Taxation Administration Amendment Regulations 2002 (No. 1)[1]

Statutory Rules 2002 No. [2] /102

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Taxation Administration Act 1953*.

Dated 16 MAY 2002 2002

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

HELEN COONAN
Minister for Revenue and Assistant Treasurer

1 **Name of Regulations**

These Regulations are the *Taxation Administration Amendment Regulations 2002 (No. 1)*. /

2 **Commencement**

These Regulations commence on 1 July 2002.

3 **Amendment of *Taxation Administration Regulations 1976***

Schedule 1 amends the *Taxation Administration Regulations 1976.*

Schedule 1 Amendments

(regulation 3)

[1] **Part 5, Division 4, heading**

substitute

Division 4 Dividend, interest, royalty, mining and certain superannuation payments

[2] After regulation 43

insert in Division 4

43A Departing Australia superannuation payments

(1) For section 15-35 of Schedule 1 to the Act, the amount to be withheld under section 15-35 of Schedule 1 to the Act from a departing Australia superannuation payment is:

(a) for so much of the departing Australia superannuation payment as is an undeducted contribution or post-June 1994 invalidity component — nil; and

(b) for so much of the departing Australia superannuation payment as is the untaxed element of the post-June 1983 component — 40%; and

(c) for the remainder of the departing Australia superannuation payment — 30%.

(2) A term that is used in this regulation and is defined in section 27A of the *Income Tax Assessment Act 1936* has the same meaning in this regulation as it would have in that section if references to ETPs in that section included references to departing Australia superannuation payments.

Notes

1. These Regulations amend Statutory Rules 1976 No. 129, as amended by 1984 Nos. 407 and 415; 1989 No. 73; 1992 No. 317; 1993 No. 194; 1994 Nos. 55, 198 and 340; 1996 No. 347; 2000 Nos. 73, 109, 152 and 184; 2001 Nos. 164, 289, 321 and 354.

2. Notified in the *Commonwealth of Australia Gazette* on / 2002. 23 May