



# **A New Tax System (Goods and Services Tax) Regulations 1999**

**Statutory Rules 1999 No. 245 as amended**

made under the

*A New Tax System (Goods and Services Tax) Act 1999*

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**Regulation 1**

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**Part 1 Preliminary****1 Name of Regulations** [see Note 1]

These Regulations are the *A New Tax System (Goods and Services Tax) Regulations 1999*.

**2 Commencement** [see Note 1]

These Regulations commence on the commencement of the *A New Tax System (Goods and Services Tax) Act 1999*.

**3 Definitions — the dictionary etc**

- (1) The dictionary at the end of these Regulations defines words and expressions for the purposes of the Regulations, and includes references to words and expressions that are defined in the Act or elsewhere in the Regulations (*signpost definitions*).

*Example of signpost definition*

The signpost definition '*interest* see regulation 40-5.02' means that the word *interest* is defined in regulation 40-5.02.

- (2) The dictionary does not include a signpost definition for a word or expression if the word or expression is not used in more than 1 regulation.
- (3) The dictionary is part of these Regulations.
- (4) A definition of, or reference to, a word or expression in the dictionary applies to each use of the word or expression in these Regulations, unless the contrary intention appears.



## **Part 2-5 Registration**

### **Division 23 Who is required to be registered and who may be registered**

#### **23-15.01 Registration turnover threshold (other than for non-profit bodies) (Act ss 23-15 (1))**

For paragraph 23-15 (1) (b) of the Act, the amount of \$75 000 is specified.

#### **23-15.02 Registration turnover threshold for non-profit bodies (Act ss 23-15 (2))**

For paragraph 23-15 (2) (b) of the Act, the amount of \$150 000 is specified.

**Regulation 29-80.01**

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**Part 2-6            Tax periods**

**Division 29        What is attributable to tax periods**

**Subdivision 29-C    Tax invoices and adjustment notes**

**29-80.01    Value of taxable supply (Act ss 29-80 (1))**

For subsection 29-80 (1) of the Act, the amount of \$75 is specified.

**29-80.02    Adjustment note threshold (Act ss 29-80 (2))**

For subsection 29-80 (2) of the Act, the amount of \$75 is specified.

## **Part 2-7 Returns, payments and refunds**

### **Division 33 Payments of GST**

#### **33-15.01 Purpose of Division**

For paragraph 33-15 (1) (b) of the Act, this Division provides for the deferral of payments of amounts of GST on taxable importations.

#### **33-15.02 Application for approval**

- (1) An entity may apply to the Commissioner for approval to make deferred payments of GST on taxable importations.
- (2) The application must:
  - (a) be made in a manner approved by the Commissioner; and
  - (b) contain the information required by the Commissioner.

#### **33-15.03 Requirements for approval**

- (1) The Commissioner must, in writing, approve an application by an entity if the Commissioner is satisfied of the following matters:
  - (a) the entity is registered under Part 2-5 of the Act;
  - (b) the entity has an ABN;
  - (c) if the entity is an individual, the entity is not an undischarged bankrupt;
  - (d) the tax period applying to the entity is each individual month;
  - (e) if the entity is a member (but not the representative member) of a GST group, the representative member of the group is an approved entity;
  - (f) the bank guarantee (if any) required under regulation 33-15.04 has been provided;

**Regulation 33-15.03**

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- (g) the entity will be able to comply with the requirements in subregulation 33-15.06 (1);
  - (h) it would not be appropriate to refuse the application under subregulation (2), (3) or (4).
- (2) The Commissioner may refuse the application if the entity is an externally-administered body corporate.
- (3) The Commissioner may refuse the application if, in the period of 3 years before the date of the application:
- (a) the entity; or
  - (b) if the entity is not an individual, an individual who is relevant to the entity's application;  
has been convicted by a court, whether in Australia or in another country, of an offence in relation to taxation requirements, customs requirements, the misdescription of goods, trade practices, fair trading or the defrauding of a government.
- Note* This subregulation is subject to Part VIIC of the *Crimes Act 1914*, which includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of spent convictions to disregard them.
- (4) The Commissioner may refuse the application if the entity, or any of its related entities (if any), has:
- (a) an outstanding tax-related liability; or
  - (b) a return outstanding under a taxation law.
- (5) In subregulation (4):
- related entity*** means:
- (a) for an entity that is a member of a GST group — any other member of the GST group; or
  - (b) for an entity that is a joint venture operator for a GST joint venture — any other company that is a participant in the GST joint venture; or
  - (c) for an entity that is a parent entity of a GST branch — any GST branch of the parent entity; or
  - (d) for an entity that is a GST branch of a parent entity — the parent entity or any other GST branch of the parent entity.

**33-15.04 Bank guarantee requirement**

- (1) If:
  - (a) an entity applies for approval; and
  - (b) a previous approval of the entity has been revoked under regulation 33-15.08;  
the Commissioner may require the entity to provide a bank guarantee in relation to the payment of deferred payments of GST on taxable importations.
- (2) The guarantee must provide that, if an amount of GST on taxable importations is not paid to the Commissioner on or before the day mentioned in regulation 33-15.07, the bank will pay to the Commissioner the lesser of:
  - (a) the overdue amount; and
  - (b) the guarantee amount worked out under subregulation (3).
- (3) The guarantee amount is 1.5 times the highest monthly amount of GST on taxable importations that was payable by the entity:
  - (a) in the 12 months before the application mentioned in paragraph (1) (a) was made; or
  - (b) if no monthly amounts of GST on taxable importations were payable in that 12 months, in the 12 months before the previous approval was revoked.

**33-15.05 Decision on application — notice and date of effect**

- (1) If the Commissioner approves an entity's application, the Commissioner must give to the entity written notice of the approval.
- (2) The approval takes effect on the day specified in the approval.
- (3) If the Commissioner refuses an entity's application, the Commissioner must give to the entity written notice of the refusal.
- (4) The notice must:
  - (a) state the reasons for the refusal; and

**Regulation 33-15.06**

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- (b) state that the entity has a right under regulation 33-15.09 to object against the decision.

**33-15.06 Approved entities to deal electronically with Customs and the Commissioner**

- (1) An approved entity must:
- (a) enter goods for home consumption by computer (within the meaning of the *Customs Act 1901*); and
  - (b) lodge its GST returns electronically in a format approved by the Commissioner for this regulation; and
  - (c) pay the amounts of GST for which the entity is liable by electronic payment.
- (2) However, paragraphs (1) (b) and (c) do not apply to an approved entity that is a member (but not the representative member) of a GST group.

**33-15.07 Due date for deferred payments**

An amount of GST on taxable importations that is payable by an approved entity must be paid to the Commissioner on or before the 21st day after the end of the month in which the liability for the GST arose.

**33-15.08 Revocation of approval**

- (1) The Commissioner may, in writing, revoke an entity's approval if the Commissioner is satisfied that:
- (a) the entity no longer meets the requirements for approval in regulation 33-15.03; or
  - (b) the bank guarantee (if any) provided by the entity under regulation 33-15.04 has lapsed; or
  - (c) the entity has failed to meet a requirement in subregulation 33-15.06 (1); or
  - (d) the entity is liable to pay a charge or penalty mentioned in Part IIA of the *Taxation Administration Act 1953*; or
  - (e) the entity is being prosecuted for, or has been convicted of, an offence under Part III of the *Taxation Administration Act 1953*.

**Regulation 33-15.09**

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- (2) The revocation takes effect on the day specified in the revocation.
- (3) If the Commissioner revokes an entity's approval, the Commissioner must give to the entity written notice of the revocation.
- (4) The notice must:
  - (a) state the reasons for the revocation; and
  - (b) state that the entity has a right under regulation 33-15.09 to object against the decision.

**33-15.09 Review of decisions**

An entity that is dissatisfied with a decision of the Commissioner to refuse an application by the entity under regulation 33-15.03, to require the entity to provide a bank guarantee under regulation 33-15.04, or to revoke an approval of the entity under regulation 33-15.08, may object against the decision in the manner set out in Part IVC of the *Taxation Administration Act 1953*.

**Regulation 38-3.01**

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**Part 3-1 Supplies that are not taxable supplies**

**Division 38 GST-free supplies**

**Subdivision 38-A Food**

**38-3.01 GST-free beverages supplied from vending machines (Act s 38-3)**

- (1) For subsection 38-3 (2) of the Act, this regulation applies to a beverage that:
  - (a) is specified in the third column of the table in clause 1 of Schedule 2 to the Act; and
  - (b) apart from subregulation (2), would not be GST-free; and
  - (c) is supplied on premises from a vending machine for consumption on the premises.
- (2) Section 38-3 of the Act, except subsection (3), does not apply to a supply of the beverage.

**38-3.02 Food additives (Act s 38-3)**

- (1) For paragraph 38-3 (1) (e) of the Act, food additives other than exempt food additives are specified.
- (2) Each of the following is an *exempt food additive*:
  - (a) a food additive which, at the time of supply is packaged and marketed for retail sale;
  - (b) a food additive which, at the time of supply:
    - (i) has a measurable nutritional value; and
    - (ii) is supplied for use solely or predominantly in the composition of food; and
    - (iii) is essential to the composition of that food.



## **Subdivision 38-B Health**

### **38-45.01 Medical aids and appliances (Act s 38-45)**

- (1) For paragraph 38-45 (1) (a) of the Act, the medical aids and appliances mentioned in Schedule 3 are specified.
- (2) Division 182 of the Act applies to the second column in Schedule 3 as if that column were the second column of the table in Schedule 3 to the Act.

## **Subdivision 38-E Exports and other supplies for consumption outside Australia**

### **38-185.01 Export of goods by travellers as accompanied baggage (Act s 38-185)**

For item 7 of subsection 38-185 (1) of the Act, the rules set out in Schedule 5 are specified in relation to the supply of goods to a relevant traveller.

## **Division 40 Input taxed supplies**

### **Subdivision 40-A Financial supplies**

#### **40-5.01 Object of Subdivision 40-A**

The object of this Subdivision is to identify a supply that is or is not a financial supply.

*Note 1* For the meaning of *supply*, see subsection 9-10 (2) of the Act.

*Note 2* Subsection 40-5 (2) of the Act provides that *financial supply* has the meaning given by the regulations.

#### **40-5.02 Interests**

An *interest* is anything that is recognised at law or in equity as property in any form.

*Examples of interests*

- 1 A debt or a right to credit

**Regulation 40-5.03**

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- 2 An interest conferred under a public or private superannuation scheme
- 3 A mortgage over land or premises
- 4 A right under a contract of insurance or a guarantee
- 5 A right to receive a payment under a derivative
- 6 A right to future property

**40-5.03 Provision**

*Provision* of an interest includes allotment, creation, grant and issue of the interest.

**40-5.04 Disposal**

*Disposal* of an interest includes assignment, cancellation, redemption, transfer and surrender of the interest.

**40-5.05 Acquisition**

*Acquisition*, in relation to the provision or disposal of an interest, includes acceptance and receipt of the interest.

**40-5.06 Financial supply providers**

- (1) An entity, in relation to the supply of an interest that was:
  - (a) immediately before the supply, the property of the entity;  
or
  - (b) created by the entity in making the supply;  
is the *financial supply provider* of the interest.

*Examples of interests to which paragraph (a) applies*

- 1 A share or bond that is sold
- 2 Rights assigned under a derivative

*Examples of interests to which paragraph (b) applies*

- 1 A share or bond that is issued
- 2 A derivative that is entered into

- (2) The entity that acquires that interest is also the *financial supply provider* of the interest.

#### **40-5.07 Financial supply facilitators**

A *financial supply facilitator*, in relation to supply of an interest, is an entity facilitating the supply of the interest for a financial supply provider.

#### **40-5.08 When supply may be financial supply (Act s 40-5)**

- (1) For subsection 40-5 (2) of the Act, a supply is a financial supply if the supply is mentioned as:
  - (a) a financial supply in regulation 40-5.09; or
  - (b) an incidental financial supply in regulation 40-5.10.
- (2) However, if a supply is mentioned in regulations 40-5.09 and 40-5.12, the supply is not a financial supply.

