

2013

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

EXPOSURE DRAFT

**Minerals Resource Rent Tax Repeal and
Other Measures Bill 2013**

No. , 2013

(Treasury)

**A Bill for an Act to amend the law relating to
taxation, superannuation, social security and family
assistance, and for other purposes**

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**A Bill for an Act to amend the law relating to
taxation, superannuation, social security and family
assistance, and for other purposes**

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Minerals Resource Rent Tax Repeal
and Other Measures Act 2013*.

2 Commencement

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

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	
2. Schedule 1, items 1 to 130	1 July 2014.	1 July 2014

Schedule 1 Minerals resource rent tax
Part 2 Consequential amendments

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
3. Schedule 1, item 131	The earlier of: (a) the day this Act receives the Royal Assent; and (b) 1 July 2014.	
4. Schedule 1, item 132	1 July 2014.	1 July 2014
5. Schedules 2 to 9	The day this Act receives the Royal Assent.	

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

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

7 **3 Schedule(s)**

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9 repealed as set out in the applicable items in the Schedule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

1 **Schedule 1—Minerals resource rent tax**

2 **Part 1—Repeals**

3 *Minerals Resource Rent Tax Act 2012*

4 **1 The whole of the Act**

5 Repeal the Act.

6 *Minerals Resource Rent Tax (Imposition—Customs) Act*
7 *2012*

8 **2 The whole of the Act**

9 Repeal the Act.

10 *Minerals Resource Rent Tax (Imposition—Excise) Act 2012*

11 **3 The whole of the Act**

12 Repeal the Act.

13 *Minerals Resource Rent Tax (Imposition—General) Act 2012*

14 **4 The whole of the Act**

15 Repeal the Act.

1 **Part 2—Consequential amendments**

2 *Administrative Decisions (Judicial Review) Act 1977*

3 **5 Paragraph (e) of Schedule 1**

4 Omit:

5 *Minerals Resource Rent Tax Act 2012*

6 **6 Paragraph (e) of Schedule 1**

7 Omit “, 3-15”.

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

9 **7 Paragraph 177-12(4)(h)**

10 Omit “1987; or”, substitute “1987.”.

11 **8 Paragraph 177-12(4)(i)**

12 Repeal the paragraph.

13 *Crimes (Taxation Offences) Act 1980*

14 **9 Subsection 3(1) (definition of *MRRT*)**

15 Repeal the definition.

16 **10 Subsection 3(1) (definition of *MRRT law*)**

17 Repeal the definition.

18 **11 Part II (paragraph (i) of note to Part heading)**

19 Omit “Part X);”, substitute “Part X).”.

20 **12 Part II (paragraph (j) of note to Part heading)**

21 Repeal the paragraph.

22 **13 Part XI**

23 Repeal the Part.

1 ***Income Tax Assessment Act 1997***

2 **14 Section 10-5 (table item headed “minerals resource rent**
3 **tax”)**

4 Repeal the item.

5 **15 Section 12-5 (table item headed “capital allowances”)**

6 Omit:

Minerals Resource Rent Tax 40-751

7 **16 Section 15-85**

8 Repeal the section.

9 **17 Section 40-725**

10 Omit:

11

- | |
|--|
| <ul style="list-style-type: none">• paying minerals resource rent tax; and |
|--|

12 **18 Section 40-751**

13 Repeal the section.

14 **19 Subsection 703-50(1) (note 2)**

15 Repeal the note.

16 **20 Subsection 719-50(1) (note 2)**

17 Repeal the note.

18 **21 Subsection 721-10(2) (table items 75, 80 and 85)**

19 Repeal the items.

20 **22 Subsection 721-10(4)**

21 Repeal the subsection.

22 **23 Subsection 721-10(6)**

23 Omit “subsections (4) and (5)”, substitute “subsection (5)”.

1 **24 Subsection 721-10(6)**

2 Omit “those subsections”, substitute “that subsection”.

3 **25 Subsection 721-25(1AA)**

4 Repeal the subsection.

5 **26 Subsections 721-25(1B), (2) and (3)**

6 Omit “, (1A) and (1AA)”, substitute “and (1A)”.

7 **27 Section 960-265 (table item 14)**

8 Repeal the item.

9 **28 Subsection 995-1(1)**

10 Repeal the following definitions:

- 11 (a) definition of *allowance component*;
- 12 (b) definition of *applicable instalment rate*;
- 13 (c) definition of *arm’s length consideration*.

14 **29 Subsection 995-1(1) (definition of *base value*)**

15 Repeal the definition, substitute:

16 *base value*, of a *depreciating asset, has the meaning given by

17 subsection 40-70(1).

18 **30 Subsection 995-1(1) (paragraph (b) of the definition of**

19 ***base year*)**

20 Omit “1953; and”, substitute “1953.”.

21 **31 Subsection 995-1(1) (paragraph (c) of the definition of**

22 ***base year*)**

23 Repeal the paragraph.

24 **32 Subsection 995-1(1) (definition of *benchmark instalment***

25 ***rate*)**

26 Repeal the definition, substitute:

27 *benchmark instalment rate* has the meaning given by

28 sections 45-360 and 45-530 in Schedule 1 to the *Taxation*

29 *Administration Act 1953*.

1 **33 Subsection 995-1(1) (paragraph (c) of the definition of**
2 ***hold*)**

3 Omit “section 420-12; and”, substitute “section 420-12.”.

4 **34 Subsection 995-1(1) (paragraph (d) of the definition of**
5 ***hold*)**

6 Repeal the paragraph.

7 **35 Subsection 995-1(1) (note at the end of the definition of**
8 ***hold*)**

9 Repeal the note.

10 **36 Subsection 995-1(1) (definition of *instalment income*)**

11 Repeal the definition, substitute:

12 *instalment income* has the meaning given by sections 45-120,
13 45-260, 45-280, 45-285, 45-286 and 45-465 in Schedule 1 to the
14 *Taxation Administration Act 1953*.

15 **37 Subsection 995-1(1) (definition of *instalment quarter*)**

16 Repeal the definition, substitute:

17 *instalment quarter* has the meaning given by section 45-60 in
18 Schedule 1 to the *Taxation Administration Act 1953*.

19 **38 Subsection 995-1(1)**

20 Repeal the following definitions:

- 21 (a) definition of *miner*;
- 22 (b) definition of *mining expenditure*;
- 23 (c) definition of *mining loss*;
- 24 (d) definition of *mining profit*;
- 25 (e) definition of *mining project interest*;
- 26 (f) definition of *mining project split*;
- 27 (g) definition of *mining project transfer*;
- 28 (h) definition of *mining revenue*;
- 29 (i) definition of *mining revenue event*;
- 30 (j) definition of *MRRT*;
- 31 (k) definition of *MRRT allowance*;

- 1 (l) definition of *MRRT law*;
2 (m) definition of *MRRT liability*;
3 (n) definition of *MRRT payable*;
4 (o) definition of *MRRT return*;
5 (p) definition of *MRRT year*.

6 **39 Subsection 995-1(1)**

7 Insert:

8 *petroleum resource rent tax amount* means any debt or credit that
9 arises directly under the *petroleum resource rent tax provisions.

