 5–11): Royal Assent	Sch. 6 (items 1, 5–11)
Tax Laws Amendment (Simplified Superannuation) Act 2007	9, 2007	15 Mar 2007	Schedule 1 (items 36, 37): Royal Assent	Sch. 1 (item 37)
Superannuation Legislation Amendment (Simplification) Act 2007	15, 2007	15 Mar 2007	Schedule 1 (items 394, 406(1)–(3)): 15 Mar 2007 (s 2(1) item 2)	Sch. 1 (item 406(1)–(3))
Tax Laws Amendment (2007 Measures No. 4) Act 2007	143, 2007	24 Sept 2007	Schedule 1 (items 213–222, 225, 226) and Schedule 7 (item 103): Royal Assent	Sch. 1 (items 222, 225, 226)
as amended by				
Statute Law Revision Act 2010	8, 2010	1 Mar 2010	Schedule 2 (item 25): Royal Assent	—
Tax Laws Amendment (2008 Measures No. 4) Act 2008	97, 2008	3 Oct 2008	Schedule 3 (item 186): Royal Assent	—
Tax Laws Amendment (2008 Measures No. 6) Act 2009	14, 2009	26 Mar 2009	Schedule 4 (items 45–50): Royal Assent	Sch. 4 (items 46, 50)
Tax Laws Amendment (2009 Measures No. 2) Act 2009	42, 2009	23 June 2009	Schedule 4 (items 13–15): Royal Assent	—

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Tax Laws Amendment (2010 Measures No. 1) Act 2010	56, 2010	3 June 2010	Schedule 6 (items 37–43): Royal Assent	—
Tax Laws Amendment (Confidentiality of Taxpayer Information) Act 2010	145, 2010	16 Dec 2010	Schedule 2 (items 118, 119): 17 Dec 2010	—
Tax Laws Amendment (2011 Measures No. 2) Act 2011	41, 2011	27 June 2011	Schedule 5 (item 423): Royal Assent	—
Tax Laws Amendment (2011 Measures No. 9) Act 2012	12, 2012	21 Mar 2012	Schedule 6 (items 247, 248): Royal Assent	Sch. 6 (item 248)
Minerals Resource Rent Tax (Consequential Amendments and Transitional Provisions) Act 2012	14, 2012	29 Mar 2012	Sch 3 (items 86–89): 1 July 2012 (s 2(1) item 5)	—
Fairer Private Health Insurance Incentives Act 2012	26, 2012	4 Apr 2012	Sch 1 (items 43–47, 48(1)): 1 July 2012 (s 2(1) item 2)	Sch 1 (item 48(1))
Tax and Superannuation Laws Amendment (2012 Measures No. 1) Act 2012	75, 2012	27 June 2012	Sch 4 (items 17–20): 27 June 2012 (s 2(1) item 2)	Sch 4 (item 20)
Tax Laws Amendment (2012 Measures No. 2) Act 2012	99, 2012	29 June 2012	Sch 1 (items 16–23): 30 June 2012 (s 2(1) item 3)	Sch 1 (item 23)

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Tax and Superannuation Laws Amendment (2013 Measures No. 1) Act 2013	88, 2013	28 June 2013	Sch 7 (items 184–193): 1 July 2012 (s 2(1) item 17) Sch 7 (items 226, 227): 28 June 2013 (s 2(1) item 23)	—
Tax Laws Amendment (Fairer Taxation of Excess Concessional Contributions) Act 2013	118, 2013	29 June 2013	Sch 1 (items 37, 85, 86, 110): 29 June 2013 (s 2(1) items 2, 11)	Sch 1 (item 110)
Trade Support Loans (Consequential Amendments) Act 2014	82, 2014	17 July 2014	Sch 1 (items 25, 26, 28–34): 18 July 2014 (s 2(1) items 2, 3, 5) Sch 1 (item 27): Never commenced (s 2(1) item 4)	—
Minerals Resource Rent Tax Repeal and Other Measures Act 2014	96, 2014	5 Sept 2014	Sch 1 (items 109–124): 30 Sept 2014 (s 2(1) item 2 and F2014L01256)	Sch 1 (items 122–124)
Tax and Superannuation Laws Amendment (2015 Measures No. 1) Act 2015	70, 2015	25 June 2015	Sch 6 (items 62, 63): 25 June 2015 (s 2(1) item 17)	Sch 6 (item 63)
Labor 2013-14 Budget Savings (Measures No. 2) Act 2015	169, 2015	11 Dec 2015	Sch 1 (items 100–107, 111): 1 Jan 2016 (s 2(1) item 2)	Sch 1 (item 111)
Tax and Superannuation Laws Amendment (2015 Measures No. 6) Act 2016	10, 2016	25 Feb 2016	Sch 1 (items 37–39): 26 Feb 2016 (s 2(1) item 2)	Sch 1 (items 38–39)
Budget Savings (Omnibus) Act 2016	55, 2016	16 Sept 2016	Sch 23 (items 21–24): 1 Oct 2016 (s 2(1) item 25)	Sch 23 (items 22-24)

