

Lands held
under lease.

2. Section four of the *Kalgoorlie to Port Augusta Railway Lands Act* 1918 is amended by omitting the words "and the land so specified shall be deemed to be vested in the Commissioner".

Application of
State law as to
arbitration.

3. Section fifteen of the *Kalgoorlie to Port Augusta Railway Lands Act* 1918 is amended by adding at the end thereof the following proviso :—

"Provided that the jurisdiction and powers of any Court or Judge under that law shall be exercisable exclusively by the High Court or a Justice thereof."

INCOME TAX.

No. 37 of 1920.

An Act to impose Taxes upon Incomes.

[Assented to 30th October, 1920.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title.

1. This Act may be cited as the *Income Tax Act* 1920.

Incorporation.

2. The *Income Tax Assessment Act* 1915-1918 shall be incorporated and read as one with this Act.

Imposition of
income tax.

3. Income tax is imposed at the rates and amounts declared in this Act.

Rates of
income tax.

4.—(1.) The rate of the income tax in respect of income from personal exertion shall be as set out in the First Schedule to this Act.

(2.) The rate of the income tax in respect of income derived from property shall be as set out in the Second Schedule to this Act.

(3.) The rates of the income tax in respect of a total taxable income derived partly from personal exertion and partly from property shall be as set out in the Third Schedule to this Act.

(4.) Notwithstanding anything contained in the last three sub-sections the tax payable by any person who—

(a) is not married, has no dependants and is not an absentee ;
and

(b) has a gross income of not less than One hundred pounds, or, in the case of a person carrying on a business in Australia, has an income from the business which, after deducting from the gross income the deductions specified in paragraph (a) of sub-section (1.) of section eighteen of the *Income Tax Assessment Act 1915-1918*, amounts together with his income from all other sources in Australia to not less than One hundred pounds ; and

(c) would, apart from this sub-section, not be liable to pay an income tax of One pound or upwards,

shall be One pound.

(5.) The rates of the income tax in respect of the income of a company shall be as set out in the Fourth Schedule to this Act.

5. In addition to the tax payable under the preceding provisions of this Act, there shall be payable, in the case of incomes in respect of which the tax is calculated under the First, Second or Third Schedules, an additional tax equal to twenty-five per centum of the amount of the tax so calculated.

Additional tax.

6. In addition to any tax including additional tax, if any payable under the preceding provisions of this Act other than sub-sections (4.) and (5.) of section four, there shall be payable a super-tax equal to thirty per centum of the total amount of the tax so payable.

Super-tax.

7. In addition to any tax (including additional tax and super-tax, if any) payable under the preceding provisions of this Act other than sub-sections (4.) and (5.) of section four, there shall be payable an additional super-tax equal to five per centum of the total amount of the tax so payable.

Additional super-tax.

8. There shall be payable in respect of a cash prize in a lottery won after the commencement of this Act income tax to the amount of fourteen per centum of the gross prize money.

Tax on cash prize in lotteries.

9.—(1.) Income tax shall be levied and paid for the financial year beginning on the first day of July, One thousand nine hundred and twenty.

Levy of income tax.

(2.) This Act shall also apply to all assessments made for the financial year beginning on the first day of July One thousand nine hundred and twenty-one and made prior to the passing of the Act for the levying and payment of the income tax for the financial year beginning on the first day of July One thousand nine hundred and twenty-one.

THE SCHEDULES.

FIRST SCHEDULE.

RATE OF TAX UPON INCOME DERIVED FROM PERSONAL EXERTION.

For so much of the whole taxable income as does not exceed £7,600 the average rate of tax per pound sterling shall be threepence and three eight-hundredths of one penny where the taxable income is One pound sterling, and shall increase uniformly with each increase of One pound sterling of the taxable income by three eight-hundredths of one penny.

The average rate of tax per pound sterling for so much of the taxable income as does not exceed £7,600 may be calculated from the following formula :—

R = average rate of tax in pence per pound sterling.

I = taxable income in pounds sterling.

$$R = \left(3 + \frac{3}{800} I \right) \text{ pence.}$$

For every pound sterling of taxable income in excess of £7,600 the rate of tax shall be sixty pence.

SECOND SCHEDULE.