10 **40 Subsection 995-1(1)**

11 Insert:

12 *petroleum resource rent tax provisions* means the *petroleum
13 resource rent tax law, other than *BAS provisions.

14 **41 Subsection 995-1(1)**

15 Repeal the following definitions:

- 16 (a) definition of *pre-mining expenditure*;
17 (b) definition of *pre-mining project interest*;
18 (c) definition of *pre-mining revenue*;
19 (d) definition of *rehabilitation tax offset*;
20 (e) definition of *resource rent tax amount*;
21 (f) definition of *resource rent tax provisions*;
22 (g) definition of *split percentage*;
23 (h) definition of *starting base asset*;
24 (i) definition of *starting base return*.

25 **42 Subsection 995-1(1) (definition of *start time*)**

26 Repeal the definition, substitute:

27 *start time* of a *depreciating asset has the meaning given by
28 section 40-60.

29 **43 Subsection 995-1(1) (definition of *taxable mining profit*)**

30 Repeal the definition.

1 **44 Subsection 995-1(1) (definition of *taxable resource*)**

2 Repeal the definition.

3 **45 Subsection 995-1(1) (definition of *termination value*)**

4 Repeal the definition, substitute:

5 *termination value* has the meaning given by section 40-300.

6 ***Minerals Resource Rent Tax (Consequential Amendments***
7 ***and Transitional Provisions) Act 2012***

8 **46 Schedule 4**

9 Repeal the Schedule.

10 ***Petroleum Resource Rent Tax Assessment Act 1987***

11 **47 Section 2 (note at the end of paragraph (b) of the**
12 **definition of *exploration permit*)**

13 Repeal the note, substitute:

14 Note: An authority or right may not be covered by this paragraph
15 because it is the subject of a determination of the Resources
16 Minister under section 2AA, or because the activities relating to
17 petroleum are only incidental to the activities relating to other
18 resources (see section 2AC).

19 **48 Section 2 (definition of *petroleum*)**

20 Omit “However, *petroleum* does not include a taxable resource within
21 the meaning of the *Minerals Resource Rent Tax Act 2012*.”.

22 **49 Section 2 (note at the end of paragraph (c) of the definition**
23 **of *production licence*)**

24 Repeal the note, substitute:

25 Note: An authority or right may not be covered by this paragraph
26 because it is the subject of a determination of the Resources
27 Minister under section 2AA, or because it is limited to the
28 incidental recovery of coal seam gas (see section 2AB).

29 **50 Section 2 (note at the end of paragraph (b) of the**
30 **definition of *retention lease*)**

31 Repeal the note, substitute:

1 Note: An authority or right may not be covered by this paragraph
2 because it is the subject of a determination of the Resources
3 Minister under section 2AA, or because the activities relating to
4 petroleum are only incidental to the activities relating to other
5 resources (see section 2AC).

6 **51 After section 2AA**

7 Insert:

8 **2AB Exclusion of incidental recovery of coal seam gas**

9 An authority or right under an Australian law is taken, for the
10 purposes of this Act (other than this section), not to be an authority
11 or right mentioned in paragraph (c) of the definition of *production*
12 *licence* in section 2 if:

- 13 (a) the only recovery of petroleum that it permits is the recovery
14 of coal seam gas, being recovery that:
- 15 (i) is a necessary result of coal mining carried out under the
16 authority or right; or
 - 17 (ii) is necessary to ensure a safe working environment for
18 coal mining carried out under the authority or right; or
 - 19 (iii) is necessary to minimise the fugitive emission of
20 methane or similar gases during the course of coal
21 mining carried out under the authority or right; and
- 22 (b) all of the coal seam gas that is recovered under the authority
23 or right:
- 24 (i) is used, within the area covered by the authority or right,
25 to carry out coal mining under the authority or right; or
 - 26 (ii) is provided to the holder of a production licence (other
27 than the authority or right) whose production licence
28 area overlaps the area covered by the authority or right.

29 Note: Coal seam gas provided to the holder of another production
30 licence will be subject to petroleum resource rent tax in the hands
31 of the holder of that licence.

32 **2AC Exclusion of incidental exploration etc. for petroleum**

33 An authority or right under an Australian law is taken, for the
34 purposes of this Act (other than this section), not to be:

- 35 (a) an authority or right mentioned in paragraph (b) of the
36 definition of *exploration permit* in section 2; or

1 (b) an authority or right mentioned in paragraph (b) of the
2 definition of *retention lease* in that section;
3 if, to the extent that the authority or right permits activities of a
4 kind mentioned in a subparagraph of that paragraph, it only permits
5 them as an incident of exploration for resources other than
6 petroleum.

7 **52 After subsection 37(2)**

8 Insert:

- 9 (2A) Despite subsection (1), if:
- 10 (a) a payment liable to be made by a person would, apart from
11 this subsection, be exploration expenditure incurred by the
12 person in relation to a petroleum project; and
13 (b) the person holds, under an Australian law, an authority or
14 right (however described) that permits activities relating to
15 resources other than petroleum to be carried on in the eligible
16 exploration or recovery area in relation to the project;
17 the payment is taken, for the purposes of this Act, to be exploration
18 expenditure only to the extent that it would be reasonable to
19 conclude that the purpose of the payment is exploring for
20 petroleum or obtaining a commercial return from petroleum.
- 21 (2B) To avoid doubt, an authority or right referred to in
22 paragraph (2A)(b) may be a production licence, exploration permit
23 or retention lease, including a production licence to which the
24 petroleum project relates.

25 ***Tax and Superannuation Laws Amendment (2013 Measures***
26 ***No. 1) Act 2013***

27 **53 Item 169 of Schedule 7**

28 After “any of the”, insert “petroleum”.

29 ***Taxation Administration Act 1953***

30 **54 Subsection 3B(1C)**

31 Omit “sections 3D and 3E,”, substitute “section 3E,”.

1 **55 Section 3D**

2 Repeal the section.

3 **56 Subsection 8AAB(4) (table items 19A, 45A and 45B)**

4 Repeal the items.

5 **57 Subparagraph 8AAZLG(1)(b)(ii)**

6 After “any of the”, insert “petroleum”.

7 **58 Paragraph 8AAZLH(1)(b)**

8 After “any of the”, insert “petroleum”.

9 **59 Section 14ZQ (definition of *starting base assessment*)**

10 Repeal the definition, substitute:

11 *starting base assessment* has the meaning given by clause 23 of
12 Schedule 2 to the *Petroleum Resource Rent Tax Assessment Act*
13 *1987*.