Authorised Version C2016C00981 registered 25/10/2016

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
International Tax Agreements Amendment Act 2016	64, 2016	20 Oct 2016	Sch 1 (item 10): 20 Oct 2016 (s 2(1) item 1)	—

(a) Subsection 2(2) of the *Taxation Laws Amendment Act 1984* provides as follows:

> (2) Subsection 319(1) shall be deemed to have come into operation immediately after the commencement of the *Taxation (Interest on Overpayments and Early Payments) Act 1983*.

The *Taxation (Interest on Overpayments and Early Payments) Act 1983* came into operation on 14 February 1983.

(b) Subsection 2(2) of the *Taxation Boards of Review (Transfer of Jurisdiction) Act 1986* provides as follows:

> (2) Section 31 and Parts VII and VIII shall come into operation, or shall be deemed to have come into operation, immediately after the *Fringe Benefits Tax Assessment Act 1986* comes into operation.

The *Fringe Benefits Tax Assessment Act 1986* came into operation on 24 June 1986.

(c) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by section 56 only of the *Taxation Laws Amendment Act (No. 2) 1987*, subsection 2(6) of which provides as follows:

> (6) Subject to subsection (7), Part VII shall come into operation on the commencement of Part VIII of the *Cheques and Payment Orders Act 1986*.

(d) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by sections 88 and 89 only of the *Higher Education Funding Act 1988*, subsection 2(1) of which provides as follows:

> (1) Chapters 1, 2, 3, 4, 6 and 7 commence on the day on which this Act receives the Royal Assent.

(e) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by section 113 only of the *Taxation Laws Amendment Act (No. 3) 1991*, subsection 2(10) of which provides as follows:

> (10) Subject to subsection (11), sections 112 to 117 (inclusive) commence on a day to be fixed by Proclamation.

Authorised Version C2016C00981 registered 25/10/2016

(f) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Part 4 (sections 26 and 27) only of the *Higher Education Funding Legislation Amendment Act 1993*, subsection 2(2) of which provides as follows:

(2) Part 2 (other than paragraph 4(b) and sections 18 and 20) and Parts 3 and 4 commence on 1 January 1994.

(g) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Part 12 (sections 160–166) only of the *Taxation Laws Amendment Act (No. 3) 1993*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(h) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by subsection 7(2) only of the *Taxation Laws Amendment Act (No. 3) 1994*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(i) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 8 (items 9 and 10) and Schedule 10 (items 3–6) only of the *Taxation Laws Amendment Act (No. 2) 1995*, subsections 2(1), (6) and (7) of which provide as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(6) Item 3 of Schedule 10 is taken to have commenced on the day on which Part 2 of Schedule 5 to the *Taxation Laws Amendment Act (No. 4) 1994* commenced.

(7) Items 4 to 6 of Schedule 10 are taken to have commenced immediately after the commencement of Part 3 of Schedule 6.

Part 3 of Schedule 6 commenced on 16 December 1995.

(j) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 2 (items 62–64) only of the *Taxation Laws Amendment Act (No. 3) 1995*, subsection 2(1) of which provides as follows:

(1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.