RATE OF TAX UPON INCOME DERIVED FROM PROPERTY.

(a) For such part of the taxable income as does not exceed £546 the average rate of tax per pound sterling shall be that given by the following formula :—

R = average rate of tax in pence per pound sterling.

I = taxable income in pounds sterling.

$$R = \left(3 + \frac{I}{181.053} \right) \text{ pence.}$$

(b) For such part of the taxable income as exceeds £546 but does not exceed £2,000 the additional tax for each additional pound of taxable income above £546 shall increase continuously with the increase of the taxable income in a curve of the second degree in such a manner that the increase of tax for one pound increase of taxable income shall be—

11.713 pence for the pound sterling between £545 10s. and £546 10s.

12.768 pence for the pound sterling between £599 10s. and £600 10s.

14.672 pence for the pound sterling between £699 10s. and £700 10s.

16.512 pence for the pound sterling between £799 10s. and £800 10s.

18.288 pence for the pound sterling between £899 10s. and £900 10s.

20.000 pence for the pound sterling between £999 10s. and £1,000 10s.

27.600 pence for the pound sterling between £1,499 10s. and £1,500 10s.

33.600 pence for the pound sterling between £1,999 10s. and £2,000 10s.

(c) For such part of the taxable income as exceeds £2,000 but does not exceed £6,500, the additional tax for each additional pound of taxable income above £2,000 shall increase continuously with the increase of the taxable income in a curve of the third degree in such a manner that the increase of tax for one pound increase of taxable income shall be—

33.600 pence for the pound sterling between £1,999 10s. and £2,000 10s.

40.000 pence for the pound sterling between £2,499 10s. and £2,500 10s.

45.300 pence for the pound sterling between £2,999 10s. and £3,000 10s.

49.600 pence for the pound sterling between £3,499 10s. and £3,500 10s.

53.000 pence for the pound sterling between £3,999 10s. and £4,000 10s.

55.600 pence for the pound sterling between £4,499 10s. and £4,500 10s.

57.500 pence for the pound sterling between £4,999 10s. and £5,000 10s.

58.800 pence for the pound sterling between £5,499 10s. and £5,500 10s.

59.600 pence for the pound sterling between £5,999 10s. and £6,000 10s.

60.000 pence for the pound sterling between £6,499 10s. and £6,500 10s.

(d) For every pound sterling of taxable income in excess of £6,500 the rate of tax shall be sixty pence.

THIRD SCHEDULE.

RATES OF TAX IN RESPECT OF TAXABLE INCOME DERIVED PARTLY FROM
PERSONAL EXERTION AND PARTLY FROM PROPERTY.

- (a) For every pound sterling of taxable income derived from personal exertion, the rate of tax shall be ascertained by dividing the total amount of the tax that would be payable under the First Schedule if the total taxable income of the taxpayer were derived exclusively from personal exertion by the amount of the total taxable income.
- (b) For every pound sterling of taxable income derived from property, the rate of tax shall be ascertained by dividing the total amount of the tax that would be payable under the Second Schedule if the total taxable income of the taxpayer were derived exclusively from property by the amount of the total taxable income.

FOURTH SCHEDULE.

RATES OF TAX UPON THE INCOME OF A COMPANY.

- (a) For every pound sterling of the taxable income of a Company which has not been distributed to the members or shareholders of the Company, the rate of tax shall be two shillings and eightpence.
- (b) For every pound sterling of the income of a Company distributed to the members shareholders or stockholders of the Company who are absentees and of interest paid or credited by the Company to any person who is an absentee in respect of debentures of the Company or on money lodged at interest with the Company by such person the rate of tax shall be eightpence.

JUDICIARY.

No. 38 of 1920.

An Act to amend the *Judiciary Act* 1903-1915 and for other purposes.

[Assented to 30th October, 1920.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Judiciary Act* 1920.

(2.) The *Judiciary Act* 1903-1915 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Judiciary Act* 1903-1920.

Short title and citation.

2. Section twenty-three of the Principal Act is amended by omitting from sub-section (1.) thereof the words "unless a majority of all the Justices concur in the decision" and inserting in their stead the words "unless at least three Justices concur in the decision".

Decision in case of difference of opinion.