14 **60 Subsections 14ZW(1AB) and (1AC)**

15 Repeal the subsections.

16 **61 Paragraph 11-1(g) in Schedule 1**

17 Repeal the paragraph.

18 **62 Paragraphs 12-330(1)(b) and 12-335(2)(a) in Schedule 1**

19 Omit “, *MRRT”.

20 **63 Subsection 18-10(3) in Schedule 1 (notes 1 and 2)**

21 Repeal the notes, substitute:

22 Note: Section 18-55 provides a credit for amounts withheld in respect of
23 petroleum resource rent tax.

24 **64 Group heading before section 18-49 in Schedule 1**

25 Repeal the heading.

26 **65 Section 18-49 in Schedule 1**

27 Repeal the section.

1 **66 Part 3-15 in Schedule 1**

2 Repeal the Part.

3 **67 Paragraph 155-5(2)(e) in Schedule 1**

4 Repeal the paragraph.

5 **68 Subsection 155-15(1) in Schedule 1 (table item 4)**

6 Repeal the item.

7 **69 Subsection 155-30(3) in Schedule 1**

8 Repeal the subsection, substitute:

9 (3) This section does not apply if the *assessable amount is the
10 *Division 293 tax payable by you in relation to an income year in
11 relation to your *taxable contributions for the income year.

12 **70 Section 155-55 in Schedule 1 (heading)**

13 Repeal the heading, substitute:

14 **155-55 Amendment to give effect to certain anti-avoidance**
15 **declarations**

16 **71 Paragraph 155-55(b) in Schedule 1**

17 Omit “declarations); or”, substitute “declarations).”.

18 **72 Paragraph 155-55(c) in Schedule 1**

19 Repeal the paragraph.

20 **73 Section 155-55 in Schedule 1**

21 Omit “or determination”.

22 **74 Section 155-57 in Schedule 1**

23 Repeal the section.

24 **75 Subsection 155-90(1) in Schedule 1**

25 Omit “(1)”.

26 **76 Subsection 155-90(2) in Schedule 1**

27 Repeal the subsection.

1 **77 Subsection 250-10(2) in Schedule 1 (table items 39C, 39D**
2 **and 136)**

3 Repeal the items.

4 **78 Section 280-1 in Schedule 1**

5 Omit “minerals resource rent tax,”.

6 **79 Section 280-50 in Schedule 1**

7 Omit “*MRRT,”.

8 **80 Section 280-101 in Schedule 1**

9 Repeal the section.

10 **81 Paragraph 280-105(1)(a) in Schedule 1**

11 Omit “*MRRT,”.

12 **82 Subsection 280-110(1) in Schedule 1**

13 Omit “280-101,”.

14 **83 Section 280-170 in Schedule 1**

15 Omit “*MRRT,”.

16 **84 Section 284-30 in Schedule 1 (note)**

17 Repeal the note.

18 **85 Section 284-35 in Schedule 1 (note)**

19 Repeal the note.

20 **86 Paragraph 284-75(2)(a) in Schedule 1**

21 Omit “*MRRT law or”.

22 **87 Paragraph 284-75(2)(b) in Schedule 1**

23 Omit “MRRT law or”.

24 **88 Subsection 284-80(1) in Schedule 1 (table items 3 and 4)**

25 Omit “, the *MRRT law”.

1 **89 Subsection 284-80(1) in Schedule 1 (table item 4)**

2 Omit “, the MRRT law”.

3 **90 Subsection 284-90(1) in Schedule 1 (cell at table item 4,**
4 **column headed “In this situation:”)**

5 Repeal the cell, substitute:

You have a *shortfall amount, all or part of which resulted from you or your agent treating an *income tax law or the *petroleum resource rent tax law as applying to a matter or identical matters in a particular way that was not *reasonably arguable, and that amount is more than your *reasonably arguable threshold.

6 **91 Paragraph 284-90(3)(a) in Schedule 1**

7 Repeal the paragraph, substitute:

- 8 (a) unless paragraph (b) applies—the greater of \$10,000 or 1%
9 of whichever of the following applies:
- 10 (i) the income tax payable by the entity for the income
11 year, worked out on the basis of the entity’s *income tax
12 return;
 - 13 (ii) the *petroleum resource rent tax payable by the entity
14 for the year of tax (within the meaning of the *Petroleum*
15 *Resource Rent Tax Assessment Act 1987*) most closely
16 corresponding to the income year, worked out on the
17 basis of the entity’s return under Division 1 of Part VI
18 of that Act; or

19 **92 Subsection 286-75(2AA) in Schedule 1**

20 Repeal the subsection.

21 **93 Paragraph 286-80(2)(a) in Schedule 1**

22 Omit “(2AA),”.

23 **94 Paragraph 350-5(b) in Schedule 1**

24 Repeal the paragraph.

25 **95 Section 352-1 in Schedule 1**

26 Omit “and the MRRT law”.

1 **96 Subdivision 352-B in Schedule 1**

2 Repeal the Subdivision.

3 **97 Subparagraphs 353-10(1)(a)(ii), (b)(ii) and (c)(ii) in**
4 **Schedule 1**

5 Repeal the subparagraphs.

6 **98 Section 353-15 in Schedule 1 (heading)**

7 Repeal the heading, substitute:

8 **353-15 Access to premises for the purposes of the indirect tax laws**
9 **and the Division 293 tax law**

10 **99 Subsection 353-15(1) in Schedule 1**

11 Omit “, the *MRRT law”.

12 **100 Section 353-17 in Schedule 1**

13 Repeal the section.

14 **101 Subsection 355-50(1) in Schedule 1 (note 2)**

15 Omit “, 3D”.

16 **102 Paragraph 357-55(faa) in Schedule 1**

17 Repeal the paragraph.

18 **103 Subsection 360-5(1) in Schedule 1**

19 Omit “(other than a provision about *MRRT)”.

20 **104 Subsection 444-5(1) in Schedule 1**

21 Omit “, the *MRRT law”.

22 **105 Subsections 444-5(1A) and (1B) in Schedule 1**

23 Repeal the subsections.

24 **106 Subsection 444-5(2) in Schedule 1**

25 Omit “, the *MRRT law”.

1 **107 Subsections 444-10(1) and (2) in Schedule 1**

2 Omit “and the *MRRT law”.

3 **108 Subsection 444-10(3) in Schedule 1**

4 Omit “or the *MRRT law”.

5 **109 Subsection 444-10(5) in Schedule 1**

6 Omit “and the *MRRT law”.

7 **110 Section 444-15 in Schedule 1**

8 Omit “or the *MRRT law”.

9 **111 Subsections 444-30(1), (2) and (3) in Schedule 1**

10 Omit “, the *MRRT law”.

11 **112 Subsections 444-70(1) and (2) in Schedule 1**

12 Omit “or the *MRRT law”.

13 **113 Subdivision 444-F in Schedule 1**

14 Repeal the Subdivision.

15 ***Taxation (Interest on Overpayments and Early Payments) Act***
16 ***1983***

17 **114 Subsection 3(1) (paragraph (d) of the definition of**
18 ***decision to which this Act applies*)**

19 Omit “or 160”.

20 **115 Subsection 3C(1)**

21 Omit “(1) In”, substitute “In”.

22 **116 Subsection 3C(1) (table item 160)**

23 Repeal the item.

24 **117 Subsection 3C(2)**

25 Repeal the subsection.

1 **118 Section 12AA (heading)**

2 Repeal the heading, substitute:

3 **12AA Entitlement to interest for RBA surpluses after notification of**
4 **BAS amount or petroleum resource rent tax amount**

