

# EXPOSURE DRAFT

EXPOSURE DRAFT (09/09/2022)

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Inserts for  
**Treasury Laws Amendment (Measures  
for Consultation) Bill 2022: FBT record  
keeping**

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**Commencement information**

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>

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1. Schedule 1	The first 1 January, 1 April, 1 July or 1 October to occur after the day this Act receives the Royal Assent.	
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## Schedule 1—FBT record keeping

### *Fringe Benefits Tax Assessment Act 1986*

#### 1 After section 123

Insert:

#### **123AA Alternatives to statutory evidentiary documents**

- (1) For the purposes of the operation of this Act in relation to a year of tax, a person who is an employer is taken to keep and retain a statutory evidentiary document at a time if:
- (a) a determination under subsection (2) is in force at that time; and
  - (b) the determination specifies the year of tax; and
  - (c) the statutory evidentiary document is in a class of statutory evidentiary documents specified in the determination for the year of tax; and
  - (d) the person is in a class of persons specified in the determination for that class of statutory evidentiary documents for the year of tax; and
  - (e) the person keeps and retains, at that time, alternative documents or records of a kind specified in the determination for that class of persons for that class of statutory evidentiary documents for the year of tax.
- (2) The Commissioner may, by legislative instrument, make a determination that specifies all of the following:
- (a) one or more years of tax;
  - (b) one or more classes of statutory evidentiary documents for a specified year of tax;
  - (c) one or more classes of persons for a specified class of statutory evidentiary documents for a specified year of tax;
  - (d) one or more kinds of alternative documents or records for a specified class of persons for a specified class of statutory evidentiary documents for a specified year of tax.
- (3) For the purposes of paragraph (2)(d), the determination may specify a kind of documents or records only if the Commissioner is reasonably satisfied that the kind of documents or records is, for

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1 the purposes of this Act, an adequate alternative to the class of  
2 statutory evidentiary documents for which it is specified.

## 3 **2 Application**

4 The amendment made by this Schedule applies to FBT years starting on  
5 or after the commencement of this item.