#### **40-5.09 What supplies are financial supplies**

- (1) The provision, acquisition or disposal of an interest mentioned in subregulation (3) or (4) is a financial supply if:
  - (a) the provision, acquisition or disposal is:
    - (i) for consideration; and
    - (ii) in the course or furtherance of an enterprise; and
    - (iii) connected with Australia; and
  - (b) the supplier is:
    - (i) registered or required to be registered; and
    - (ii) a financial supply provider in relation to supply of the interest.
- (2) However, if Division 84 of the Act applies to the provision, acquisition or disposal of an interest mentioned in subregulation (3), the provision, acquisition or disposal is a financial supply to the extent that it would, apart from subparagraphs (1) (a) (iii) and (b) (i), be a financial supply.
- (3) For subregulation (1), the interest is an interest in or under the matter mentioned in an item in the following table:

**Regulation 40-5.09**

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<b>Item</b>	<b>An interest in or under...</b>
1	An account made available by an Australian ADI (authorised deposit-taking institution) in the course of: (a) its banking business within the meaning of the <i>Banking Act 1959</i> ; or (b) its State banking business
2	A debt, credit arrangement or right to credit, including a letter of credit
3	A charge or mortgage over real or personal property
4	A regulated superannuation fund, an approved deposit fund, a pooled superannuation trust or a public sector superannuation scheme within the meaning of the <i>Superannuation Industry (Supervision) Act 1993</i> , or an RSA (retirement savings account) within the meaning of the <i>Retirement Savings Accounts Act 1997</i>
5	An annuity or allocated pension
6	Life insurance business to which subsection 9 (1) of the <i>Life Insurance Act 1995</i> , or a declaration under subsection 12 (2) or section 12A of that Act, applies, or related reinsurance business
7	A guarantee, including an indemnity (except a warranty for goods or a contract of insurance or reinsurance)
8	Credit under a hire purchase agreement in relation to goods, if: (a) the credit for the goods is provided for a separate charge; and (b) the charge is disclosed to the recipient of the goods
9	Australian currency, the currency of a foreign country, or an agreement to buy or sell currency of either kind
10	Securities, including: (a) a debenture described in paragraph (a), (b), (c), (e) or (f) of the definition of <i>debenture</i> in section 9 of the <i>Corporations Act 2001</i> ; and (b) a document issued by an individual that would be a debenture if it were issued by a body corporate; and

**Item An interest in or under...**

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- (c) a scheme described in paragraph (e), (i) or (m) of the definition of *managed investment scheme* in section 9 of the *Corporations Act 2001*; and
- (d) the capital of a partnership or trust

11 A derivative

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*Note 1* Regulation 40-5.08 provides that this regulation applies subject to regulation 40-5.12. As a result, if something is within the scope of both an item in this table and an item in the table in regulation 40-16, it will *not* be a financial supply.

*Note 2* Subparagraph 40-5.09 (1) (b) (ii) has the effect that a supply by a financial supply facilitator is *not* a financial supply.

*Note 3* Division 99 of the Act applies to taking of a deposit as security.

*Note 4* Supply of something that is mentioned in more than 1 item in this table will still be a financial supply.

- (4) A supply (to which item 1 in the table in subregulation (3) does not apply) by an Australian ADI for a fee of not more than \$1 000 is a financial supply if:
  - (a) the item would have applied to that supply in relation to an account with the ADI; or
  - (b) the fee relates to an application to the ADI that, if accepted, would result in the creation of an account by the ADI.

*Examples of financial supply mentioned in subregulation (4)*

1 Electronic transfer to another Australian ADI for a person who does not hold an account with the ADI

2 A loan application fee

- (4A) A supply by an entity for a fee of not more than \$1 000 is a financial supply if it is a supply of 1 or more of the following ATM services:
  - (a) a withdrawal from an account;
  - (b) a deposit into an account;
  - (c) an electronic transfer from an account;
  - (d) advice of the balance of an account.

**Regulation 40-5.10**

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- (5) A reference in item 10, in the table in subregulation (3), to a security, a debenture, a document, a scheme or capital in a partnership or trust does not include a security, debenture, document, scheme or capital in a partnership or trust, in relation to which an entity is given a right to participate in a barter scheme under which each participant may obtain goods or services from another participant for consideration that is wholly or substantially in kind rather than in cash.

**40-5.10 Incidental financial supplies**

Despite regulation 40-5.12, if something is supplied by an entity to a recipient directly in connection with a financial supply to the recipient by the entity, the thing is an *incidental financial supply* if:

- (a) it is incidental to the financial supply; and
- (b) it and the financial supply are supplied, at or about the same time, but not for separate consideration; and
- (c) it is the usual practice of the entity to supply the thing, or similar things, and the financial supply together in the ordinary course of the entity's enterprise.

*Note* Regulation 40-5.12 applies subject to this regulation. As a result, if something is both an incidental financial supply and within the scope of an item in the table in regulation 40-5.12, it will still be a financial supply.

*Example of an incidental financial supply*

Advice, for which a separate charge is not made, in relation to a housing loan

**40-5.11 Examples of supplies that are financial supplies**

Something mentioned in a Part of Schedule 7 that relates to a financial supply mentioned in an item in the table in regulation 40-5.09, or to an incidental financial supply, is an example of the financial supply mentioned in the item or of the incidental financial supply.

*Note 1* The examples are not to be taken as exhaustive.

*Note 2* If an example in Schedule 7 is inconsistent with the description in this Division of the financial supply to which the example relates, the description prevails.

See section 15AD of the *Acts Interpretation Act 1901*.

**Regulation 40-5.12**

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*Note 3* Something that is within the scope of an item in the table in regulation 40-5.09 will be a financial supply described in that item even if it is not mentioned as an example of the item set out in the Part of Schedule 7 relating to the item.

**40-5.12 What supplies are not financial supplies (Act s 40-5)**

For subsection 40-5 (2) of the Act, the supply of something, or an interest in or under something, that is mentioned in an item in the following table is not a financial supply:

<b>Item</b>	<b>Supply of, or an interest in or under...</b>
1	Cheque and deposit forms and books supplied to an Australian ADI in connection with an account mentioned in item 1 in the table in regulation 40-5.09
2	Special forms, or overprinting of standard forms, by an Australian ADI to the requirements of particular account holders in connection with an account mentioned in item 1 in the table in regulation 40-5.09
3	Professional services, including information and advice, in relation to a financial supply
4	A payment system
5	Stored value facility cards and prepayments not linked to accounts provided by an Australian ADI in connection with an account mentioned in item 1 in the table in regulation 40-5.09
6	Goods in accordance with agreements under which the goods are supplied under a lease, and: (a) the lessees have no obligation or option to acquire the rights of the lessors in the goods; or (b) the lessors dispose of their rights in the goods to the lessees
7	An option, right or obligation to make or receive a taxable supply, except a mortgage or charge mentioned in item 3 in the table in regulation 40-5.09
8	A supply made as a result of the exercise of an option or right, or the performance of an obligation, to make or receive a taxable supply, including an option, right or obligation under a mortgage or charge mentioned in item 3 in the table in regulation 40-5.09

**Regulation 40-5.12**

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<b>Item</b>	<b>Supply of, or an interest in or under...</b>
9	Facilities for: (a) trading securities or derivatives; and (b) clearance and settlement of those trades
10	Insurance and reinsurance business, except business mentioned in item 6 of the table in regulation 40-5.09
11	Broking services
12	Management of the assets or liabilities of another entity, including investment portfolio management and administration services for trusts or superannuation, pension or annuity funds
13	Debt collection services
14	Sales accounting services under a factoring arrangement, or an arrangement having the same effect as a factoring arrangement
15	Trustee services
16	Custodian services in relation to money, documents and other things
17	Australian currency, or the currency of a foreign country, the market value of which exceeds its stated value as legal tender, or an agreement to buy or sell currency of either kind the market value of which exceeds its stated value as legal tender
18	An arrangement for the provision of goods to an entity for display or demonstration pending disposal of the goods to a third party

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*Note 1* Regulation 40-5.09 applies subject to this regulation. As a result, if something is within the scope of both an item in the table in regulation 40-5.09 and an item in the table in this regulation, it will *not* be a financial supply.

*Note 2* Regulation 40-5.10 applies despite this regulation. As a result, if something is both an incidental financial supply and within the scope of an item in this table, it will still be a financial supply.

*Note 3* Division 105 of the Act deals with supply in satisfaction of a debt.

*Note 4* Sections 7-1 and 9-70 of the Act, and this regulation in respect of items 7 and 8 in this table, have the effect that GST is payable on the premium (if any) on a taxable deliverable commodity derivative and the price on settlement when the commodity is delivered.



### **40-5.13 Examples of supplies that are not financial supplies**

Something mentioned in a Part of Schedule 8 that relates to a supply mentioned in an item in the table in regulation 40-5.12 is an example of the supply mentioned in the item.

*Note 1* The examples are not to be taken as exhaustive.

*Note 2* If an example is inconsistent with the description of the financial supply in the table to which the example relates, the description in the table prevails.

See section 15AD of the *Acts Interpretation Act 1901*.

## **Part 4-1 Special rules mainly about particular ways entities are organised**

### **Division 48 GST groups**

#### **Subdivision 48-A Approval of GST groups**

##### **48-10.01 Definitions for Subdivision**

In this Subdivision:

**family**, in relation to a person, has the meaning given by section 272-95 of Schedule 2F to the *Income Tax Assessment Act 1936*, as if the person were the test individual mentioned in that section.

**fixed trust** has the meaning given by section 995-1 of the *Income Tax Assessment Act 1997*.

**GST group** includes a proposed GST group.

**representative** means:

- (a) in relation to a partner in a partnership:
  - (i) for a partner that is not an individual — the partner; and
  - (ii) for a partner that is an individual — the partner or a family member of the partner; and
- (b) in relation to a shareholder in a company:
  - (i) for a shareholder that is not an individual — the shareholder; and
  - (ii) for a shareholder that is an individual — the shareholder or a family member of the shareholder.

**shareholder**, of a company that is an unincorporated association, means a member of the association.

#### **48-10.01A Trust distribution and beneficiaries**

For this Subdivision, if the trustee of a trust distributes income or capital of the trust in such a way that another entity receives the income or capital indirectly through 1 or more interposed trusts or companies:

- (a) the trustee is taken also to distribute the income or capital to the other entity; and
- (b) the other entity is taken also to be a beneficiary of the trust.

#### **48-10.02 Membership requirements for partnerships**

- (1) For subparagraph 48-10 (1) (a) (ii) of the Act, this regulation sets out requirements that must be satisfied for a partnership to be a member of a GST group.

*Note* The partnership must also satisfy other membership requirements set out in section 48-10 of the Act.

- (2) If the GST group includes entities other than partnerships, the partnership must satisfy the requirements of subregulation (3), (3A), (4) or (5).
- (2A) If the GST group consists only of partnerships:
  - (a) there are no further requirements for one of the partnerships; and
  - (b) each other partnership must satisfy the requirements of subregulation (5).
- (3) The partnership satisfies the requirements of this subregulation if, for at least 1 company that is a member of the GST group:
  - (a) the partnership has at least a 90% stake in the company (worked out in accordance with section 190-5 of the Act as if the partnership were a company); or
  - (b) shares of the company are held in such a way that:
    - (i) if there is 1 shareholder — the shareholder is a representative of a partner in the partnership; and
    - (ii) if there is more than 1 shareholder — at least 2 shareholders are representatives of different partners in the partnership.

**Regulation 48-10.02**

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- (3A) The partnership satisfies the requirements of this subregulation if each partner in the partnership is:
- (a) an individual who is a member of the GST group; or
  - (b) a family member of such an individual.
- (4) The partnership satisfies the requirements of this subregulation if, for at least 1 trust that is a member of the GST group, the beneficiaries include at least 2 representatives of different partners in the partnership.
- (5) The partnership (the *candidate partnership*) satisfies the requirements of this subregulation if:
- (a) there is a partnership (the *member partnership*) that is a member of the GST group because of:
    - (i) paragraph (2A) (a) or subregulation (3), (3A) or (4); or
    - (ii) this subregulation, including the repeated application of this subregulation; and
  - (b) each partner in the candidate partnership is an individual, a family trust of an individual or a family company of an individual; and
  - (c) for each partner in the candidate partnership that is an individual, a family trust of an individual or a family company of an individual, one of the following is a partner in the member partnership:
    - (i) the individual;
    - (ii) a family trust of the individual;
    - (iii) a family company of the individual;
    - (iv) a family member of the individual;
    - (v) another individual for whom the first individual is a family member;
    - (vi) a family trust of a family member mentioned in subparagraph (iv) or the other individual mentioned in subparagraph (v);
    - (vii) a family company of a family member mentioned in subparagraph (iv) or the other individual mentioned in subparagraph (v); and

**Regulation 48-10.03**

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- (d) at least 2 of the partners in the candidate partnership comply with paragraph (c) through different partners in the member partnership (whether or not they also comply through the same partner in the member partnership).
- (6) For this regulation:
  - (a) a *family trust* of an individual is a trust that distributes income or capital of the trust only to the individual or family members of the individual (whether or not other distributions could lawfully be made); and
  - (b) a *family company* of an individual is a company each shareholder of which is either the individual or a family member of the individual.