5 **119 Paragraph 12AA(a)**

6 Before “resource rent tax amount”, insert “petroleum”.

7 **120 Section 12AA (note)**

8 Before “*resource rent tax amount*”, insert “*petroleum*”.

9 **121 Paragraph 12AB(a)**

10 Before “resource rent tax amount”, insert “petroleum”.

11 **122 Section 12AB (note)**

12 Before “*resource rent tax amount*”, insert “*petroleum*”.

13 **123 Paragraph 12AC(b)**

14 Before “resource rent tax amount”, insert “petroleum”.

15 **124 Section 12AC (note)**

16 Before “*resource rent tax amount*”, insert “*petroleum*”.

17 **125 Section 12AF**

18 Insert:

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

21 **126 Section 12AF (definition of *resource rent tax amount*)**

22 Repeal the definition.

1 **Part 3—General transitional provisions**

2 **127 Objects**

3 The objects of this Part are:

- 4 (a) to provide for the winding-up of the minerals resource rent
5 tax; and
6 (b) to ensure the administration, collection and recovery of the
7 minerals resource rent tax for the MRRT years ending on or
8 before 30 June 2014; and
9 (c) to continue taxpayers' rights and obligations relating to
10 MRRT years ending on or before 30 June 2014.

11 **128 Effect of repeals and amendments on preceding MRRT**
12 **years**

13 Despite the repeals and amendments made by this Schedule, the Acts
14 amended or repealed continue to apply, after the commencement of this
15 Schedule, in relation to any MRRT year ending on or before 30 June
16 2014 as if those repeals and amendments had not happened.

17 **129 Provisions of Part 4 may override this Part**

18 The provisions of this Part have effect subject to the provisions of
19 Part 4.

1 **Part 4—Specific transitional provisions**

2 **130 Substituted accounting periods**

3 If:

4 (a) an entity has, under section 18 of the *Income Tax Assessment*
5 *Act 1936*, accounting periods that are not financial years; and

6 (b) one of those accounting periods started before 1 July 2014
7 and ends after that day;

8 the period starting at the beginning of that accounting period and ending
9 on 30 June 2014 is treated, for the purposes of the *Minerals Resource*
10 *Rent Tax Act 2012* as it continues to apply because of Part 3 of this
11 Schedule, as an MRRT year.

12 Note 1: Section 190-20 of the *Minerals Resource Rent Tax Act 2012* (to the extent that it
13 continues to apply because of Part 3 of this Schedule) will adjust threshold amounts
14 under that Act in relation to that MRRT year.

15 Note 2: Subsection 115-110(2) in Schedule 1 to the *Taxation Administration Act 1953* (to the
16 extent that it continues to apply because of Part 3 of this Schedule) will adjust
17 instalment quarters under that Act in relation to that MRRT year.

18 **131 Bringing forward expenditure**

19 Expenditure that was or is incurred during the period between
20 24 October 2013 and 30 June 2014:

21 (a) is not treated, for the purposes of the *Minerals Resource Rent*
22 *Tax Act 2012* as it continues to apply because of Part 3 of this
23 Schedule, as mining expenditure or pre-mining expenditure;
24 and

25 (b) is disregarded, for those purposes, in determining whether a
26 miner has a rehabilitation tax offset, or the amount of such a
27 rehabilitation tax offset;

28 to the extent that it relates to anything to be done, or to be omitted to be
29 done, on or after 1 July 2014.

30 **132 Continuation of Commissioner's power to make certain**
31 **legislative instruments**

32 (1) Despite the repeal by this Act of section 117-5 in Schedule 1 to the
33 *Taxation Administration Act 1953*, the Commissioner's power under
34 subsection 117-5(5) in that Schedule to make legislative instruments
35 continues after that repeal.

- 1 (2) This item does not affect any other powers of the Commissioner under
2 Schedule 1 to the *Taxation Administration Act 1953*, as it continues to
3 apply because of Part 3 of this Schedule.

1 **Schedule 2—Loss carry back**

2 **Part 1—Repeals**

3 *Income Tax Assessment Act 1997*

4 **1 Division 160**

5 Repeal the Division.

6 *Income Tax (Transitional Provisions) Act 1997*

7 **2 Division 160**

8 Repeal the Division.

1 **Part 2—Consequential amendments**

2 *Income Tax Assessment Act 1936*

3 **3 Subsection 6(1) (definition of *loss carry back tax offset*)**

4 Repeal the definition.

5 **4 Subsection 92A(3)**

6 Omit “or 160”.

7 **5 Paragraph 177C(1)(baa)**

8 Repeal the paragraph.

9 **6 Paragraph 177C(1)(ea)**

10 Repeal the paragraph.

11 **7 Paragraph 177C(2)(ca)**

12 Repeal the paragraph.

13 **8 Subsection 177C(3)**

14 Omit “, (ca)(i)”.

15 **9 Paragraph 177C(3)(caa)**

16 Repeal the paragraph.

17 **10 Paragraph 177C(3)(fa)**

18 Repeal the paragraph.

19 **11 Paragraph 177CB(1)(ca)**

20 Repeal the paragraph.

21 **12 Paragraph 177F(1)(ca)**

22 Repeal the paragraph.

23 **13 Paragraph 177F(3)(ca)**

24 Repeal the paragraph.

1 ***Income Tax Assessment Act 1997***

2 **14 Section 13-1 (table item headed “losses”)**

3 Repeal the item.

4 **15 Subsection 36-17(1) (note 1)**

5 Omit “1”.

6 **16 Subsection 36-17(1) (note 2)**

7 Repeal the note.

8 **17 Section 36-25 (table dealing with tax losses of corporate
9 tax entities)**

10 Omit:

*See also Division 160 (loss carry back
tax offset)*

11 **18 Section 36-25 (table dealing with tax losses of pooled
12 development funds (PDFs), item 1)**

13 Repeal the item, substitute:

1. A company is a pooled development fund (PDF) at the end of an income year for which it has a tax loss: it can only deduct the loss while it is a PDF. Section 195-5

14 **19 Section 36-25 (table dealing with tax losses of VCLPs,
15 ESVCLPs, AFOFs and VCMPs, item 1)**

16 Repeal the item, substitute:

1. A limited partnership that has a tax loss becomes a VCLP, an ESVCLP, an AFOF or a VCMP: it cannot deduct the loss while it is a VCLP, an ESVCLP, an AFOF or a VCMP. Subdivision 195-B

