

INCOME TAX AND SOCIAL SERVICES CONTRIBUTION ASSESSMENT.

No. 12 of 1959.

An Act to amend the Law relating to Income Tax in relation to the Commonwealth Trading Bank, and for other purposes.

[Assented to 23rd April, 1959.]

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 1959*. Short title and citation.

(2.) The *Income Tax and Social Services Contribution Assessment Act 1936–1958** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Income Tax and Social Services Contribution Assessment Act 1936–1959*.

2. This Act shall come into operation on the day on which the *Reserve Bank Act 1959* comes into operation. Commencement.

3. Section five of the Principal Act is amended by omitting the words— Parts.

“ Division 1.—General (Sections 17–24).”

and inserting in their stead the words—

“ Division 1.—General (Sections 17–24A).”.

4. Section twenty-three c of the Principal Act is amended by omitting from paragraph (c) of sub-section (1.) the words “Commonwealth Bank of Australia” and inserting in their stead the words “Reserve Bank of Australia”. Exemption of certain income from sale of gold.

* 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; No. 44, 1951; Nos. 4, 28 and 90, 1952; Nos. 1, 28, 45 and 81, 1953; No. 43, 1954; Nos. 18 and 62, 1955; Nos. 23, 30 and 101, 1956; Nos. 39 and 65, 1957; and No. 55, 1958.

5. After section twenty-four of the Principal Act the following section is inserted in Division 1 of Part III.:—

Commonwealth
Trading
Bank of
Australia.

“ 24A. The Commonwealth Trading Bank of Australia—

- (a) is not a public authority for the purposes of paragraph (d) of section twenty-three of this Act; and
- (b) shall, for the purposes of this Act, be deemed to be a company other than a private company within the meaning of Division 7 of Part III.”.

Application,
&c.

6.—(1.) The liability of the Trading Bank to pay income tax and social services contribution by virtue of the amendment made by the last preceding section applies in respect of income derived on or after the first day of the financial year in which this Act comes into operation.

(2.) For the purposes of those provisions of the Principal Act as amended by this Act that relate to depreciation, the cost of a unit of property owned by the Trading Bank immediately before the first day of the financial year in which this Act comes into operation (including a unit of property that was formerly owned by the Commonwealth Bank and became vested in the Trading Bank by virtue of sub-section (5.) of section eighteen of the *Commonwealth Bank Act* 1953) shall be deemed to be the amount that would have been the depreciated value, ascertained in accordance with section sixty-two of the Principal Act as amended by this Act, of that unit on that day if—

- (a) the Commonwealth Bank and the Trading Bank had at all times been liable to pay tax under the laws of the Commonwealth relating to taxes on income;
- (b) the unit of property had, while owned by either of those banks, been used by it at all times wholly for the purpose of producing assessable income;
- (c) the depreciation allowable to either of those banks in respect of that unit had been allowed by way of a percentage of the depreciated value of the unit at the beginning of each year of income; and
- (d) in the case of a unit of property that became vested in the Trading Bank under section eighteen of the *Commonwealth Bank Act* 1953, it had been purchased by the Trading Bank from the Commonwealth Bank at a cost equal to its depreciated value immediately before it became so vested.

(3.) In this section—

“ the Commonwealth Bank ” means the Commonwealth Bank of Australia;

“ the Trading Bank ” means the Commonwealth Trading Bank of Australia.