**48-10.03 Membership requirements for trusts**

- (1) For subparagraph 48-10 (1) (a) (ii) of the Act, the requirements that must be satisfied for a trust to be a member of a GST group are:
  - (a) if the GST group consists only of fixed trusts — either the requirements set out in this regulation or the alternative requirements set out in regulation 48-10.03A; and
  - (b) in any other case — the requirements set out in this regulation.

*Note* The trust must also satisfy other membership requirements set out in section 48-10 of the Act.
- (2) One of the following must be satisfied for the trustee of the trust (the *candidate trustee*):
  - (a) the candidate trustee has at least a 90% stake in a company that is a member of the GST group (worked out in accordance with section 190-5 of the Act as if the trustee were a company);
  - (b) the candidate trustee distributes any income or capital of the trust only to beneficiaries that are permitted beneficiaries (whether or not other distributions could lawfully be made);
  - (c) the candidate trustee is the sole beneficiary of any distribution of income or capital by the trustee of another trust that is a member of the GST group;

**Regulation 48-10.03A**

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- (d) the candidate trustee distributes income or capital of the trust, and the trustee of another trust that is a member of the GST group distributes income or capital of the other trust, only to persons who are all family members of the same individual (whether or not other distributions could lawfully be made).

*Note* Distributions to beneficiaries may be direct or indirect (regulation 48-10.01A).

- (3) Each of the following is a *permitted beneficiary*:
- (a) a company that is a member of the GST group;
  - (b) a charitable institution, a trustee of a charitable fund, or a gift-deductible entity;
  - (c) an individual who is a member of the GST group;
  - (d) a family member of an individual who is a member of the GST group;
  - (e) a trustee of a trust that is a member of the GST group.
- (4) For a company that is a member of the GST group, each representative of a shareholder of the company is also a *permitted beneficiary* if:
- (a) for a company with 1 shareholder — the beneficiaries of the trust include a representative of the shareholder; and
  - (b) for a company with more than 1 shareholder — the beneficiaries of the trust include at least 2 beneficiaries who are representatives of different shareholders.
- (5) For a partnership that is a member of the GST group, each representative of a partner in the partnership is also a *permitted beneficiary* if the beneficiaries of the trust include at least 2 beneficiaries who are representatives of different partners.

**48-10.03A Alternative membership requirements for groups of fixed trusts**

- (1) This regulation sets out the alternative requirements mentioned in paragraph 48-10.03 (1) (a) for a trust to be a member of a GST group that consists only of fixed trusts.

*Note* The fixed trust must also satisfy other membership requirements set out in section 48-10 of the Act.

**Regulation 48-10.04**

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- (2) The fixed trust must be a member of the same 90% owned group as all other fixed trusts in that group.
- (3) For this regulation:
  - (a) two fixed trusts are members of the same **90% owned group** if:
    - (i) the trustee of one of the trusts has at least a 90% stake in the other trust; or
    - (ii) the trustee of a third trust has at least a 90% stake in each of the two trusts; and
  - (b) the trustee of a fixed trust (the **head trust**) has **at least a 90% stake** in another fixed trust (the **sub-trust**) if the trustee:
    - (i) owns at least 90% of the issued units in the sub-trust (whether directly or indirectly through 1 or more interposed trusts or companies); and
    - (ii) has the right to receive at least 90% of any distribution of capital or income of the sub-trust.

**48-10.04 Membership requirements for individuals**

- (1) For subparagraph 48-10 (1) (a) (ii) of the Act, this regulation sets out requirements that must be satisfied for an individual to be a member of a GST group.

*Note* The individual must also satisfy other membership requirements set out in section 48-10 of the Act.
- (2) The individual must satisfy the requirements of subregulation (3), (4) or (5).
- (3) The individual satisfies the requirements of this subregulation if, for at least 1 company that is a member of the GST group:
  - (a) the individual has at least a 90% stake in the company (worked out in accordance with section 190-5 of the Act as if the individual were a company); or
  - (b) each shareholder of the company is either the individual or a family member of the individual.

**Regulation 51-5.01**

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- (4) The individual satisfies the requirements of this subregulation if, for at least 1 partnership that is a member of the GST group, the partners of the partnership are either or both of the individual and family members of the individual.
- (5) The individual satisfies the requirements of this subregulation if, for at least 1 trust that is a member of the GST group:
  - (a) the beneficiaries of the trust include either or both of the individual and family members of the individual; and
  - (b) the trustee of the trust distributes income or capital of the trust only to permitted beneficiaries as described in regulation 48-10.03.

## **Division 51 GST joint ventures**

### **51-5.01 Specified purposes for GST joint ventures (Act s 51-5)**

- (1) For paragraph 51-5 (1) (a) of the Act, each of the following is a purpose:
  - (a) research and development;
  - (b) the provision of insurance, other than life insurance;
  - (c) fishing;
  - (d) agriculture;
  - (e) cultivation, or exploitation, of timber;
  - (f) design, or building, or maintenance, of residential or commercial premises;
  - (g) civil engineering, including the design, construction and maintenance of roads, railways, bridges, canals, dams, ports, harbours, airports and similar installations;
  - (h) generation, or transmission, or distribution, of electricity;
  - (i) transmission, or distribution, of water;
  - (j) receipt, or storage, or distribution, of oil and gas products;
  - (k) refining, or processing, of oil and gas products;



**Regulation 51-5.01**

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- (l) beneficiation of minerals and primary metal production, including alloy production;
  - (m) charitable activities;
  - (n) transportation.
- (2) If a joint venture is a joint venture for more than 1 of the purposes specified in subregulation (1) or paragraph 51-5 (1) (a) of the Act, the combination of those purposes is specified as a purpose.

**Regulation 70-5.01**

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**Part 4-2 Special rules mainly about  
supplies and acquisitions**

**Division 70 Financial supplies (reduced credit  
acquisitions)**

**70-5.01 Objects of Division 70**

The objects of this Division are:

- (a) to specify the reduced credit acquisitions that relate to making financial supplies that give rise to an entitlement to reduced input tax credits; and
- (b) to specify the percentage of the reduction of the input tax credits to which the financial supply provider is entitled.

**70-5.01A Definition**

In this Division, an enterprise is *closely related* to another enterprise if any of the following conditions apply:

- (a) both enterprises are carried on by the same entity;
- (b) one enterprise is carried on by a 100% subsidiary of the entity that carries on the other enterprise;
- (c) both enterprises are carried on by 100% subsidiaries of the same entity.

**70-5.02 Acquisitions that attract reduced input tax credits:  
general (Act s 70-5)**

- (1) For subsection 70-5 (1) of the Act, an acquisition mentioned in subregulation (2) that relates to making financial supplies gives rise to an entitlement to a reduced input tax credit.
- (2) The following acquisitions (within the meaning of subsection 70-5 (1) of the Act) are reduced credit acquisitions:

**Regulation 70-5.02**

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**Item      Reduced credit acquisition**

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*Transaction banking and cash management services*

- 1      The service of opening, issuing, closing, operating, maintaining, or performing a transaction in respect of an account by a financial supply facilitator, including by using the following facilities:
  - (a) telephone banking;
  - (b) Internet banking;
  - (c) GiroPost
- 2      Processing services in relation to account information for account providers, including:
  - (a) archives storage, retrieval and destruction services; and
  - (b) statement processing and bulk mailing; and
  - (c) processing and manipulation of information relating to accounts, including information about transactions to which item 7 applies
- 3      Acquisition of transaction cards by card account providers
- 4      Acquisition of passbooks, deposit and withdrawal forms and cheques and chequebooks by account providers
- 5      Processing services in relation to account applications for account providers, including providing credit reference and credit scoring assessment

*Payment and fund transfers services*

- 6      Supplies to which the following payment system fees relate:
  - (a) fees charged by the operator of a payment system to a participant in the system;
  - (b) fees charged by a participant in a payment system to a third party in relation to access to the system;
  - (c) fees charged between participants in a payment system
- 7      Processing, settling, clearing and switching transactions of the following kinds:
  - (a) direct credit and debit;
  - (b) other credit and debit transactions;

**Regulation 70-5.02**

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<b>Item</b>	<b>Reduced credit acquisition</b>
	<ul style="list-style-type: none"><li>(c) charge, credit and debit card transactions;</li><li>(d) cheque;</li><li>(e) electronic funds transfer;</li><li>(f) ATM;</li><li>(g) B-pay;</li><li>(h) Internet banking;</li><li>(i) GiroPost;</li><li>(j) the SWIFT (Society for Worldwide Interbank Financial Telecommunications) Payment Delivery System</li></ul>
8	Services to a third party mentioned in paragraph 6 (b), including: <ul style="list-style-type: none"><li>(a) processing of account data; and</li><li>(b) electronic payment services</li></ul> <p style="text-align: center;"><i>Securities transactions services</i></p>
9	Arrangement, by a financial supply facilitator, of the provision, acquisition or disposal of an interest in a security, including the following: <ul style="list-style-type: none"><li>(a) order placement and trade execution;</li><li>(b) clearance and settlement of trades;</li><li>(c) management of the issue of securities, including rights and bonus issues;</li><li>(d) arranging flotations and privatisations;</li><li>(e) arranging mergers and acquisitions;</li><li>(f) arranging takeover bids;</li><li>(g) performing a settlement, including issue of drafts and encashment;</li><li>(h) other securities transactions, including lodgment, withdrawal and exchange control;</li><li>(i) underwriting, except a matter that is described in the table in regulation 40-5.09</li></ul>
10	Securities and unit registry services to securities and unit issuers, including: <ul style="list-style-type: none"><li>(a) managing portfolios of assets; and</li><li>(b) allotting of share issues; and</li></ul>

**Regulation 70-5.02**

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**Item      Reduced credit acquisition**

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- (c) making dividend payments; and
- (d) receiving application for issue of shares; and
- (e) performing a redemption or capital repayment; and
- (f) placing scrip orders; and
- (g) bonus issue; and
- (h) scrip settlement; and
- (i) client account processing; and
- (j) transaction processing and recording; and
- (k) handling investor inquiries

*Loans services*

- 11      The following supplies by a financial supply facilitator:
  - (a) loan agency services;
  - (b) provision of a loan facility;
  - (c) mortgage broking;
  - (d) arranging syndicated loans;
  - (e) introducing and broking
- 12      Lenders mortgage and title insurance
- 13      Loan protection insurance
- 14      The following loan application, management and processing services:
  - (a) loan origination and brokerage;
  - (b) settlement and discharge of loans, including document preparation;
  - (c) registration of loan documents;
  - (d) credit reference assessment and credit scoring analysis;
  - (e) valuations;
  - (f) property title searches;
  - (g) registration and certification of titles;
  - (h) mortgage variations, including name changes;
  - (i) adding and deleting caveats to titles

**Regulation 70-5.02**

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<b>Item</b>	<b>Reduced credit acquisition</b>
15	The following loan management services: (a) processing of repayments; (b) statement preparation; (c) filing and requisitioning of loan file records <i>Credit union services</i>
16	Supply to a credit union by: (a) an entity that is wholly owned by 2 or more credit unions; or (b) an entity that is wholly owned by an entity mentioned in paragraph (a) <i>Debt collection services</i>
17	The following debt collection services: (a) debt recovery; (b) litigation; (c) lodgment of documents; (d) by financial supply facilitator, managing the recovery of sums due by borrowers <i>Asset based finance services</i>
18	Arrangement by a financial supply facilitator of hire purchase to which item 8 in the table in regulation 40-5.09 applies <i>Trade finance services</i>
19	Trade finance transaction processing and recording
20	Trade finance remittance services <i>Capital markets and financial instruments services</i>
21	Arrangement by a financial supply facilitator of: (a) the supply of a derivative or the currency of a foreign country, or an agreement to buy or sell the currency; or (b) the sale of a forward contract
22	Transaction processing, account maintenance and report generation services provided to suppliers of derivatives or the currency of a foreign country, or an agreement to buy or sell the currency

**Regulation 70-5.02**

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**Item      Reduced credit acquisition**