17 **20 Section 67-23 (table item 13A)**

18 Repeal the item.

19 **21 Paragraph 195-15(5)(b)**

20 Omit “and”.

- 1 **22 Paragraph 195-15(5)(c)**
2 Repeal the paragraph.
- 3 **23 Group heading before section 195-37**
4 Repeal the heading.
- 5 **24 Section 195-37**
6 Repeal the section.
- 7 **25 Section 195-72**
8 Repeal the section.
- 9 **26 Subparagraph 205-35(1)(b)(ii)**
10 Omit “a *loss carry back tax offset, or”.
- 11 **27 Subparagraph 205-35(1)(b)(ii)**
12 Omit “(about R&D),”, substitute “(about R&D)”.
- 13 **28 Paragraph 320-149(2)(aa)**
14 Repeal the paragraph.
- 15 **29 Subsection 830-65(3)**
16 Omit “or 160”.
- 17 **30 Paragraph 960-20(2)(b)**
18 Omit “amount; or”, substitute “amount.”.
- 19 **31 Paragraph 960-20(2)(c)**
20 Repeal the paragraph.
- 21 **32 Paragraph 960-20(4)(e)**
22 Omit “forward; or”, substitute “forward.”.
- 23 **33 Paragraph 960-20(4)(f)**
24 Repeal the paragraph.
- 25 **34 Subsection 995-1(1) (definition of *carry back*)**
26 Repeal the definition.
-

- 1 **35 Subsection 995-1(1) (definition of *income tax liability*)**
2 Repeal the definition.
- 3 **36 Subsection 995-1(1) (definition of *interest in membership***
4 ***interests*)**
5 Repeal the definition.
- 6 **37 Subsection 995-1(1) (definition of *loss carry back choice*)**
7 Repeal the definition.
- 8 **38 Subsection 995-1(1) (definition of *loss carry back tax***
9 ***offset*)**
10 Repeal the definition.
- 11 **39 Subsection 995-1(1) (definition of *loss carry back tax***
12 ***offset component*)**
13 Repeal the definition.
- 14 **40 Subsection 995-1(1) (definition of *scheme for a***
15 ***disposition*)**
16 Repeal the definition.
- 17 ***Taxation Administration Act 1953***
- 18 **41 Section 45-340 in Schedule 1 (method statement, step 1,**
19 **paragraph (dc))**
20 Repeal the paragraph.

1 **Part 3—Application, transitional and saving**
2 **provisions**

3 **42 Application**

4 The amendments made by this Schedule apply to assessments for the
5 2013-14 income year and later income years.

6 **43 Making and amending assessments, and doing other**
7 **things, in relation to past matters**

8 (1) Even though a part of an Act is repealed or amended by this Schedule,
9 the repeal or amendment is disregarded for the purpose of doing any of
10 the following under any Act or legislative instrument (within the
11 meaning of the *Legislative Instruments Act 2003*):

12 (a) making or amending an assessment (including under a
13 provision that is itself repealed or amended);

14 (b) exercising any right or power, performing any obligation or
15 duty or doing any other thing (including under a provision
16 that is itself repealed or amended);

17 in relation to any act done or omitted to be done, any state of affairs
18 existing, or any period ending, before the repeal or amendment applies.

19 (2) This item does not limit the operation of the *Acts Interpretation Act*
20 *1901*.

21 ***Income Tax (Transitional Provisions) Act 1997***

22 **44 Before Subdivision 960-E**

23 Insert:

24 **Subdivision 960-B—Utilisation of tax attributes**

25 **Table of sections**

26 960-20 Utilisation—corporate loss carry back

27 **960-20 Utilisation—corporate loss carry back**

28 (1) For the purposes of subsection 960-20(2) of the *Income Tax*
29 *Assessment Act 1997*, a tax loss is **utilised** to the extent that it is

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- 1 carried back under former Division 160 of that Act (which
2 provided for a corporate loss carry back tax offset for the 2012-13
3 income year).
- 4 (2) For the purposes of subsection 960-20(4) of that Act, net exempt
5 income for an income year is *utilised* to the extent that, because of
6 it, an amount was reduced under step 2 of the method statement in
7 former subsection 160-15(2) of that Act (which was about
8 calculating a loss carry back tax offset component).

1 **Schedule 3—Small business instant asset**
2 **write-off threshold**
3

4 *Income Tax Assessment Act 1997*

5 **1 Section 328-170 (fourth paragraph)**

6 Omit “\$6,500”, substitute “\$1,000”.

7 **2 Section 328-180 (heading)**

8 Repeal the heading, substitute:

9 **328-180 Assets costing less than \$1,000**

10 **3 Paragraph 328-180(1)(b)**

11 Omit “\$6,500”, substitute “\$1,000”.

12 **4 Paragraphs 328-180(2)(a) and (3)(a)**

13 Omit “\$6,500”, substitute “\$1,000”.

14 **5 Subsection 328-210(1)**

15 Omit “\$6,500”, substitute “\$1,000”.

16 **6 Subsection 328-210(3) (example)**

17 Repeal the example, substitute:

18 Example: Amanda’s Graphics is a small business entity for the 2014-15 income
19 year and chooses to use this Subdivision for that year. The business
20 has an opening pool balance of \$8,500 for its general small business
21 pool for that year.

22 During that year, Amanda acquired a new computer for \$2,000. The
23 taxable purpose proportion of its adjustable value is:

24 $\$2,000 \times 80\% \text{ business use estimate} = \$1,600$

25 Amanda also sold her business car for \$9,600 during that year. The car
26 was used 100% in the business.

27 To work out whether she can deduct an amount under this section,
28 Amanda uses this calculation:

29 $\$8,500 + \$1,600 - \$9,600 = \500

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1 Because the result is less than \$1,000, Amanda can deduct the \$500
2 for the income year. The pool's closing balance for the year is zero.

3 **7 Subsection 328-215(4)**

4 Omit "\$6,500", substitute "\$1,000".

5 **8 Subsection 328-250(1)**

6 Omit "\$6,500", substitute "\$1,000".

7 **9 Subsection 328-250(4) (heading)**

8 Repeal the heading, substitute:

9 *Special rule for assets costing less than \$1,000*

10 **10 Subsection 328-253(4) (heading)**

11 Repeal the heading, substitute:

12 *Special rule for expenditure on assets costing less than \$1,000*

13 **11 Application of amendments**

14 (1) Subject to subitems (2) and (3), the amendments made by this Schedule
15 apply to a depreciating asset if:

16 (a) the asset was first installed ready for use, for a taxable
17 purpose, on or after 1 January 2014; or

18 (b) the asset was first used, for a taxable purpose, on or after
19 1 January 2014, but was not installed ready for use prior to
20 that date.

21 (2) The amendments made by item 4 of this Schedule apply to an amount if
22 the amount is included in the second element of the cost of a
23 depreciating asset at any time on or after 1 January 2014.

24 (3) The amendments made by items 5 and 6 of this Schedule apply to
25 assessments for income years finishing on or after 1 January 2014.

1 **Schedule 4—Deductions for motor vehicles**
2

3 *Income Tax Assessment Act 1997*

4 **1 Subsection 328-190(2A)**

5 Repeal the subsection.

6 **2 Section 328-200 (method statement, step 2, paragraph (c))**

7 Omit “, and subsection 328-237(2) (if relevant),”.

8 **3 Group heading before section 328-237**

9 Repeal the heading.

10 **4 Section 328-237**

11 Repeal the section.

12 **5 Subsection 328-250(1)**

13 Omit “, subsection 328-190(2) (assets that will be pooled) or
14 subsection 328-237(2) (certain motor vehicles)”, substitute “or
15 subsection 328-190(2) (assets that will be pooled)”.

