



# **Tax Laws Amendment (Income Tax Rates) Act 2012**

**No. 60, 2012**

**An Act to amend the *Income Tax Rates Act 1986*,  
and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



---

## Contents

1	Short title .....	1
2	Commencement .....	2
3	Schedule(s) .....	2
<b>Schedule 1—Non-resident personal tax rates</b>		<b>3</b>
Part 1—Amendments applying from the 2012-13 year of income		3
<i>Income Tax Rates Act 1986</i>		3
Part 2—Amendments applying from the 2015-16 year of income		5
<i>Income Tax Rates Act 1986</i>		5





# **Tax Laws Amendment (Income Tax Rates) Act 2012**

**No. 60, 2012**

---

---

**An Act to amend the *Income Tax Rates Act 1986*,  
and for related purposes**

[Assented to 21 June 2012]

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Tax Laws Amendment (Income Tax Rates) Act 2012*.

---

## 2 Commencement

- (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
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	21 June 2012
2. Schedule 1, Part 1	The day this Act receives the Royal Assent.	21 June 2012
3. Schedule 1, Part 2	The later of: (a) immediately after the commencement of the provision(s) covered by table item 2; and (b) 1 July 2015.	1 July 2015

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

## 3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## **Schedule 1—Non-resident personal tax rates**

### **Part 1—Amendments applying from the 2012-13 year of income**

#### ***Income Tax Rates Act 1986***

##### **1 Subsection 3(1)**

Insert:

*second resident personal tax rate* means the rate mentioned in item 2 of the table in clause 1 of Part I of Schedule 7.

##### **2 Subparagraph 15(2)(a)(i)**

Repeal the subparagraph, substitute:

- (i) the amount ascertained by applying the second resident personal tax rate to that eligible taxable income; or

##### **2A Paragraph 15(2)(b)**

Omit “\$732”, substitute “\$663”.

##### **3 Subparagraph 15(2)(b)(i)**

Repeal the subparagraph, substitute:

- (i) the amount ascertained by applying the second resident personal tax rate to \$416, and then adding 66% of the amount by which that eligible taxable income exceeds \$416; or

##### **4 Subparagraph 15(4)(c)(i)**

Repeal the subparagraph, substitute:

- (i) the amount ascertained by applying the second resident personal tax rate to the amount of the eligible part of that share; or

##### **4A Paragraph 15(4)(d)**

Omit “\$732”, substitute “\$663”.

##### **5 Subparagraph 15(4)(d)(i)**

**Schedule 1** Non-resident personal tax rates  
**Part 1** Amendments applying from the 2012-13 year of income

---

Repeal the subparagraph, substitute:

- (i) the amount ascertained by applying the second resident personal tax rate to \$416, and then adding 66% of the amount by which the eligible part of that share exceeds \$416; or

**5A Paragraph 15(6)(b)**

Omit “\$732”, substitute “\$663”.

**6 Clause 1 of Part II of Schedule 7 (table)**

Repeal the table, substitute:

<b>Tax rates for non-resident taxpayers</b>		
<b>Item</b>	<b>For the part of the ordinary taxable income of the taxpayer that:</b>	<b>The rate is:</b>
1	does not exceed \$80,000	The second resident personal tax rate
2	exceeds \$80,000 but does not exceed \$180,000	37%
3	exceeds \$180,000	45%

**7 Clause 1A of Part II of Schedule 7 (note)**

Repeal the note, substitute:

- Note 1: This clause will be repealed on 1 July 2016. See Part 2 of Schedule 2 to the *Tax Laws Amendment (2011 Measures No. 7) Act 2011*.
- Note 2: In the 2011-12 year of income, the rate applicable under item 1 of the table was 29%.

**8 Application provision**

The amendments made by this Part apply to the 2012-2013 year of income and later years of income.



## **Part 2—Amendments applying from the 2015-16 year of income**

### ***Income Tax Rates Act 1986***

#### **9 Paragraphs 15(2)(b), (4)(d) and (6)(b)**

Omit “\$663”, substitute “\$653”.

#### **10 Application provision**

The amendments made by this Part apply to the 2015-16 year of income and later years of income.

---

*[Minister’s second reading speech made in—  
House of Representatives on 24 May 2012  
Senate on 18 June 2012]*