(k) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 5 (items 144–146) only of the *Statute Law Revision Act 1996*, subsection 2(1) of which provides as follows:

(1) Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.

Authorised Version C2016C00981 registered 25/10/2016

(l) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 2 (item 1247) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:

(2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.

(m) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 8 only of the *Superannuation Contributions and Termination Payments Taxes Legislation Amendment Act 1997*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(n) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 12 (item 47) only of the *Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998*, subsection 2(1) of which provides as follows:

(1) Subject to subsections (2) to (10), this Act commences on 1 July 1998.

(o) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 4 (items 66–68) only of the *Taxation Laws Amendment Act (No. 3) 1998*, subsection 2(1) of which provides as follows:

(1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.

(p) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 5 (item 3) only of the *Taxation Laws Amendment (Farm Management Deposits) Act 1998*, section 2 of which provides as follows:

2(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 6 months beginning on the day on which it receives the Royal Assent, it commences on the first day after the end of that period.

(q) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 1 (items 353–371) only of the *Taxation Laws Amendment Act (No. 3) 1999*, subsection 2(3) of which provides as follows:

(3) Subject to subsections (4) and (5), Schedule 1 commences on 1 July 1999.

(r) The *Taxation Laws Amendment Act (No. 3) 1999* was amended by Schedule 2 (items 88–91) only of the *A New Tax System (Pay As You Go) Act 1999*, subsection 2(1) of which provides as follows:

Authorised Version C2016C00981 registered 25/10/2016

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(s) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 8 (item 26) only of the *A New Tax System (Indirect Tax and Consequential Amendments) Act 1999*, subsection 2(17) of which provides as follows:

(17) Schedule 8 commences immediately after the commencement of the *A New Tax System (Goods and Services Tax) Act 1999*.

The *A New Tax System (Goods and Services Tax) Act 1999* commenced on 1 July 2000.

(t) The *A New Tax System (Pay As You Go) Act 1999* was amended by Schedule 10 (item 19) only of the *A New Tax System (Tax Administration) Act 1999*, subsection 2(11) of which provides as follows:

(11) Subsection 2(1A) of the *A New Tax System (Pay As You Go) Act 1999* (inserted by item 19 of Schedule 10 to this Act) commences, or is taken to have commenced, at the commencement of section 1 of that Act.

(u) Subsection 2(1) (item 6) of the *Tax Laws Amendment (2004 Measures No. 7) Act 2005* provides as follows:

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information

Column 1	Column 2	Column 3
Provision(s)	**Commencement**	**Date/Details**
6. Schedule 10, item 244	Immediately after the commencement of Schedule 2 to the *A New Tax System (Pay As You Go) Act 1999*.	22 December 1999

(v) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 11 (items 113 and 114), Schedule 13 and Schedule 16 (items 20–36) only of the *A New Tax System (Tax Administration) Act 1999*, subsections 2(1), (9)(b) and (13) of which provide as follows:

(1) Subject to this section, this Act commences, or is taken to have commenced, immediately after the commencement of section 1 of the *A New Tax System (Pay As You Go) Act 1999*.

(9) The following provisions commence on 1 July 2000:

(b) Schedule 11 (other than item 44).

Authorised Version C2016C00981 registered 25/10/2016

(13) Items 2, 3 and 4 of Schedule 13 commence immediately after the commencement of item 34 of Schedule 16.

Section 1 of the *A New Tax System (Pay As You Go) Act 1999* commenced on 22 December 1999.

(w) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 2 (item 121) only of the *A New Tax System (Tax Administration) Act (No. 2) 2000*, subsection 3(1) of which provides as follows:

(1) Subject to this section, this Act commences, or is taken to have commenced, immediately after the commencement of section 1-1 of the *A New Tax System (Goods and Services Tax) Act 1999*.

Section 1-1 of the *A New Tax System (Goods and Services Tax) Act 1999* commenced on 1 July 2000.

(x) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 9 (item 17) only of the *Indirect Tax Legislation Amendment Act 2000*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences immediately after the commencement of Part 1 of Schedule 1 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999*.