16 **6 Subsection 328-250(2)**

17 Omit “, 328-190(2) or 328-237(2)”, substitute “or 328-190(2)”.

18 **7 Paragraph 328-250(3)(b)**

19 Omit “, 328-190(2) or 328-237(2)”, substitute “or 328-190(2)”.

20 **8 Application of amendments**

21 The amendments made by this Schedule apply to a depreciating asset
22 that is a motor vehicle if:

- 23 (a) the asset was first installed ready for use, for a taxable
24 purpose, on or after 1 January 2014; or
25 (b) the asset was first used, for a taxable purpose, on or after
26 1 January 2014, but was not installed ready for use prior to
27 that date.

Schedule 5—Geothermal energy

Income Tax Assessment Act 1997

1 Section 12-5 (table item headed “capital allowances”)

Omit:	
exploration or prospecting	40-80(1) and (1A), 40-730
geothermal exploration information	Subdivision 40-B
geothermal exploration rights	Subdivision 40-B
substitute:	
exploration or prospecting	40-80(1), 40-730

2 Section 15-40

Before “Your”, insert “(1)”.

3 Section 15-40

Omit “or *geothermal exploration information”.

4 At the end of section 15-40

Add:

- (2) Your assessable income includes an amount you receive for providing *geothermal exploration information you have to another entity if:
- (a) you continue to have the information; and
 - (b) the information is, and continues to be, relevant to:
 - (i) *geothermal energy extraction that you carry on or propose to carry on; or
 - (ii) a *business that you carry on that includes *exploration or prospecting for *geothermal energy resources from which energy can be extracted by geothermal energy extraction; and
 - (c) the amount you receive is not assessable as *ordinary income under section 6-5.

It does not matter whether the information is generally available or not.

- 1 (3) ***Geothermal exploration information*** is geological, geophysical or
2 technical information that:
3 (a) relates to the presence, absence or extent of *geothermal
4 energy resources in an area; or
5 (b) is likely to help in determining the presence, absence or
6 extent of such resources in an area.

- 7 (4) ***Geothermal energy extraction*** means operations that are for:
8 (a) the extraction of energy from *geothermal energy resources;
9 and
10 (b) the *purpose of producing assessable income.

11 **5 Paragraphs 40-30(2)(ba) and (bb)**

12 Repeal the paragraphs.

13 **6 Section 40-40 (table item 9A)**

14 Repeal the item.

15 **7 Subsection 40-80(1A)**

16 Repeal the subsection.

17 **8 Subsection 40-290(5)**

18 Repeal the subsection, substitute:

19 *Exception: mining, quarrying or prospecting information*

- 20 (5) This section does not apply to *mining, quarrying or prospecting
21 information.

22 **9 Subsection 40-300(2) (table item 12)**

23 Repeal the item.

24 **10 Paragraph 40-630(1)(b)**

25 Omit “or *geothermal energy extraction”.

26 **11 Subsection 40-630(1) (note)**

27 Omit “or geothermal energy extraction”.

28 **12 Paragraphs 40-630(1A)(b), (1B)(b) and (3)(b)**

29 Omit “or *geothermal energy extraction”.

1 **13 Paragraph 40-650(3)(a)**

2 Omit “or *geothermal energy extraction”.

3 **14 Paragraph 40-650(3)(b)**

4 Omit “or that extraction”.

5 **15 Subsection 40-730(1) (heading)**

6 Repeal the heading.

7 **16 Subsections 40-730(2A) and (2B)**

8 Repeal the subsections.

9 **17 Subsection 40-730(3)**

10 Repeal the subsection, substitute:

11 (3) Also, you cannot deduct expenditure under subsection (1) to the
12 extent that it forms part of the *cost of a *depreciating asset.

13 **18 Paragraph 40-730(4)(b)**

14 Omit “and for *geothermal energy resources”.

15 **19 Paragraph 40-730(4)(c)**

16 Omit “, or of extracting energy from geothermal energy resources,”.

17 **20 Paragraph 40-730(4)(d)**

18 Omit “materials; and”, substitute “materials.”.

19 **21 Paragraph 40-730(4)(e)**

20 Repeal the paragraph.

21 **22 Subsections 40-730(7A), (7B) and (9)**

22 Repeal the subsections.

23 **23 Subparagraph 43-70(2)(fa)(iv)**

24 Omit “or (1A)”.

25 **24 Section 112-38**

26 Repeal the section.

1 **25 After paragraph 124-710(1)(a)**

2 Insert:

3 (aa) an authority, licence, permit or entitlement under an
4 Australian law to prospect or explore for *geothermal energy
5 resources in an area; or

6 **26 Paragraph 124-710(1)(b)**

7 After “minerals”, insert “or geothermal energy resources”.

8 **27 Paragraph 124-710(1)(c)**

9 After “(a)”, insert “, (aa)”.

10 **28 After paragraph 124-710(2)(a)**

11 Insert:

12 (aa) an authority, licence, permit or entitlement under an
13 Australian law to extract energy from *geothermal energy
14 resources in an area; or

15 **29 Paragraph 124-710(2)(b)**

16 After “minerals”, insert “, or extract energy from geothermal energy
17 resources,”.

18 **30 Paragraph 124-710(2)(c)**

19 After “(a)”, insert “, (aa)”.

20 **31 Paragraph 165-55(2)(ba)**

21 Repeal the paragraph.

22 **32 Paragraphs 716-300(1)(b) and (c)**

23 Omit “or (1A)”.

24 **33 Subsection 716-300(1) (note)**

25 Omit “Subsections 40-80(1) and (1A), which are in that Subdivision,
26 provide”, substitute “Subsection 40-80(1), which is in that Subdivision,
27 provides”.

28 **34 Subsection 995-1(1) (definition of *geothermal energy*
29 *extraction*)**

30 Omit “40-730(7B)”, substitute “15-40(4)”.

1 **35 Subsection 995-1(1) (definition of *geothermal energy***
2 ***extraction right*)**

3 Repeal the definition.

4 **36 Subsection 995-1(1) (definition of *geothermal energy***
5 ***resources*)**

6 Repeal the definition, substitute:

7 *geothermal energy resources* means matter occurring naturally
8 within the Earth and containing energy as heat.

9 **37 Subsection 995-1(1) (definition of *geothermal exploration***
10 ***information*)**

11 Omit “40-730(9)”, substitute “15-40(3)”.

12 **38 Subsection 995-1(1) (definition of *geothermal exploration***
13 ***right*)**

14 Repeal the definition.

15 **39 Application and saving provisions**

- 16 (1) The amendments of sections 40-30, 40-80 and 40-290 of the *Income*
17 *Tax Assessment Act 1997* by this Schedule do not affect deductions or
18 balancing adjustments for geothermal exploration rights or geothermal
19 exploration information that started to be held before 1 July 2014.
- 20 (2) The amendments of sections 40-630 and 40-650 of the *Income Tax*
21 *Assessment Act 1997*, and the repeal of subsection 40-730(2A) of that
22 Act, by this Schedule apply to expenditure incurred after 30 June 2014.
- 23 (3) The amendments by this Schedule affecting sections 112-38 and
24 124-710 of the *Income Tax Assessment Act 1997* apply in relation to
25 authorities, licences, permits and entitlements held after 30 June 2014.

