

INCOME TAX AND SOCIAL SERVICES CONTRIBUTION ASSESSMENT.

No. 4 of 1952.

An Act to amend the *Income Tax and Social Services Contribution Assessment Act 1936-1951*.

[Assented to 13th March, 1952.]

BE it enacted by the Queen'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 *Income Tax and Social Services Contribution Assessment Act 1952*. Short title and citation.

(2.) The *Income Tax and Social Services Contribution Assessment Act 1936-1951** is in this Act referred to as the Principal Act.

* Act No. 27, 1936, as amended by No. 88, 1936; No. 5, 1937; No. 46, 1938; No. 30, 1939; Nos. 17 and 65, 1940; Nos. 58 and 69, 1941; Nos. 22 and 50, 1942; No. 10, 1943; Nos. 3 and 28, 1944; Nos. 4 and 37, 1945; No. 6, 1946; Nos. 11 and 63, 1947; No. 44, 1948; No. 66, 1949; No. 48, 1950, and No. 44, 1951.

No. 4. *Income Tax and Social Services Contribution Assessment*. 1952.

(3.) The Principal Act, as amended by this Act, may be cited as the *Income Tax and Social Services Contribution Assessment Act* 1936-1952.

Commencement. 2. This Act shall come into operation on the day on which it receives the Royal Assent.

Exemptions. 3. Section twenty-three of the Principal Act is amended by inserting after paragraph (a) the following paragraph :—

“(aa) an allowance paid under section six or seven of the *Ministers of State Act* 1952 or under sub-section (2.) of section four, five, six, seven or eight of the *Parliamentary Allowances Act* 1952 ;”.

4. After section eighty-one of the Principal Act the following section is inserted :—

Certain deductions not allowable to members of Parliament receiving exempt allowances.

“81A.—(1.) This section applies to a taxpayer who, in the year of income, derives assessable income consisting of or including salary or allowance paid under the *Ministers of State Act* 1952 or the *Parliamentary Allowances Act* 1952 and income which is exempt from income tax by virtue of paragraph (aa) of section twenty-three of this Act.

“(2.) In the assessment of a taxpayer to whom this section applies, there shall not, subject to the next succeeding sub-section, be allowable as a deduction—

- (a) a loss or outgoing to the extent to which it is incurred in producing assessable income being salary or allowance referred to in the last preceding sub-section ; or
- (b) depreciation of property used for the purpose of producing assessable income being salary or allowance so referred to.

“(3.) Where property to which paragraph (b) of the last preceding sub-section applies is used for the purpose of producing assessable income other than salary or allowance referred to in sub-section (1.) of this section, there shall be allowable a deduction for depreciation of that property of such amount as the Commissioner considers reasonable having regard to the extent to which that property is used for the purpose of producing that other assessable income.”.

Application of amendments.

5. The amendments effected by this Act apply to all assessments of income of the year of income which commenced on the first day of July, One thousand nine hundred and fifty-one, and all subsequent years, but the amendment effected by the last preceding section does not apply in relation to losses, outgoings or depreciation incurred before the first day of January, One thousand nine hundred and fifty-two.