Part 1 of Schedule 1 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999* commenced on 1 July 2000.

(y) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 5 (item 5) only of the *Youth Allowance Consolidation Act 2000*, subsection 2(1) of which provides follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(z) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 7 (item 21) only of the *Taxation Laws Amendment Act (No. 8) 2000*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(za) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 4 (items 129–131) only of the *Treasury Legislation Amendment (Application of Criminal Code) Act (No. 2) 2001*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day mentioned in subsection 2.2(2) of the *Criminal Code*.

(zb) The *Taxation (Interest on Overpayments and Early Payments) Act 1983* was amended by Schedule 3 (items 14–18) only of the *Taxation Laws Amendment*

Authorised Version C2016C00981 registered 25/10/2016

(Research and Development) Act 2001, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

Authorised Version C2016C00981 registered 25/10/2016

Endnote 4—Amendment history

Provision affected	How affected
Title	am. No. 181, 1994
Part I	
s. 1	am. No. 181, 1994
s. 3	am. No. 123, 1984; Nos. 4, 47 and 49, 1985; Nos. 41, 46, 48 and 154, 1986; Nos. 58, 62 and 145, 1987; No. 2, 1989; No. 60, 1990; No. 216, 1991; Nos. 118 and 138, 1992; Nos. 116 and 118, 1993; Nos. 138 and 181, 1994; Nos. 169 and 170, 1995; Nos. 39 and 152, 1997; Nos. 45, 47 and 85, 1998; No. 11, 1999 (as am. by No. 178, 1999); Nos. 118, 176, 178 and 179, 1999; Nos. 92, 106 and 156, 2000; No. 170, 2001; Nos. 123 and 150, 2003; No. 75, 2005; Nos. 58, 73, 100 and 101, 2006; No. 143, 2007; Nos. 14 and 42, 2009; No. 56, 2010; Nos. 12, 14, 26, 75 and 99, 2012; No 88, 2013; No 118, 2013; No 82, 2014; No 96, 2014; No 169, 2015
s. 3A	ad. No. 181, 1994
	am. No. 39, 1996; No. 143, 2007; No. 97, 2008; No 64, 2016
s. 3B	ad. No. 146, 2001
s. 3C	ad. No. 58, 2006
	am. Nos. 100 and 101, 2006; No. 56, 2010; No. 41, 2011; Nos. 14, 26 and 99, 2012; No 88, 2013; No 82, 2014; No 96, 2014; No 169, 2015
Part II	
s. 4	am. No. 145, 2010
ss. 5, 6	rep. No. 123, 1984
s. 7	am. No. 123, 1984; No. 43, 1996
s. 8	am. No. 123, 1985; No. 97, 1988; No. 43, 1996; No. 146, 2001
	rep. No. 145, 2010
Part IIA	
Part IIA	ad. No. 181, 1994
s. 8A	ad. No. 181, 1994
	am. No. 169, 1995; Nos. 11 and 179, 1999; No. 150, 2003; No. 75, 2005; No. 101, 2006; No. 56, 2010; No 88, 2013; No 82, 2014; No 169, 2015

Authorised Version C2016C00981 registered 25/10/2016

Provision affected	How affected
s. 8B	ad. No. 181, 1994
	am. No. 179, 1999; No. 101, 2006
s. 8C	ad. No. 181, 1994
	am. No. 11, 1999; No. 101, 2006
s. 8D	ad. No. 181, 1994
Part IIB	
Part IIB	ad. No. 181, 1994
s. 8E	ad. No. 181, 1994
	am. No. 179, 1999; No. 170, 2001; No. 150, 2003; No. 101, 2006; No. 42, 2009; No. 56, 2010; No. 26, 2012; No 82, 2014; No 169, 2015
s. 8F	ad. No. 181, 1994
s. 8G	ad. No. 181, 1994
	am. No. 179, 1999; No. 170, 2001; No. 101, 2004; No. 101, 2006; No 42, 2009
s. 8H	ad. No. 181, 1994
	am. No. 179, 1999; No. 101, 2006
s. 8I	ad. No. 181, 1994
	am. No. 11, 1999; No. 101, 2006
s. 8J	ad. No. 181, 1994
	rep. No. 143, 2007
s. 8K	ad. No. 181, 1994
	am. No. 11, 1999; No. 161, 2005
Part IIC	
Part IIC	ad. No. 71, 1997
ss. 8L–8N	ad. No. 71, 1997
s. 8P	ad. No. 71, 1997
	am. No. 11, 1999; No. 101, 2006
Part IID	
Part IID	ad. No. 71, 1997
ss. 8Q–8S	ad. No. 71, 1997
s. 8T	ad. No. 71, 1997