1 **Schedule 6—Superannuation Guarantee**
2 **Charge percentage**
3

4 *Superannuation Guarantee (Administration) Act 1992*

5 **1 Subsection 19(2)**

6 Repeal the subsection, substitute:

- 7 (2) The charge percentage for a quarter in a year described in an item
8 of the table is the number specified in column 2 of the item.
9

Charge percentage (unless reduced under section 22 or 23)		
Item	Column 1 Year	Column 2 Charge percentage
1	Year starting on 1 July 2013	9.25
2	Year starting on 1 July 2014	9.25
3	Year starting on 1 July 2015	9.25
4	Year starting on 1 July 2016	9.5
5	Year starting on 1 July 2017	10
6	Year starting on 1 July 2018	10.5
7	Year starting on 1 July 2019	11
8	Year starting on 1 July 2020	11.5
9	Year starting on or after 1 July 2021	12

10 **2 Application of amendment**

11 The amendment made by this Schedule applies for the purpose of
12 calculations under section 19 of the *Superannuation Guarantee*
13 (*Administration*) *Act 1992* for quarters starting on or after 1 July 2013.

1 **Schedule 7—Low income superannuation**
2 **contribution**
3

4 *Superannuation (Government Co-contribution for Low*
5 *Income Earners) Act 2003*

6 **1 Subsection 5(2)**

7 Omit:

- 8 • Part 2A (sections 12B to 12G) tells you who are the people
9 entitled to a low income superannuation contribution. It also
10 tells you how much the low income superannuation
11 contribution is.

12 **2 Part 2A**

13 Repeal the Part.

14 **3 Subsection 49(1)**

15 Omit “Part 2A,”.

16 **4 Section 55 (note)**

17 Repeal the note.

18 **5 Section 56 (definition of *concessional contributions*)**

19 Repeal the definition.

20 **6 Section 56 (definition of *low income superannuation***
21 ***contribution*)**

22 Repeal the definition.

23 **7 Application of amendments**

24 (1) The amendments made by this Schedule apply in relation to
25 concessional contributions for financial years starting on or after 1 July
26 2013.

27 (2) However, section 12G of the *Superannuation (Government*
28 *Co-contribution for Low Income Earners) Act 2003*:

- 1 (a) continues to apply, until the commencement of this Schedule,
2 for quarters or financial years ending before that
3 commencement; and
4 (b) ceases to apply, in relation to concessional contributions for
5 any financial year, at that commencement.

6 Note: Section 12G requires the Commissioner to give reports to the Minister for presenting to
7 the Parliament. This subitem ensures that reporting under that section (including for
8 LISC payable for the 2012-13 financial year) is required up to, but not after, the
9 commencement of this Schedule.

- 10 (3) For the purposes of this item, *concessional contributions* has the same
11 meaning as in the *Income Tax Assessment Act 1997*.

12 **8 Transitional—notifying certain decisions**

- 13 (1) If, on or after the commencement of this Schedule, the Commissioner
14 makes a decision under paragraph 12F(1)(b) of the *Superannuation*
15 *(Government Co-contribution for Low Income Earners) Act 2003* in
16 respect of a person, the Commissioner is not required to notify the
17 person of the decision.

18 Note: A decision under paragraph 12F(1)(b) is a decision by the Commissioner that the
19 Commissioner would not have determined that a low income superannuation
20 contribution was payable in respect of a person if the Commissioner had had
21 information that was obtained after that determination.

- 22 (2) Subitem (1) has effect despite subsection 12F(2) of that Act.

23 **9 Transitional—Deadlines for the 2012-13 financial year**

24 *Determining that a LISC is payable*

- 25 (1) The Commissioner must not determine under section 13 of the
26 *Superannuation (Government Co-contribution for Low Income Earners)*
27 *Act 2003* that a low income superannuation contribution is payable
28 unless the Commissioner becomes satisfied before 1 July 2015 that the
29 contribution is payable.

30 *Determining that an underpaid amount of LISC is payable*

- 31 (2) The Commissioner must not determine under section 19 of the
32 *Superannuation (Government Co-contribution for Low Income Earners)*
33 *Act 2003* that an underpaid amount is to be paid unless the
34 Commissioner becomes satisfied before 1 July 2015 that the amount

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1 paid is less than the correct amount of low income superannuation
2 contribution.

1 **Schedule 8—Repeal of income support bonus**

2 **Part 1—Main amendments**

3 *Social Security Act 1991*

4 **1 Subsection 23(1) (definition of *income support bonus*)**

5 Repeal the definition.

6 **2 Subsection 23(1) (definition of *income support bonus test***
7 ***day*)**

8 Repeal the definition.

9 **3 Paragraph 23(4AA)(ac)**

10 Repeal the paragraph.

11 **4 Part 2.18B**

12 Repeal the Part.

13 **5 Section 1190 (table item 71)**

14 Repeal the item.

15 **6 Subsection 1191(1) (table item 43)**

16 Repeal the item.

17 **7 Subsection 1192(10)**

18 Repeal the subsection.

19 *Social Security (Administration) Act 1999*

20 **8 Section 12L**

21 Repeal the section.

22 **9 Subsection 47(1) (paragraph (l) of the definition of *lump***
23 ***sum benefit*)**

24 Omit “payment; or”, substitute “payment.”.

1 **10 Subsection 47(1) (paragraph (m) of the definition of *lump***
2 ***sum benefit*)**

3 Repeal the paragraph.

4 **11 Section 47DAB**

5 Repeal the section.

1 **Part 2—Consequential amendments**

2 *Farm Household Support Act 1992*

3 **12 Subsection 24A(8A)**

4 Repeal the subsection.

5 **13 Subsection 24AA(10A)**

6 Repeal the subsection.

7 **14 Subsection 24B(6)**

8 Repeal the subsection.

9 *Income Tax Assessment Act 1997*

10 **15 Section 11-15 (table item headed “social security or like**
11 **payments”)**

12 Omit:

income support bonus under the <i>Social Security Act</i> <i>1991</i>	52-10
income support bonus under the scheme prepared under Part VII of the <i>Veterans’ Entitlements Act 1986</i>	52-65
income support bonus under the scheme determined under section 258 of the <i>Military Rehabilitation and</i> <i>Compensation Act 2004</i>	52-114

13 **16 Paragraph 52-10(1)(zb)**

14 Omit “1991; or”, substitute “1991.”.

15 **17 Paragraph 52-10(1)(zc)**

16 Repeal the paragraph.

17 **18 Subsection 52-10(1M)**

18 Repeal the subsection.

19 **19 Paragraph 52-65(1)(c)**

20 Repeal the paragraph.

1 **20 Subsection 52-65(1K)**

2 Repeal the subsection.

3 **21 Section 52-75 (table item 5D)**

4 Repeal the item.

5 **22 Section 52-114 (table item 16A)**

6 Repeal the item.

7 ***Social Security Act 1991***

8 **23 Paragraph 1231(1AA)(b)**

9 Omit “, farmers hardship bonus or income support bonus”, substitute
10 “or farmers hardship bonus”.

11 ***Social Security (Administration) Act 1999***

12 **24 Section 123TC (paragraph (f) of the definition of *category I***
13 ***welfare payment*)**

14 Repeal the paragraph.

15 **25 Section 123TC (paragraph (aa) of the definition of**
16 ***category Q welfare payment*)**

17 Repeal the paragraph.

1 **Part 3—Saving provisions**

2 **26 Saving provisions**

3 (1) If, before the commencement of this item, a person was, under
4 Part 2.18B of the *Social Security Act 1991*, qualified for an income
5 support bonus on an income support bonus test day occurring before
6 that commencement, then, despite the amendments made by Parts 1 and
7 2 of this Schedule, that Act and the *Social Security (Administration) Act*
8 *1999*, as in force immediately before that commencement, continue to
9 apply on and after that commencement in relation to that qualification.