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*Funds management services*

- 23      The following investment portfolio management functions, including those functions for superannuation schemes:
- (a) management of a client's asset portfolio;
  - (b) management of an investment portfolio for a trust or superannuation fund;
  - (c) acting as a trustee of a trust or superannuation fund;
  - (d) acting as a single responsible entity;
  - (e) asset allocation services
- 24      The following administrative functions in relation to investment funds, including those functions for superannuation schemes:
- (a) maintaining member and employer and trustee records and associated accounting;
  - (b) processing of applications, contributions, benefits and distributions;
  - (c) processing transfer between funds and trusts;
  - (d) production and distribution of reports, statements and forms to members, employers and trustees;
  - (e) handling of inquiries and complaints made by members;
  - (f) archives storage, retrieval and destruction services;
  - (g) statement processing and bulk mailing;
  - (h) compliance with industry regulatory requirements, excluding taxation and auditing services

*Insurance services*

- 25      Brokerage of general or life insurance
- 26      The following life insurance administration services provided for a life insurer:
- (a) maintaining policyholder records and associated accounting;
  - (b) processing of premiums and benefits;
  - (c) processing and assessing claims under policies;

**Regulation 70-5.02**

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<b>Item</b>	<b>Reduced credit acquisition</b>
	(d) production and distribution of reports, statements and forms to policyholders, including statement processing and bulk handling;
	(e) handling of inquiries and complaints made by policyholders;
	(f) archives storage, retrieval and destruction services;
	(g) processing and assessing applications;
	(h) compliance with industry regulatory requirements, excluding taxation and auditing services;
	(i) managing reinsurance requirements
	<i>Services remunerated by commission and franchise fees</i>
27	Supplies for which financial supply facilitators are paid commission by financial supply providers
28	Supplies provided by financial supply facilitators to franchisors, for which the facilitators are paid a franchise fee
	<i>Trustee and custodial services</i>
29	Trustee and custodial services (except safe custody of money, documents and other things), including: (a) transfer of cash without purchase, sale or transfer of assets, excluding cash delivery and collection from branches of Australian ADIs; and (b) undertaking and settling of securities transactions by a financial supply facilitator; and (c) collecting income and other payments; and (d) registration of interests and rights; and (e) proxy voting; and (f) exercise of options and warrants; and (g) opening and maintaining accounts with Australian ADIs; (h) nominee services in relation to financial supplies
30	The following master custody services: (a) maintenance of accounting records; (b) taxation reporting; (c) mandate monitoring;



**Regulation 70-5.02A**

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Item	Reduced credit acquisition
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|--|---|
|  | (d) trade execution monitoring;<br>(e) portfolio performance analysis;<br>(f) risk management reporting |
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31	Single responsible entity services
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- (3) However, something that is used in making a reduced credit acquisition is not, for that reason, a reduced credit acquisition.

*Examples for subregulation (3)*

- 1 Information technology services used for brokerage services
- 2 Labour hire services used for life insurance administration services

**70-5.02A Acquisitions that attract reduced input tax credits: certain offshore supplies (Act s 70-5)**

- (1) For subsection 70-5 (1) of the Act, an acquisition mentioned in regulation 70-5.02B that relates to making financial supplies gives rise to an entitlement to a reduced input tax credit (is a **reduced credit acquisition**) if:
- (a) the supply or transfer that gives rise to the acquisition (the **relevant supply**):
- (i) consists in:
    - (A) the transfer of something to an enterprise in Australia (the **receiving enterprise**) from an enterprise outside Australia (the **supplying enterprise**); or
    - (B) the doing of something for the receiving enterprise by the supplying enterprise; and
  - (ii) is a taxable supply because of section 84-5 of the Act (including supply that is not connected to Australia because of section 84-15 of the Act); and
- (b) the receiving enterprise and the supplying enterprise are closely related.

**Regulation 70-5.02B**

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- (2) In determining the reduced credit acquisition, the price of the relevant supply is reduced by the amount passed on by the supplying enterprise to the receiving enterprise for any unabsorbed contribution from a third party (see regulation 70-5.02C).

**70-5.02B Reduced credit acquisitions**

- (1) The following acquisitions may be reduced credit acquisitions under regulation 70-5.02A:

<b>Item</b>	<b>Reduced credit acquisition</b>
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*Senior executive management*

- |   |   |
|---|---|
| 1 | Provision of senior management services, including:<br>(a) corporate strategy and development; and<br>(b) investment strategy and performance measurement functions; and<br>(c) profit or business centre performance support |
| 2 | Provision of support systems associated with the provision of senior management services  |

*Human resources support*

- |   |   |
|---|---|
| 3 | Provision of human resources support services, including:<br>(a) general advice and planning; and<br>(b) recruitment assistance; and<br>(c) compensation advice and management; and<br>(d) training |
| 4 | Processing and maintenance of employee data and files   |

*Corporate marketing and communications*

- |   |  |
|---|--|
| 5 | Provision of corporate information and communication services    |
| 6 | Provision of marketing administration and media support services |

**Regulation 70-5.02B**

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<b>Item</b>	<b>Reduced credit acquisition</b>
	<i>Financial management</i>
7	Performance of financial management service functions, including: <ul style="list-style-type: none"><li>(a) tax law compliance; and</li><li>(b) corporate treasury operations; and</li><li>(c) financial control (including statutory reporting and accounting policy); and</li><li>(d) general ledger account reporting functions, including paying and processing invoices and payment instructions; and</li><li>(e) internal audit functions; and</li><li>(f) management reporting systems; and</li><li>(g) setting intrabank transfer pricing policy; and</li><li>(h) corporate insurance; and</li><li>(i) centralised payroll functions</li></ul>
	<i>Supply procurement and management</i>
8	Process and management services for the procurement of supplies
	<i>Credit, operational and risk management</i>
9	Establishment and application of credit policy
10	Development, establishment and application of policies, monitoring systems and procedures to manage market and operational risk
11	Development and application of security processes related to fraud prevention
	<i>Relationship management</i>
12	Provision of supervision, monitoring and management services in support of client relationships
	<i>In-house legal services</i>
13	Provision of legal services, including: <ul style="list-style-type: none"><li>(a) company secretary functions; and</li><li>(b) regulatory and legal compliance</li></ul>

**Regulation 70-5.02C**

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Item	Reduced credit acquisition
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*Technology systems*

- |    |   |
|----|---|
| 14 | Provision of systems development and computer programming services  |
| 15 | Maintenance and operation of transaction processing systems (including communications and applications systems) |
| 16 | Development and maintenance of disaster recovery systems  |

*Business services*

- |    |  |
|----|--|
| 17 | Provision of transport, security and mail services |
| 18 | Property management                                |
- 

- (2) However, something that is used in making a reduced credit acquisition is not, for that reason, a reduced credit acquisition.

*Examples for subregulation (2)*

- 1 Consultant's services used in the provision of recruitment services.
- 2 Labour hire services used in the provision of security services.

**70-5.02C Unabsorbed contribution**

For subregulation 70-5.02A (2), the performance by a third party, on behalf of the supplying enterprise or a closely related enterprise of the supplying enterprise, of all or part of the relevant supply is an ***unabsorbed contribution*** if:

- (a) the amount paid or payable, or part of the amount paid or payable, by the supplying enterprise for the performance is passed on by the supplying enterprise to the receiving enterprise as part of the price of the relevant supply; and
- (b) the enterprise carried on by the third party is not closely related to the supplying enterprise; and
- (c) the thing that is involved in the performance by the third party retains, at the time of the relevant supply, the substance and character that it had when first purchased, for the purposes of the relevant supply, by an entity that carries on an enterprise that is closely related to the supplying enterprise.

**Regulation 78-105.01**

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*Example for paragraph (c):*

Legal advice that is given in the following circumstances is an unabsorbed contribution:

- the advice is acquired by the supplying enterprise from a third party service provider as part of the provision of in-house legal services by the supplying enterprise to its 100% subsidiary in Australia;
- the external legal service provider is not closely related to the supplying enterprise;
- the advice is passed on to the 100% subsidiary in Australia by the supplying enterprise;
- the amount paid or payable for the advice is passed on to the 100% subsidiary in Australia as part of the price that the supplying enterprise charges for the provision of in-house legal services.

**70-5.02D Prohibition against claiming twice**

To avoid doubt, an entity is not entitled to a reduced input tax credit under regulations 70-5.02 and 70-5.02A for the same acquisition.

**70-5.03 Percentage to which input tax credits are reduced (Act s 70-5)**

For subsection 70-5 (2) of the Act, the percentage of the input tax credit for each kind of reduced credit acquisition is 75%.

**Division 78 Insurance**

**78-105.01 Statutory compensation schemes**

For the definition of *statutory compensation scheme* in section 78-105 of the Act, each scheme or arrangement mentioned in Schedule 10 is specified.

**Regulation 79-35.01**

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## **Division 79 Compulsory third party schemes**

### **79-35.01 Meaning of *CTP ancillary payment or supply***

For paragraph 79-35 (3) (b) of the Act, the following kinds of payments are specified:

- (a) a payment for medical treatment provided by a medical practitioner;
- (b) a payment for surgical treatment provided by a medical practitioner;
- (c) a payment for treatment provided by a registered nurse;
- (d) a payment for dental treatment;
- (e) a payment for hospital treatment;
- (f) a payment for ambulance services;
- (g) a payment for the conveyance of an injured person to obtain emergency medical treatment;
- (h) a payment for the cost of travel for a medical practitioner or registered nurse to provide medical treatment;
- (i) a payment of an amount determined under section 25A of the *Territory Insurance Office Act* of the Northern Territory;
- (j) a payment made according to a bulk-billing arrangement under section 54 of the *Motor Accidents Compensation Act 1999* of New South Wales.

*Note* For section 79-35 of the Act, the payments mentioned in this regulation are to be made under a compulsory third party scheme. Section 79-35 sets out other requirements in relation to payments and supplies to which the Act relates.

## **Division 81 Taxes, fees and charges**

### **81-10.01 Fees and charges which constitute consideration**

For subsection 81-10 (2) of the Act, the following kinds of Australian fee or charge are prescribed:

- (a) a fee for parking a motor vehicle in a ticketed or metered parking space;
- (b) a toll for driving a motor vehicle on a road;

**Regulation 81-10.01**

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- (c) a fee for hire, use of, or entry to a facility, except for an entry fee to a national park;
- (d) a fee for the use of a waste disposal facility;
- (e) a fee for pre-lodgment advice if:
  - (i) the advice relates to an application to which subsection 81-10 (4) of the Act applies; and
  - (ii) it is not compulsory to seek the advice;
- (f) a fee for the provision of information if the information is not required to be provided under an Australian law.

*Note* **Australian fee or charge** is defined in section 195-1 of the Act.

**Regulation 168-5.01**

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**Part 4-7 Special rules mainly about  
returns, payments and  
refunds**

**Division 168 Tourist refund scheme**

**Subdivision 168-1 Kinds of acquisitions**

**168-5.01 Acquisition**

For paragraphs 168-5 (1) (b) and (1A) (b) of the Act, the acquisition, in accordance with this Subdivision, of goods the supply of which was a taxable supply is a kind of acquisition.

*Note* Part of a person's eligibility for the tourist refund scheme involves making an acquisition:

- (a) the supply of which is a taxable supply; and
- (b) that is of a kind specified in the regulations.

**168-5.02 Goods to which Subdivision 168-1 applies**

This Subdivision applies to goods the supply of which is a taxable supply, except any of the following goods:

- (a) tobacco;
- (b) tobacco products;
- (c) alcoholic beverages, except wine on which wine tax has been borne;
- (d) goods that have been partly consumed at the time at which the acquirer leaves Australia.

**168-5.03 Registered entity**

The goods must have been acquired from a registered entity.

**168-5.04 Purchase price**

- (1) If 1 item has been acquired from a registered entity, the purchase price paid by the acquirer must be at least \$300.



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**Regulation 168-5.08**

- (2) If 2 or more items have been acquired from the same registered entity, the total purchase price paid by the acquirer for the items must be at least \$300.

**168-5.05 Tax invoice**

The acquisition must be an acquisition for which the acquirer holds 1 tax invoice only.

**Subdivision 168-2 Departure from Australia**

**168-5.06 Departure**

For paragraphs 168-5 (1) (c) and (1A) (e) of the Act, an acquirer may leave Australia in any circumstances, except leaving Australia in the course of the acquirer's employment as:

- (a) the person in charge or command of an aircraft or ship; or
- (b) a member of the crew of an aircraft or ship.

*Note* Part of a person's eligibility for the tourist refund scheme involves leaving Australia in circumstances specified in the regulations.

**168-5.07 Place of departure**

The acquirer must leave Australia at an airport, or seaport, that has a TRS verification facility.