Authorised Version C2016C00981 registered 25/10/2016

Endnote 4—Amendment history

Provision affected	How affected
	am. No. 11, 1999; No. 101, 2006
Part IIE	
Part IIE	ad. No. 191, 1997
ss. 8U–8W	ad. No. 191, 1997
s. 8X	ad. No. 191, 1997
	am. No. 11, 1999; No. 101, 2006
Part IIF	
Part IIF	ad. No. 191, 1997
ss. 8Y, 8Z	ad. No. 191, 1997
s. 8ZA	ad. No. 191, 1997
s. 8ZB	ad. No. 191, 1997
	am. No. 101, 2006
Part IIG	
Part IIG	ad. No. 9, 2007
s. 8ZC	ad. No. 9, 2007
s. 8ZD	ad. No. 9, 2007
	am. No. 15, 2007
ss. 8ZE, 8ZF	ad. No. 9, 2007
Part III	
Part III heading	rs. No. 181, 1994
s. 9	am. No. 123, 1984; Nos. 58 and 61, 1987; No. 181, 1994; No. 43, 1996; No. 11, 1999; No. 101, 2006; No. 143, 2007; No. 14, 2009; No. 26, 2012; No 10, 2016
s. 10	am. No. 123, 1984; No. 49, 1985; No. 46, 1986; No. 181, 1994; No. 11, 1999; Nos. 58 and 101, 2006; No. 14, 2009; No. 99, 2012
s. 10A	ad. No. 123, 1984
	am. No. 58, 2006
	rep. No. 101, 2006
s. 11	rs. No. 181, 1994
	am. No. 143, 2007
s. 11A	ad. No. 123, 1984

Authorised Version C2016C00981 registered 25/10/2016

Provision affected	How affected
	rep. No. 181, 1994
s. 12	am. No. 123, 1984; No. 47, 1985; No. 181, 1994; No. 118, 1999; No. 58, 2006
	rep. No. 101, 2006
Part IIIA	
Part IIIA	ad. No. 181, 1994
s. 12A	ad. No. 181, 1994
	am. No. 11, 1999; No. 178, 1999 (as am. by No. 41, 2005); No. 179, 1999; No. 150, 2003; No. 75, 2005; No. 101, 2006; No. 56, 2010; No 82, 2014; No 70, 2015; No 169, 2015
s. 12B	ad. No. 181, 1994
s. 12C	ad. No. 181, 1994
	am. No. 11, 1999; No. 101, 2006
Part IIIAA	
Part IIIAA	ad. No. 179, 1999
s. 12AA	ad. No. 179, 1999
	am No 88, 2013; No 96, 2014
s. 12AB	ad. No. 179, 1999
	am No 88, 2013; No 96, 2014
s. 12AC	ad. No 179, 1999
	am No 88, 2013; No 96, 2014
s. 12AD	ad. No. 179, 1999
s. 12AE	ad. No. 179, 1999
	am. No. 101, 2006
s. 12AF	ad. No. 179, 1999
	am No 88, 2013; No 96, 2014; No 55, 2016
Part IIIB	
Part IIIB	ad. No. 181, 1994
ss. 12D–12F	ad. No. 181, 1994
Part IV	
s. 13	am. No. 181, 1994; No. 179, 1999

Authorised Version C2016C00981 registered 25/10/2016

Endnote 4—Amendment history

Provision affected	How affected
	rep. No. 91, 2000
s. 14	rep. No. 123, 1984

Authorised Version C2016C00981 registered 25/10/2016