10 (2) Despite the amendments made by items 12 to 14, subsections 24A(8A),
11 24AA(10A) and 24B(6) of the *Farm Household Support Act 1992*, as in
12 force immediately before the commencement of this item, continue to
13 apply on and after that commencement in relation to payments of
14 income support bonus made before, on or after that commencement
15 under the *Social Security Act 1991*.

16 (3) Despite the amendment made by item 18, subsection 52-10(1M) of the
17 *Income Tax Assessment Act 1997*, as in force immediately before the
18 commencement of this item, continues to apply on and after that
19 commencement in relation to payments of income support bonus made
20 before, on or after that commencement under the *Social Security Act*
21 *1991*.

22 (4) Despite the amendment made by item 20, subsection 52-65(1K) of the
23 *Income Tax Assessment Act 1997*, as in force immediately before the
24 commencement of this item, continues to apply on and after that
25 commencement in relation to payments of income support bonus made
26 before, on or after that commencement under the scheme prepared
27 under Part VII of the *Veterans' Entitlements Act 1986*.

28 (5) Despite the amendment made by item 22, item 16A of the table in
29 section 52-114 of the *Income Tax Assessment Act 1997*, as in force
30 immediately before the commencement of this item, continues to apply
31 on and after that commencement in relation to payments of income
32 support bonus made before, on or after that commencement under the
33 scheme determined under section 258 of the *Military Rehabilitation and*
34 *Compensation Act 2004*.

35 (6) Despite the amendments made by items 24 and 25:

Schedule 1 Minerals resource rent tax

Part 2 Consequential amendments

- 1 (a) paragraph (f) of the definition of *category I welfare payment*
2 in section 123TC of the *Social Security (Administration) Act*
3 *1999*, as in force immediately before the commencement of
4 this item; and
- 5 (b) paragraph (aa) of the definition of *category Q welfare*
6 *payment* in that section as so in force;
- 7 continue to apply on and after that commencement in relation to
8 payments of income support bonus made before, on or after that
9 commencement.

1 **Schedule 9—Repeal of schoolkids bonus**

2 **Part 1—Amendments**

3 *A New Tax System (Family Assistance) Act 1999*

4 **1 Subsection 3(1) (definition of *bonus test day*)**

5 Repeal the definition.

6 **2 Subsection 3(1) (definition of *current education period*)**

7 Repeal the definition.

8 **3 Subsection 3(1) (paragraph (f) of the definition of *family***
9 ***assistance*)**

10 Omit “supplement; or”, substitute “supplement.”.

11 **4 Subsection 3(1) (paragraph (g) of the definition of *family***
12 ***assistance*)**

13 Repeal the paragraph.

14 **5 Subsection 3(1) (paragraph (ba) of the definition of *FTB***
15 ***child*)**

16 Repeal the paragraph.

17 **6 Subsection 3(1) (definition of *previous education period*)**

18 Repeal the definition.

19 **7 Subsection 3(1) (definition of *primary school amount*)**

20 Repeal the definition.

21 **8 Subsection 3(1) (definition of *relevant schoolkids bonus***
22 ***child*)**

23 Repeal the definition.

24 **9 Subsection 3(1) (definition of *schoolkids bonus*)**

25 Repeal the definition.

1 **10 Subsection 3(1) (definition of *secondary school amount*)**

2 Repeal the definition.

3 **11 Division 1A of Part 3**

4 Repeal the Division.

5 **12 Division 1A of Part 4**

6 Repeal the Division.

7 **13 Clause 2 of Schedule 4 (table items 17AB and 17AC)**

8 Repeal the items.

9 **14 Subclause 3(1) of Schedule 4 (table items 17AB and 17AC)**

10 Repeal the items.

11 ***A New Tax System (Family Assistance) (Administration) Act***
12 ***1999***

13 **15 Division 2A of Part 3**

14 Repeal the Division.

15 **16 Paragraph 66(1)(ba)**

16 Repeal the paragraph.

17 **17 Paragraph 71(1)(a)**

18 Omit “, single income family supplement or schoolkids bonus”,
19 substitute “or single income family supplement”.

20 **18 Subsection 93A(6) (paragraph (ab) of the definition of**
21 ***family assistance payment*)**

22 Repeal the paragraph.

23 **19 Section 219TA (paragraph (ca) of the definition of *relevant***
24 ***benefit*)**

25 Repeal the paragraph.

26 **20 Subsection 221(5)**

27 Repeal the subsection.

1 ***Income Tax Assessment Act 1997***

2 **21 Section 11-15 (table item headed “family assistance”)**

3 Omit:
schoolkids bonus 52-150

4 **22 Section 52-150**

5 Omit “, ETR payment or schoolkids bonus”, substitute “or ETR
6 payment”.

7 ***Social Security (Administration) Act 1999***

8 **23 Subdivision DG of Division 5 of Part 3B**

9 Repeal the Subdivision.

1 **Part 2—Saving provisions**

2 **24 Saving provisions**

- 3 (1) If, before the commencement of this item, an individual was, under
4 Division 1A of Part 3 of the Assistance Act, eligible for schoolkids
5 bonus on a bonus test day occurring before that commencement, then,
6 despite the amendments made by Part 1 of this Schedule, the Assistance
7 Act and the Administration Act, as in force immediately before that
8 commencement, continue to apply on and after that commencement in
9 relation to that eligibility.
- 10 (2) Despite the amendment made by item 22, section 52-150 of the *Income*
11 *Tax Assessment Act 1997*, as in force immediately before the
12 commencement of that item, continues to apply on and after that
13 commencement in relation to payments of schoolkids bonus made
14 before, on or after that commencement.
- 15 (3) Despite the amendment made by item 23, Subdivision DG of Division 5
16 of Part 3B of the *Social Security (Administration) Act 1999*, as in force
17 immediately before the commencement of that item, continues to apply
18 on and after that commencement in relation to payments of schoolkids
19 bonus made before, on or after that commencement.
- 20 (4) In this item:
21 ***Administration Act*** means the *A New Tax System (Family Assistance)*
22 *(Administration) Act 1999*.
23 ***Assistance Act*** means the *A New Tax System (Family Assistance) Act*
24 *1999*.