**Subdivision 168-3 Export as accompanied baggage**

**168-5.08 Accompanied baggage**

For paragraph 168-5 (1) (c) of the Act, an acquirer must export goods from Australia as accompanied baggage in the circumstances set out in this Subdivision.

*Note* Part of a person's eligibility for the tourist refund scheme involves exporting goods from Australia as accompanied baggage in circumstances specified in the regulations.

**Regulation 168-5.09**

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**168-5.09 Time of export**

The goods must be exported within 30 days after the day on which they were acquired.

**168-5.10 Verification of export**

- (1) The acquirer must present to an officer of Customs, on request, the tax invoice relating to the goods.
- (2) The acquirer must present to an officer of Customs, on request, as many of the following as are requested:
  - (a) the goods;
  - (b) the acquirer's passport;
  - (c) documents that confirm the acquirer's entitlement to leave Australia on the aircraft or ship (for example, the acquirer's boarding pass or ticket).
- (3) The acquirer must comply with subregulations (1) and (2):
  - (a) at a TRS verification facility; and
  - (b) when the acquirer is leaving Australia.
- (4) If the acquirer is unable to present goods to an officer of Customs on request, because the acquirer has checked in the goods as accompanied baggage, the tax invoice must be endorsed, in accordance with arrangements that have been agreed to by the Chief Executive Officer of Customs, with a statement to the effect that the goods have been checked in.

**Subdivision 168-3A Export by resident of an external Territory as unaccompanied baggage**

**168-5.10A Export of goods to an external Territory**

For paragraph 168-5 (1A) (e) of the Act, this Subdivision sets out the circumstances in which an acquirer must export goods to an external Territory, as unaccompanied baggage, for the purposes of being paid a refund of GST.

**Regulation 168-5.11**

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**168-5.10B Time of export**

The goods must be exported within 60 days after the day on which they were acquired.

**168-5.10C Verification of export**

- (1) The acquirer must present to an officer of Customs, on request:
  - (a) the tax invoice relating to the goods; and
  - (b) documentary evidence that the acquirer is an individual to whom paragraph 168-5 (1A) (c) of the Act applies; and
  - (c) documentary evidence that:
    - (i) the goods have been exported to an external Territory; or
    - (ii) arrangements have been made for the exportation of the goods to an external Territory within 60 days after the day on which the goods were acquired.
- (2) The acquirer must present the tax invoice and evidence at a TRS verification facility when leaving for an external Territory.
- (3) If the acquirer presents the evidence mentioned in subparagraph (1) (c) (ii), documentary evidence that the goods have been exported to an external Territory as described in that subparagraph must be given to the Chief Executive Officer of Customs within 90 days after the day on which the goods were acquired.

**Subdivision 168-4 Proportion of amount of GST for payment in cash**

**168-5.11 Cash payment**

- (1) For paragraphs 168-5 (1) (e) and (1A) (g) of the Act, this regulation applies if:
  - (a) an amount of GST on a taxable supply is to be paid to an acquirer in cash; and

**Regulation 168-5.12**

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- (b) the amount of GST is not an exact multiple of 5 cents.
- (2) If the amount of GST (the *base amount*) ends with an amount that is more than an exact multiple of 5 cents but less than 2.5 cents, or more than an exact multiple of 5 cents but less than 7.5 cents:
  - (a) the base amount is to be rounded down to the nearest exact multiple of 5 cents; and
  - (b) the result is the proportion of the base amount that is to be paid to the acquirer.
- (3) If the amount of GST (the *base amount*) ends with an amount that is 2.5 cents or more, but less than an exact multiple of 5 cents, or 7.5 cents or more, but less than an exact multiple of 5 cents:
  - (a) the base amount is to be rounded up to the nearest exact multiple of 5 cents; and
  - (b) the result is the proportion of the base amount that is to be paid to the acquirer.

**Subdivision 168-5 Documentation relating to entitlement to payment**

**168-5.12 Payment authority**

- (1) This regulation applies if:
  - (a) an acquirer complies with regulation 168-5.10 at the request of an officer of Customs; and
  - (b) the officer is satisfied that the acquirer is entitled to be paid an amount under section 168-5 of the Act.
- (2) The officer must give the acquirer a payment authority that includes:
  - (a) information identifying the acquirer; and
  - (b) the amount to which the acquirer is entitled.

### **168-5.13 Claim for payment: exceptional circumstances**

If an officer of Customs is unable to give an acquirer a payment authority, because of exceptional circumstances that make it impracticable for the officer to verify the acquirer's entitlement, the officer must make arrangements for the acquirer:

- (a) to complete a claim for payment; and
- (b) to include with the claim the acquirer's tax invoice; and
- (c) to lodge the claim at a TRS verification facility before leaving Australia.

#### *Examples of exceptional circumstances*

- 1 A power outage at a TRS verification facility, making it impossible to verify details by computer.
- 2 Passenger congestion that would make it unreasonable to verify each acquirer's claim within the time available.

### **Subdivision 168-6 Period and manner of payment**

#### **168-5.14 Processing payment authority given to officer of Customs at airport**

- (1) For subsection 168-5 (2) of the Act, this regulation applies if:
  - (a) an acquirer gives a payment authority to an officer of Customs at a TRS verification facility:
    - (i) that is located at an airport; and
    - (ii) at which facilities exist for making cash payments; and
  - (b) the amount to be paid to the acquirer (including any amount payable to the acquirer, in relation to the acquisition, under section 25-5 of the *A New Tax System (Wine Equalisation Tax) Act 1999*) is \$200 or less.

*Note* Facilities for making cash payments to acquirers will only be available at some airports, and will not be available at seaports.

- (2) If it is practicable to pay cash to the acquirer, the amount must be paid to the acquirer, in Australian currency, before the acquirer leaves Australia.

**Regulation 168-5.15**

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- (3) If it is not practicable to pay cash to the acquirer, an officer of Customs must make arrangements for the acquirer to lodge the payment authority at a TRS verification facility before leaving Australia.

*Examples*

- 1 A shortage of cash at the TRS verification facility.
- 2 Passenger congestion that would make it unreasonable to pay cash to each acquirer within the time available.

**168-5.15 Processing payment authority lodged at a TRS verification facility**

- (1) For subsection 168-5 (2) of the Act, this regulation applies if an acquirer:
- (a) lodges a payment authority at a TRS verification facility when the acquirer is leaving Australia; and
  - (b) includes with the authority instructions for paying an amount to the acquirer by:
    - (i) crediting the amount to a credit card account or an Australian bank account; or
    - (ii) posting a cheque for the amount to a nominated address.
- (2) The acquirer must be paid the amount in accordance with the instructions given with the authority.
- (3) The payment must be made within 60 days after the payment authority is lodged.

**168-5.16 Processing payment authority given to Chief Executive Officer of Customs**

- (1) For subsection 168-5 (2) of the Act, this regulation applies if:
- (a) an acquirer posts a payment authority, from a place outside Australia, to the Chief Executive Officer of Customs; and
  - (b) the acquirer includes with the authority instructions for paying an amount to the acquirer by:
    - (i) crediting the amount to a credit card account or an Australian bank account; or

**Regulation 168-5.17**

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- (ii) posting a cheque for the amount to a nominated address; and
  - (c) the Chief Executive Officer receives the authority not later than 30 days after the day on which the payment authority was given to the acquirer.
- (2) The acquirer must be paid the amount in accordance with the instructions given with the authority.
- (3) The payment must be made within 60 days after the Chief Executive Officer receives the payment authority.

**168-5.17 Processing claim for payment made in exceptional circumstances**

- (1) For subsection 168-5 (2) of the Act, this regulation applies if:
  - (a) an acquirer lodges a claim for payment in accordance with regulation 168-5.13; and
  - (b) the acquirer includes with the claim instructions for paying an amount to the acquirer by:
    - (i) crediting the amount to a credit card account or an Australian bank account; or
    - (ii) posting a cheque for the amount to a nominated address; and
  - (c) the Chief Executive Officer of Customs, or a person authorised by the Chief Executive Officer, is satisfied that the acquirer is entitled to be paid an amount under section 168-5 of the Act.
- (2) The acquirer must be paid the amount in accordance with the instructions given with the claim.
- (3) The payment must be made within 60 days after the Chief Executive Officer receives the claim.

**Regulation 195-1.01**

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## **Part 6-3 Regulations relating to the Dictionary in the Act**

### **Division 195 Dictionary**

#### **195-1.01 Compulsory third party schemes**

For paragraph (b) of the definition of *compulsory third party scheme* in section 195-1 of the Act, each scheme or arrangement mentioned in Schedule 11 is specified.

#### **195-1.02 First aid or life saving course**

- (1) For subparagraph (b) (vi) of the definition of *first aid or life saving course* in section 195-1 of the Act, the qualification specified is a qualification that:
  - (a) is provided by a registered training organisation under the National Training Framework; and
  - (b) certifies the attainment of all the competencies mentioned in column 2 of the table in Schedule 12, with the unit codes mentioned in column 3 of Schedule 12.
- (2) It is not necessary for a person to obtain certification of attainment of all the competencies mentioned in column 2 of the table in Schedule 12 from the same registered training organisation.



## Schedule 3 Medical aids and appliances

(regulation 38-45.01)

Item	Category	Medical aids or appliances
1	Advanced wound care	alginate
2		hydro colloids
3		hydro gel
4		polyurethane film
5		polyurethane foam
6	Communication aids for people with disabilities	tracheostomy appliances and accessories
7		laryngotomy appliances and accessories
8	Continence	skin bond
9	Daily living for people with disabilities	artificial ears
10		nose prostheses
11	Hearing/speech	hearing loops
12	Infusion systems for the delivery of a measured dose of a medication	infusion sets
13		infusion pumps
14	Mobility of people with disabilities — physical: orthoses	compression garments
15	Mobility of people with disabilities — physical: prostheses	supplements and aids associated with mammary prostheses
16	Mobility of people with disabilities — physical: seating aids	postural support seating

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<b>Item</b>	<b>Category</b>	<b>Medical aids or appliances</b>
17	Mobility of people with disabilities — physical: walking aids	accessories associated with walking frames or specialised ambulatory ortheses
18	Personal hygiene for people with disabilities	customised modifications and accessories for the aids or appliances mentioned in items 111 to 121 of Schedule 3 to the Act
19	Respiratory appliances	tilt tables
20	Stoma	stoma products including all bags and related equipment for patients with urostomies

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## Schedule 5 Rules for the supply of goods to a relevant traveller

(regulation 38-185.01)

### Definitions and interpretation

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

**barrier copy**, in relation to an invoice, means the copy of the invoice that is attached to the sealed package in which the goods to which the invoice relates are enclosed when the goods are passed into the possession of the purchaser.

**CB declaration** means an approved form of declaration that, under CB rule 2 in this Schedule, may be required by the Commissioner to be made by a relevant traveller purchasing goods under Table 2 of these Rules.

**goods** means goods purchased by a relevant traveller that will be exported with him or her on the intended flight or voyage.

**SB declaration** means an approved form of declaration that, under SB rule 2 in this Schedule, must be made by a relevant traveller purchasing goods under Table 1 of these Rules.

**specified departure date**, in relation to a purchaser of goods, means the date on which the purchaser will depart Australia, according to the purchaser's travel ticket or other approved document shown at the time he or she takes possession of the goods.

- (2) In this Schedule:

- (a) **seller** includes an employee or agent of a seller; and
- (b) a requirement placed on a seller is satisfied by action of an employee or agent of the seller in meeting the requirement.

## Table 1 Sealed Bag Rules

Goods taken possession of on the Australian side of the Customs barrier and accompanying the traveller

[1] Rule number	[2] Summary of rule	[3] Details of rule	[4] What the Commissioner may approve	[5] Time when the requirements of the rule must be satisfied
SB Rule 1	Seller to sight travel documents	The seller of the goods must sight: (a) the purchaser's ticket for travel from Australia to a foreign country; or (b) if appropriate, a document relating to the purchaser that is an approved document	A document of a kind that provides evidence that a purchaser is to travel from Australia to a foreign country	Before the purchaser takes possession of the goods
SB Rule 2	Purchaser to sign an SB declaration	The purchaser must sign, and retain a copy of, a declaration ( <b>SB declaration</b> ) setting out, in the approved form: (a) details of the purchaser, the goods purchased and the proposed journey; and (b) if the following matters are true, a statement that the purchaser: (i) intends departing Australia with the goods within 30 days of taking possession;	The form of the SB declaration, including additional information and statements to be included in the SB declaration	Before the purchaser takes possession of the goods

[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
		<ul style="list-style-type: none"> <li data-bbox="635 510 895 857">(ii) will not interfere with the goods, the sealed package containing the goods or the copies of the invoice relating to the goods before submitting the sealed package to the seller in accordance with SB rule 7 or 8;</li> <li data-bbox="635 875 884 1088">(iii) will, in accordance with SB rule 7 or 8, submit the sealed package to the seller for removal of the barrier copy of the invoice;</li> <li data-bbox="635 1115 884 1234">(iv) is aware of the penalty for making a false or misleading statement; and</li> </ul> <p data-bbox="580 1256 874 1344">(c) any other information or statement required by the approved form</p>		

[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
SB Rule 3	Seller to make an invoice	The seller must make an invoice: (a) at the time of the sale; and (b) in an approved form; and (c) in triplicate; and (d) containing a full description of the goods	(a) forms of invoice that render obvious an alteration to, or deletion from, the contents of the invoice; and (b) the information to be included in an invoice	Before the purchaser takes possession of the goods
SB Rule 4	Seller to retain copies of certain documents	The seller must retain: (a) the signed SB declaration; and (b) a copy of the invoice		
SB Rule 5	Time is limited within which the purchaser may take possession of the goods	The seller must not pass possession of the goods to the purchaser earlier than the commencement of the 30th calendar day before the specified departure date		

[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
SB Rule 6	Purchaser may only take possession of goods in a sealed package	<p>The seller must not pass possession of the goods to the purchaser unless:</p> <p>(a) the goods are enclosed in a package that is:</p> <p>(i) of an approved kind; and</p> <p>(ii) sealed by an approved method so that the goods cannot be removed from the package without the seal being broken; and</p> <p>(b) the barrier copy of the invoice is attached to the exterior of the package by an approved method; and</p> <p>(c) the customer copy of the invoice is placed inside the package by a method that, if possible, enables the invoice to be read without need to break the seal of the package</p>	<p>(a) the kind of package; and</p> <p>(b) the method of sealing the package; and</p> <p>(c) the method of attaching the barrier copy of the invoice to the package</p>	Before the purchaser takes possession of the goods

[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
SB Rule 7	Invoice to be retrieved at the point of surrender of goods before the Customs barrier	If, before the purchaser presents himself or herself to Customs as departing Australia, the purchaser surrenders the sealed package to the carrier with whom the purchaser is to travel, the seller must retrieve the barrier copy of the invoice at the point of surrender of the package		At the time when the purchaser surrenders the sealed package
SB Rule 8	Invoice to be retrieved when beyond the Customs barrier	If the sealed package is carried beyond the Customs barrier by the purchaser in his or her own possession, the purchaser must then surrender the sealed package to the seller and the seller must retrieve the barrier copy of the invoice		After the purchaser presents himself or herself to Customs as departing Australia and before departing on the flight or voyage
SB Rule 9	Sealed package to be examined	The seller must examine the sealed package when dealing with it under SB rule 7 or 8 to ascertain whether it:  (a) remains sealed; or (b) has been tampered with		Immediately before the barrier copy of the invoice is retrieved under SB rule 7 or 8



[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
SB Rule 10	Tampering or other discrepancy in respect of sealed package is to be notified	<p>The seller must notify the Commissioner as soon as is practicable, in the approved form, if the seller becomes aware that:</p> <p>(a) a package is no longer sealed, or has otherwise been tampered with; or</p> <p>(b) the goods enclosed in the package are not the goods described in the customer copy of the invoice or the barrier copy of the invoice, as the case may be</p>	The form in which notification is to be given	
SB Rule 11	Retrieved invoices must be validated	<p>The seller must validate a retrieved barrier copy of an invoice:</p> <p>(a) as soon as is practicable; and</p> <p>(b) by the approved method</p>	The method by which a retrieved barrier copy of an invoice is to be validated	
SB Rule 12	Invoices must be matched	The seller must reconcile the retrieved barrier copy of an invoice against the seller's copy of the invoice, by an approved method	Methods of reconciling a retrieved barrier copy of an invoice against the seller's copy of the invoice	

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## Table 2 Customs Barrier Rules

Goods taken possession of on the outward departure side of the Customs barrier and accompanying the traveller

[1] Rule number	[2] Summary of rule	[3] Details of rule	[4] What the Commissioner may approve	[5] Time when the requirements of the rule must be satisfied
CB Rule 1	Seller to sight travel documents	The seller of the goods must sight: (a) the purchaser's boarding pass or ticket for travel from Australia to a foreign country; or (b) if appropriate, a document relating to the purchaser that is an approved document	(a) a document of a kind that provides evidence that the purchaser is to travel from Australia to a foreign country; and (b) a document of a kind that provides evidence that the purchaser was beyond the Customs barrier when taking possession of the goods	Before the purchaser takes possession of the goods

[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
CB Rule 2	Purchaser may have to sign a CB declaration	<p>If the purchaser pays for the goods on the Australian side of the Customs barrier and will not take possession of the goods until he or she has passed through the Customs barrier, he or she must sign, and retain a copy of, a declaration (<i>CB declaration</i>) setting out, in the approved form:</p> <p>(a) details of the purchaser, the goods purchased and the proposed journey; and</p> <p>(b) a declaration that he or she is aware of the penalty for making a false or misleading statement; and</p> <p>(c) any other information or statement required by the approved form</p>	The form of the CB declaration and additional information and statements to be included in the CB declaration	Before the purchaser takes possession of the goods
CB Rule 3	Seller to make an invoice	<p>The seller must make an invoice or receipt:</p> <p>(a) at the time of the sale; and</p> <p>(b) in an approved form; and</p> <p>(c) in duplicate; and</p> <p>(d) containing a full description of the goods</p>	<p>(a) forms of invoice that render obvious an alteration to, or deletion from, the contents of the invoice; and</p> <p>(b) the information to be included in an invoice</p>	Before the purchaser takes possession of the goods

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[1]	[2]	[3]	[4]	[5]
Rule number	Summary of rule	Details of rule	What the Commissioner may approve	Time when the requirements of the rule must be satisfied
CB Rule 4	Seller to retain copies of certain documents	The seller must retain: <ul style="list-style-type: none"> <li>(a) a copy of the invoice; and</li> <li>(b) the signed CB declaration (if any); and</li> <li>(c) if the goods are paid for on the Australian side of the Customs barrier and pass into the possession of the purchaser only after the purchaser has passed through the Customs barrier, an approved document giving evidence of that fact</li> </ul>	A document of a kind that provides evidence that the goods have been passed into the possession of the purchaser after he or she has passed through the Customs barrier	Before the purchaser takes possession of the goods

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## Schedule 7      Examples of financial supply

(regulation 40-5.11)

*Note 1* The examples are not to be taken as exhaustive.

*Note 2* If an example is inconsistent with the description of the financial supply in the item in the table in regulation 40-5.09 to which the example relates, the description prevails.

See s 15AD of the *Acts Interpretation Act 1901*.

### Part 1      Examples for item 1 in the table in regulation 40-5.09

Item	Example
1	Opening, keeping, operating, maintaining and closing of cheque, debit card, deposit and savings accounts for account holders
2	Cash collection, handling and sorting for account holders by account providers
3	ATM, electronic and telephone operation of accounts
4	Supply of standard cheque and deposit books for account holders
5	Supply of debit and smart cards
6	Cashing cheques and payment orders
7	Preparation, reconciliation and replacement of account statements
8	Notification of dishonoured transactions and unpaid fees
9	Stopping payment of cheques
10	Operation of authorised overdraft facilities
11	Unauthorised usage of overdraft facilities
12	Retention and storage of vouchers
13	Making information about accounts available
14	Garnishee of accounts
15	Recovery of Commonwealth, State and Territory fees, duties and taxes
16	Audit confirmation of accounts

<b>Item</b>	<b>Example</b>
17	Electronic funds transfer
18	Money transfer for account holders
19	Making disbursements for account holders

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**Part 2            Examples for item 2 in the table in regulation 40-5.09**

<b>Item</b>	<b>Example</b>
1	Borrowing and lending, including establishing, maintaining and discharging loans
2	Opening, keeping, operating, maintaining and closing charge and credit card facilities
3	Supply of credit cards
4	Establishing, operating and terminating letters of credit
5	Right to an income stream under a securitisation arrangement
6	Recovery of Commonwealth, State and Territory fees, duties and taxes
7	Recovery of lenders mortgage insurance fees

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**Part 3            Examples for item 3 in the table in regulation 40-5.09**

<b>Item</b>	<b>Example</b>
1	A mortgage over land or premises
2	A mortgage over a chattel
3	A charge over the assets of a company
4	Documentation or valuation of the collateral or security for a credit or an advance
5	A mortgage over a share or bond

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## Part 4      Examples for item 6 in the table in regulation 40-5.09

Item	Example
1	A contract of insurance that provides for the payment of money on the death of a person or on the happening of a contingency dependent on the termination or continuance of human life
2	A contract of insurance that is subject to payment of premiums for a term dependent on the termination or continuance of human life
3	A contract of insurance for a term dependent on the termination or continuance of human life that provides for the payment of an annuity
4	A contract that provides for the payment of an annuity for a term not dependent on the continuance of a human life
5	A continuous disability policy within the meaning of section 9A of the <i>Life Insurance Act 1995</i>
6	A contract (whether or not a contract of insurance) that constitutes an investment account contract, or an investment-linked contract, within the meaning of section 14 of the <i>Life Insurance Act 1995</i>

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## Part 5      Examples for item 7 in the table in regulation 40-5.09

Item	Example
1	An indemnity that is not a contract of insurance
2	A surety bond that is a guarantee
3	A performance bond

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## Part 6      Example for item 8 in the table in regulation 40-5.09

Item	Example
1	The amount of interest, and associated fees and charges, in respect of the credit component under a hire purchase agreement

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## **Part 7            Examples for item 9 in the table in regulation 40-5.09**

<b>Item</b>	<b>Example</b>
1	Foreign currency in cash form
2	Foreign currency drafts
3	Travellers cheques
4	International cheques
5	Collection, negotiation and endorsement of instruments (including cheques) for payment in foreign currency, including message services
6	Forward contracts for transactions to buy or sell foreign currency
7	Options to buy or sell foreign currency
8	Conversion of Australian currency into foreign currency and conversion of foreign currency into Australian currency

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## **Part 8            Examples for item 10 in the table in regulation 40-5.09**

<b>Item</b>	<b>Example</b>
1	Bonds, stocks or debentures issued, or proposed to be issued, by a government entity
2	Shares in, or debentures or convertible notes of, a body
3	Subordinated notes
4	Structured notes
5	Units in a unit trust
6	Dealings in floating rate notes, commercial bills, commercial paper, extendable bill investments and other financial instruments
7	Interests in a partnership
8	Promissory notes and bills of exchange
9	Bank cheques
10	Warrants
11	Securities lending

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## **Part 9      Examples for item 11 in the table in regulation 40-5.09**

<b>Item</b>	<b>Example</b>
1	Forward contracts, futures contracts, swap contracts and options contracts the value of which depends on, or is derived from: <ul style="list-style-type: none"><li>(a) the price of debt securities or debt securities index values or interest rates; or</li><li>(b) foreign exchange or currency values or currency index values; or</li><li>(c) share or stock prices or equity index values; or</li><li>(d) credit spreads or credit events, including:<ul style="list-style-type: none"><li>(i) default; and</li><li>(ii) other forms of financial distress; and</li><li>(iii) credit index values; or</li></ul></li><li>(e) macroeconomic indicators or variables; or</li><li>(f) climatic events or indexes</li></ul>
2	Commodity derivatives that involve no option, right or obligation to delivery of the commodity, such as electricity derivatives
3	Reciprocal repurchase agreements
4	Options over input taxed supply of precious metals
5	Securities lending agreements
6	Initial and variation margins in respect of exchange traded futures contracts
7	Cash settlement of a derivative over the counter or on the exchange rather than the physical delivery of the underlying taxable assets

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## **Schedule 8      Examples of supply that is not financial supply**

(regulation 40-5.13)

*Note 1* The examples are not to be taken as exhaustive.

*Note 2* If an example is inconsistent with the description of the financial supply in the table in regulation 40-5.12 to which the example relates, the description in the table prevails.

See s 15AD of the *Acts Interpretation Act 1901*.

### **Part 1            Examples for item 3 in the table in regulation 40-5.12**

<b>Item</b>	<b>Example</b>
1	Advice by a legal practitioner in the course of professional practice
2	Advice by an accountant in the course of professional practice
3	Taxation advice, including preparation of tax returns
4	Actuarial advice
5	Rating services for securitisation vehicles

### **Part 2            Examples for item 4 in the table in regulation 40-5.12**

<b>Item</b>	<b>Example</b>
1	Supply of services by a payment system operator to a participant in the system for which the following fees are charged by the operator: <ul style="list-style-type: none"><li>(a) membership fees;</li><li>(b) processing fees;</li><li>(c) service fees;</li><li>(d) marketing fees;</li><li>(e) risk management fees;</li><li>(f) multi-currency fees</li></ul>

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<b>Item</b>	<b>Example</b>
2	Access to a payment system, and supply of other related services by a participant in the system to a third party
3	Supply of a service by one participant in a payment system to another participant in the system in relation to charge, credit and debit card transactions
4	Processing, settling, clearing and switching transactions of the following kinds: <ul style="list-style-type: none"><li>(a) direct credit and debit;</li><li>(b) other debit and credit transactions;</li><li>(c) charge, credit and debit card transactions;</li><li>(d) cheque;</li><li>(e) electronic funds transfer;</li><li>(f) ATM;</li><li>(g) B-pay;</li><li>(h) Internet banking;</li><li>(i) GiroPost;</li><li>(j) SWIFT (Society for Worldwide Interbank Financial Telecommunications) Payment Delivery System;</li><li>(k) an approved RTGS (real time gross settlement) system;</li><li>(l) Austraclear</li></ul>
5	Supply to a participant in a payment system by the operator of the system of the following services: <ul style="list-style-type: none"><li>(a) processing of account data;</li><li>(b) electronic payment services</li></ul>

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### **Part 3      Examples for item 7 in the table in regulation 40-5.12**

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<b>Item</b>	<b>Example</b>
1	Deliverable wool futures and forward contracts
2	Deliverable wheat futures and forward contracts
3	Options over a contract mentioned in item 1 or 2

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**Part 4            Example for item 10 in the table in  
regulation 40-5.12**

<b>Item</b>	<b>Example</b>
1	Health insurance provided as part of a health insurance business (as defined in subsection 67 (4) of the <i>National Health Act 1953</i> )

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**Part 5            Examples for item 12 in the table in  
regulation 40-5.12**

<b>Item</b>	<b>Example</b>
1	Managing the assets or liabilities of an entity
2	Acting as the trustee of an entity
3	Investment portfolio administration, including: (a) maintaining account holder records and associated accounting; and (b) processing of contributions and returns; and (c) storage and retrieval of archives; and (d) statement processing and bulk mailing

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**Part 6            Examples for item 15 in the table in  
regulation 40-5.12**

<b>Item</b>	<b>Example</b>
1	Acting as a trustee of a trust or other entity
2	Acting as a trustee under a will or settlement

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## Schedule 10 Statutory compensation schemes

(regulation 78-105.01)

Item	Scheme or arrangement	Australian law
1	Commonwealth government employees workers' compensation insurance scheme	<i>Safety, Rehabilitation and Compensation Act 1988</i> (Cth)
2	ACT government employees workers' compensation insurance scheme	<i>Safety, Rehabilitation and Compensation Act 1988</i> (Cth)
2A	Military rehabilitation and compensation scheme	<i>Military Rehabilitation and Compensation Act 2004</i> (Cth)
3	NSW Treasury Managed Fund	<i>Government Insurance Office (Privatisation) Act 1991</i> (NSW)
4	Sporting injuries insurance scheme	<i>Sporting Injuries Insurance Act 1978</i> (NSW)  <i>Motor Accidents Compensation Act 1999</i> (NSW)
6	WorkCover scheme	<i>Workers Compensation Act 1987</i> (NSW)  <i>Workplace Injury Management and Workers' Compensation Act 1998</i> (NSW)
8	General insurance schemes provided by the Victorian Managed Insurance Authority	<b>Victorian Managed Insurance Authority Act 1996</b> (Vic)
9	Workers' compensation insurance scheme	<b>Accident Compensation Act 1985</b> (Vic)  <b>Accident Compensation (WorkCover Insurance) Act 1993</b> (Vic)  <b>Workers Compensation Act 1958</b> (Vic)

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<b>Item</b>	<b>Scheme or arrangement</b>	<b>Australian law</b>
11	Workers' compensation scheme	<i>WorkCover Queensland Act 1996 (Qld)</i>
13	Workers' compensation scheme	<i>Workers' Compensation and Rehabilitation Act 1981 (WA)</i>
14	RiskCover Fund	<i>Insurance Commission of Western Australia Act 1986 (WA)</i>
16	Workers' rehabilitation and compensation scheme	<i>Workers Rehabilitation and Compensation Act 1986 (SA)</i>
18	WorkCover scheme	<i>Workers' Compensation Act 1951 (ACT)</i> <i>Workers' Compensation Supplementation Fund Act 1980 (ACT)</i>
19	Workers' compensation insurance scheme	<i>Workers' Compensation Act 1951 (ACT)</i>
22	Workers' compensation insurance scheme	<i>Workers Rehabilitation and Compensation Act 1988 (Tas)</i>

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## Schedule 11      **Compulsory third party schemes**

(regulation 195-1.01)

<b>Item</b>	<b>Scheme or arrangement</b>	<b>Australian law</b>
1	Compensation scheme for victims of motor accidents	<i>Motor Accidents Act 1988</i> (NSW) <i>Motor Accidents Compensation Act 1999</i> (NSW)
2	Compulsory third party transport accident compensation scheme	<b>Transport Accident Act 1986</b> (Vic)
3	Statutory insurance scheme	<i>Motor Accident Insurance Act 1994</i> (Qld)
4	Compulsory third party insurance scheme	<i>Motor Vehicle (Third Party Insurance) Act 1943</i> (WA)
5	Third party insurance scheme	<i>Motor Vehicles Act 1959</i> (SA)
6	Compulsory third party insurance scheme	<i>Road Transport (General) Act 1999</i> (ACT)
7	Motor accidents compensation scheme	<i>Motor Accidents (Compensation) Act</i> (NT)
8	Motor accidents insurance scheme	<i>Motor Accidents (Liabilities and Compensation) Act 1973</i> (Tas)

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## Schedule 12 First aid or life saving course

(regulation 195-1.02)

Item	Competency	Competency unit code within the National Training Framework
1	Respond to aquatic emergency using basic water rescue techniques	(a) SRC AQU 003A; or (b) SRC AQU 003B
2	Apply the principles of movement in water to aquatic activities	(a) SRC AQU 008A; or (b) SRC AQU 008B
3	Instruct water familiarisation, buoyancy and mobility skills	(a) SRC AQU 009A; or (b) SRC AQU 009B
4	Instruct water safety and survival skills	(a) SRC AQU 010A; or (b) SRC AQU 010B
5	Instruct the strokes of swimming	(a) SRC AQU 011A; or (b) SRC AQU 011B
6	Operate in accordance with accepted instructional practices, styles and legal and ethical responsibilities	(a) SRC CRO 007A; or (b) SRC CRO 007B

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## Dictionary

(regulation 3)

**100% subsidiary** — see the Dictionary in Part 6-3 of the Act.

**ABN** see the Dictionary in Part 6-3 of the Act.

**account:**

- (a) means an account mentioned in item 1 in the table in regulation 40-5.09; and
- (b) includes an account in relation to which the account holder (the **customer**) has the right:
  - (i) to have the account maintained by the account provider (the **provider**); and
  - (ii) to repayment of the amount credited to the account by the provider; and
  - (iii) to require the provider to act on directions by the customer that are in accordance with the arrangements, or any agreement, between the provider and the customer in relation to operation of the account.

**acquirer** means a person who acquires goods the supply of which is a taxable supply.

**acquisition** — see regulation 40-5.05.

**Act** means *A New Tax System (Goods and Services Tax) Act 1999*.

**Approved entity** means an entity with an approval under regulation 33-15.03 to make deferred payments of GST on taxable importations.

**Australian ADI** has the meaning given by section 9 of the *Corporations Act 2001*.

**charge card** means an article, commonly known as a charge card, for use in obtaining cash, goods or services by incurring a debt with the issuer of the card.

**company** see the Dictionary in Part 6-3 of the Act.

**connected with Australia**, in relation to a financial supply, has the meaning given by section 9-25 of the Act.

*Note* This meaning is affected by s 96-5 of the Act.

**consideration** see the Dictionary in Part 6-3 of the Act.

**credit card:**

- (a) means an article commonly known as a credit card and any similar article for use in obtaining cash, goods or services on credit; and
- (b) includes an article commonly issued by persons conducting business to their customers, or prospective customers, for use in obtaining goods or services from the business on credit.

**credit union** includes the Cairns Penny Bank Limited (ACN 087 933 757).

**Debit card** means an article intended for use by an entity in obtaining access to an account held by the entity for the purpose of withdrawing or depositing cash or obtaining goods or services.

**derivative** means an agreement or instrument the value of which depends on, or is derived from, the value of assets or liabilities, an index or a rate.

**disposal** — see regulation 40-5.04.

**electronic payment** see the Dictionary in Part 6-3 of the Act.

**enter goods for home consumption** has the meaning given in the *Customs Act 1901*.

**Enterprise** see section 9-20 of the Act.

**entity** see section 184-1 of the Act.

**externally-administered body corporate** has the meaning given by section 9 of the *Corporations Act 2001*.

**financial supply** see subsection 40-5 (2) of the Act.

**financial supply facilitator** — see regulation 40-5.07.

**financial supply provider** — see regulation 40-5.06.

**gift-deductible entity** see the Dictionary in Part 6-3 of the Act.

**GST** see the Dictionary in Part 6-3 of the Act.

**GST branch** see section 54-5 of the Act.

**GST-free** see subsection 9-30 (1) and Division 38 of the Act.

**GST group** see section 48-5 of the Act.

**GST joint venture** see section 51-5 of the Act.

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**GST return** see the Dictionary in Part 6-3 of the Act.

**joint venture operator**, for a GST joint venture, see the Dictionary in Part 6-3 of the Act.

**incidental financial supply** — see regulation 40-5.10.

**input tax credit** see the Dictionary in Part 6-3 of the Act.

**input taxed** see subsection 9-30 (2) and Division 40 of the Act.

**interest** — see regulation 40-5.02.

**member**, in relation to a GST group, see the Dictionary in Part 6-3 of the Act.

**money** see the Dictionary in Part 6-3 of the Act.

**National Training Framework** means a nationally recognised system of training packages, training qualifications and registered training organisations.

**officer of Customs** has the meaning given by subsection 4 (1) of the *Customs Act 1901*.

**Outstanding tax-related liability** has the meaning given in the Dictionary in section 995-1 of the *Income Tax Assessment Act 1997*.

**Participant**, in relation to a GST joint venture, see the Dictionary in Part 6-3 of the Act.

**partnership** see the Dictionary in Part 6-3 of the Act.

**participant**, in a payment system, means a person who is a participant in the system in accordance with the rules governing the operations of the system.

**payment system** means a funds transfer system that facilitates the circulation of money, including any procedures that relate to the system.

**price**, in relation to a supply, see section 9-75 of the Act.

**provision** — see regulation 40-5.03.

**recipient**, in relation to a supply, see the Dictionary in Part 6-3 of the Act.

**recipient created tax invoice** see subsection 29-70 (3) of the Act.

**reduced credit acquisition** has the meaning given by subsection 70-5 (1) of the Act.

**registered** means registered under Part 2-5 of the Act.

**registered training organisation** means a training organisation registered under the National Training Framework.

**relevant traveller** see the Dictionary in Part 6-3 of the Act.

**required to be registered** has the meaning given by sections 23-5, 57-20, 144-5 and 147-5 of the Act.

**securities** has the meaning given by subsection 92 (1) of the *Corporations Act 2001*.

**smart card** means an article, commonly known as a smart card, that has the capacity to keep a record of financial transactions using the article.

**supply** see section 9-10 of the Act.

**taxable supply** see the Dictionary in Part 6-3 of the Act.

**taxation law** see the Dictionary in Part 6-3 of the Act.

**tax invoice** see the Dictionary in Part 6-3 of the Act.

**tourist refund scheme** means the arrangements set out in section 168-5 of the Act.

**transaction card** means a debit card, charge card, credit card or smart card.

**TRS verification facility**, in relation to an acquirer who is leaving Australia from an airport, or seaport, at which the tourist refund scheme is administered means the place, at the airport or seaport, at which the scheme is administered.

*Note* The tourist refund scheme will not be administered at every airport and seaport in Australia.

## Notes to the *A New Tax System (Goods and Services Tax) Regulations 1999*

### Note 1

The *A New Tax System (Goods and Services Tax) Regulations 1999* (in force under the *A New Tax System (Goods and Services Tax) Act 1999*) as shown in this compilation comprise Statutory Rules 1999 No. 245 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

### Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1999 No. 245	21 Oct 1999	1 July 2000 (see r. 2)	
2000 No. 49	19 Apr 2000	19 Apr 2000	—
2000 No. 77	26 May 2000	26 May 2000	—
2000 No. 89	1 June 2000	1 June 2000	—
2000 No. 110	15 June 2000	Rr. 1–3 and Schedule 1: 15 June 2000 Remainder: 16 June 2000	—
2000 No. 268	28 Sept 2000	28 Sept 2000	—
2000 No. 363	20 Dec 2000	20 Dec 2000	—
2001 No. 48	16 Mar 2001	1 July 2000	—
2001 No. 126	6 June 2001	1 Dec 2001	—
2002 No. 88	9 May 2002	1 July 2000	—
2003 No. 37	27 Mar 2003	1 Apr 2003	—
2003 No. 73	28 Apr 2003	1 May 2003	—
2003 No. 190	24 July 2003	1 July 2000	—
2004 No. 218	15 July 2004	15 July 2004	—
2004 No. 276	26 Aug 2004	1 July 2004	—
2007 No. 175	26 June 2007(see F2007L01756)	1 July 2007	—
2007 No. 206	29 June 2007(see F2007L01975)	1 July 2007	—
2007 No. 258	27 Aug 2007 (see F2007L02640)	28 Aug 2007	—

**Table of Instruments**

<b>Year and number</b>	<b>Date of notification in <i>Gazette</i> or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
2009 No. 29	27 Feb 2009 (see F2009L00679)	3 Mar 2009	—
2009 No. 385	16 Dec 2009 (see F2009L04488)	1 July 2010	—
2010 No. 206	12 July 2010 (see F2010L01945)	1 July 2010	R. 3
2010 No. 207	12 July 2010 (see F2010L01951)	1 July 2010	—
2011 No. 108	20 June 2011 (see F2011L01077)	21 June 2011	—
2011 No. 127	30 June 2011 (see F2011L01361)	1 July 2011	—

**Table of Amendments****Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
R. 3 .....	am. 2000 No. 77
<b>Part 2-5</b>	
Part 2-5 .....	ad. 2007 No. 206
<b>Division 23</b>	
R. 23-15.01 .....	ad. 2007 No. 206
R. 23-15.02 .....	ad. 2007 No. 206
<b>Part 2-6</b>	
Part 2-6 .....	rs. 2000 No. 77
Rr. 29-70, 29-71 .....	rep. 2000 No. 77
<b>Division 29</b>	
Div. 29 of Part 2-6 .....	ad. 2000 No. 77
<b>Subdivision 29-C</b>	
Subdiv. 29-C of Div. 29 of ..... Part 2-6	ad. 2000 No. 77
R. 29-70.01 .....	ad. 2000 No. 77 rep. 2010 No. 206
R. 29-70.02 .....	ad. 2000 No. 77 rep. 2010 No. 206
R. 29-80.01 .....	ad. 2007 No. 175
R. 29-80.02 .....	ad. 2009 No. 385
<b>Part 2-7</b>	
Part 2-7 .....	ad. 2000 No. 89
<b>Division 33</b>	
Div. 33 of Part 2-7 .....	ad. 2000 No. 89
R. 33-15.01 .....	ad. 2000 No. 89 am. 2000 No. 268
R. 33-15.02 .....	ad. 2000 No. 89
R. 33-15.03 .....	ad. 2000 No. 89
R. 33-15.04 .....	ad. 2000 No. 89
R. 33-15.05 .....	ad. 2000 No. 89
R. 33-15.06 .....	ad. 2000 No. 89 am. 2000 No. 268
R. 33-15.07 .....	ad. 2000 No. 89
R. 33-15.08 .....	ad. 2000 No. 89
R. 33-15.09 .....	ad. 2000 No. 89

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<b>Provision affected</b>	<b>How affected</b>
<b>Part 3-1</b>	
<b>Division 38</b>	
Div. 38 of Part 3-1 .....	ad. 2000 No. 110
<b>Subdivision 38-A</b>	
Subdiv. 38-A of Div. 38 of ..... Part 3-1	ad. 2000 No. 110
R. 38-3.01 .....	ad. 2000 No. 110
R. 38-3.02 .....	ad. 2001 No. 126
<b>Subdivision 38-B</b>	
Subdiv. 38-B of Div. 38 of ..... Part 3-1	ad. 2000 No. 110
R. 38-45.01 .....	ad. 2000 No. 110
<b>Subdivision 38-E</b>	
Subdiv. 38-E of Div. 38 of ..... Part 3-1	ad. 2000 No. 110
R. 38-185.01 .....	ad. 2000 No. 110
Part 3-1 .....	rep. 2000 No. 77
Rr. 40-5 to 40-17 .....	rep. 2000 No. 77
Part 3-1 .....	ad. 2000 No. 77
<b>Division 40</b>	
Div. 40 of Part 3-1 .....	ad. 2000 No. 77
<b>Subdivision 40-A</b>	
Subdiv. 40-A of Div. 40 ..... of Part 3-1	ad. 2000 No. 77
R. 40-5.01 .....	ad. 2000 No. 77
R. 40-5.02 .....	ad. 2000 No. 77
R. 40-5.03 .....	ad. 2000 No. 77
R. 40-5.04 .....	ad. 2000 No. 77
R. 40-5.05 .....	ad. 2000 No. 77
R. 40-5.06 .....	ad. 2000 No. 77
R. 40-5.07 .....	ad. 2000 No. 77
R. 40-5.08 .....	ad. 2000 No. 77
R. 40-5.09 .....	ad. 2000 No. 77 am. 2000 No. 363; 2004 No. 218; 2009 No. 29; 2011 No. 108
R. 40-5.10 .....	ad. 2000 No. 77
R. 40-5.11 .....	ad. 2000 No. 77 am. 2000 No. 110
Note 2 to r. 40-5.11 .....	am. 2000 No. 110
Note 3 to r. 40-5.11 .....	am. 2000 No. 110



**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
R. 40-5.12 .....	ad. 2000 No. 77
R. 40-5.13 .....	ad. 2000 No. 77 am. 2000 No. 110
<b>Part 4-1</b>	
Part 4-1 .....	ad. 2000 No. 49
<b>Division 48</b>	
Div. 48 of Part 4-1 .....	ad. 2000 No. 49
<b>Subdivision 48-A</b>	
Subdiv. 48-A of Div. 48 .....	ad. 2000 No. 49
R. 48-10.01 .....	ad. 2000 No. 49 am. 2003 No. 37
R. 48-10.01A .....	ad. 2003 No. 37
R. 48-10.02 .....	ad. 2000 No. 49 am. 2003 No. 37
R. 48-10.03 .....	ad. 2000 No. 49 am. 2000 No. 268; 2003 No. 37
R. 48-10.03A .....	ad. 2003 No. 37
R. 48-10.04 .....	ad. 2000 No. 268 am. 2003 No. 37
<b>Division 51</b>	
Div. 51 of Part 4-1 .....	ad. 2000 No. 77
R. 51-5.01 .....	ad. 2000 No. 77 am. 2003 No. 73
<b>Part 4-2</b>	
Part 4-2 .....	rep. 2000 No. 77
Rr. 70-1 to 70-3 .....	rep. 2000 No. 77
Part 4-2 .....	ad. 2000 No. 77
<b>Division 70</b>	
Div. 70 of Part 4-2 .....	ad. 2000 No. 77
R. 70-5.01 .....	ad. 2000 No. 77
R. 70-5.01A .....	ad. 2001 No. 48
Heading to 70-5.02 .....	rs. 2001 No. 48
R. 70-5.02 .....	ad. 2000 No. 77
R. 70-5.02A .....	ad. 2001 No. 48
R. 70-5.02B .....	ad. 2001 No. 48
R. 70-5.02C .....	ad. 2001 No. 48
R. 70-5.02D .....	ad. 2001 No. 48
R. 70-5.03 .....	ad. 2000 No. 77

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<b>Provision affected</b>	<b>How affected</b>
<b>Division 78</b>	
Div. 78 of Part 4-2 .....	ad. 2000 No. 77
R. 78-105.01 .....	ad. 2000 No. 77
<b>Division 79</b>	
Div. 79 of Part 4-2 .....	ad. 2003 No. 190
R. 79-35.01 .....	ad. 2003 No. 190
<b>Division 81</b>	
Div. 81 of Part 4-2 .....	ad. 2011 No. 127
R. 81-10.01 .....	ad. 2011 No. 127
<b>Part 4-7</b>	
Part 4-7 .....	ad. 2000 No. 110
<b>Division 168</b>	
Div. 168 of Part 4-7 .....	ad. 2000 No. 110
<b>Subdivision 168-1</b>	
Subdiv. 168-1 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.01 .....	ad. 2000 No. 110 am. 2010 No. 207
R. 168-5.02 .....	ad. 2000 No. 110
R. 168-5.03 .....	ad. 2000 No. 110
R. 168-5.04 .....	ad. 2000 No. 110
R. 168-5.05 .....	ad. 2000 No. 110
<b>Subdivision 168-2</b>	
Subdiv. 168-2 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.06 .....	ad. 2000 No. 110 am. 2010 No. 207
R. 168-5.07 .....	ad. 2000 No. 110
<b>Subdivision 168-3</b>	
Subdiv. 168-3 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.08 .....	ad. 2000 No. 110
R. 168-5.09 .....	ad. 2000 No. 110
R. 168-5.10 .....	ad. 2000 No. 110
<b>Subdivision 168-3A</b>	
Subdiv. 168-3A of Div. 168 .... of Part 4-7	ad. 2010 No. 207
R. 168-5.10A.....	ad. 2010 No. 207
R. 168-5.10B.....	ad. 2010 No. 207
R. 168-5.10C .....	ad. 2010 No. 207

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<b>Provision affected</b>	<b>How affected</b>
<b>Subdivision 168-4</b>	
Subdiv. 168-4 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.11 .....	ad. 2000 No. 110 am. 2010 No. 207
<b>Subdivision 168-5</b>	
Subdiv. 168-5 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.12 .....	ad. 2000 No. 110
R. 168-5.13 .....	ad. 2000 No. 110
<b>Subdivision 168-6</b>	
Subdiv. 168-6 of Div. 168..... of Part 4-7	ad. 2000 No. 110
R. 168-5.14 .....	ad. 2000 No. 110
R. 168-5.15 .....	ad. 2000 No. 110
R. 168-5.16 .....	ad. 2000 No. 110
R. 168-5.17 .....	ad. 2000 No. 110
<b>Part 6-3</b>	
Part 6-3 .....	ad. 2003 No. 190
<b>Division 195</b>	
Div. 195 of Part 6-3 .....	ad. 2003 No. 190
R. 195-1.01 .....	ad. 2003 No. 190
R. 195-1.02 .....	ad. 2007 No. 258
<b>Schedule 1</b>	
Heading to Schedule 1 .....	rs. 2000 No. 77
Schedule 1 .....	am. 2000 No. 77
Renumbered as .....	2000 No. 110
Schedule 7	
<b>Schedule 3</b>	
Schedule 3 .....	ad. 2000 No. 110
<b>Schedule 5</b>	
Schedule 5 .....	ad. 2000 No. 110
<b>Schedule 7</b>	
Schedule 7 .....	2000 No. 110
Formerly Schedule 1	
<b>Schedule 8</b>	
Heading to Schedule 2 .....	rs. 2000 No. 77
Schedule 2 .....	am. 2000 No. 77
Renumbered as .....	2000 No. 110
Schedule 8	

**Table of Amendments**

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ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

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<b>Provision affected</b>	<b>How affected</b>
Schedule 8..... Formerly Schedule 2	2000 No. 110
<b>Schedule 10</b>	
Schedule 10.....	ad. 2000 No. 77 am. 2002 No. 88; 2003 No. 190; 2004 No. 276
<b>Schedule 11</b>	
Schedule 11.....	ad. 2003 No. 190
<b>Schedule 12</b>	
Schedule 12.....	ad. 2007 No. 258
<b>Dictionary</b>	
Dictionary.....	am. 2000 Nos. 49, 77, 89 and 110; 2001 No. 48; 2007 No. 258; 2011 No. 108

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**Table A                      Application, saving or transitional provisions**

**Selective Legislative Instrument 2010 No. 206**

**3                      Application**

The amendments made by Schedule 1 apply in relation to net amounts for tax periods starting on or after 1 July 2010.

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