



ANNO TRICESIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1989

No. 46 of 1989

An Act to amend the Pay-roll Tax Act, 1971.

[Assented to 31 August 1989]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Pay-roll Tax Act Amendment Act, 1989*.
- (2) The *Pay-roll Tax Act, 1971*, is referred to in this Act as “the principal Act”.

Commencement

2. This Act will be taken to have come into operation on 1 July, 1989.

Deduction from taxable wages

3. Section 11a of the principal Act is amended by striking out the definition of “prescribed amount” in subsection (1) and substituting the following definition:

“prescribed amount” in relation to a return for a return period—

(a) where the return period is a period of one month—

- (i) ending before 1 October, 1989, means \$27 500;
- (ii) commencing on or after 1 October, 1989, and ending before 1 April, 1990, means \$30 000;
- (iii) commencing on or after 1 April, 1990, means \$33 333;

(b) where the return period is a period of more than one month, means for each month of the return period the amount referred to in paragraph (a) of this definition in relation to that month.

Exemption from pay-roll tax

4. Section 12 of the principal Act is amended by striking out paragraph (db) of subsection (1) and substituting the following paragraph:

(db) before 1 July, 1992, by, or on behalf of, an employer to a person employed, in accordance with the agreement between the Commonwealth and the State for the implementation of the Australian Traineeship System, under a contract of training registered with the Industrial and Commercial Training Commission;

Meaning of prescribed amount

5. Section 13a of the principal Act is amended by striking out subsection (2) and substituting the following subsection:

(2) A reference in section 13b or 13c to the prescribed amount—

(a) in relation to the financial year commencing on 1 July, 1989, is a reference to an amount calculated in accordance with the following formula:

$$\frac{TW}{TW + IW} \left[\left(\frac{CS}{92} + \frac{DU}{182} + \frac{EV}{91} \right) - \frac{1}{4} \left(TW + IW - \left(\frac{CS}{92} + \frac{DU}{182} + \frac{EV}{91} \right) \right) \right]$$

where—

TW is the amount of the taxable wages paid or payable by the employer during the financial year

IW is the amount of the interstate wages paid or payable by the employer during the financial year

C is \$82 500

S is the number of days in the period commencing on 1 July, 1989, and ending on 30 September, 1989, in respect of which the employer paid or was liable to pay wages (disregarding foreign wages)

D is \$180 000

U is the number of days in the period commencing on 1 October, 1989, and ending on 31 March, 1990, in respect of which the employer paid or was liable to pay wages (disregarding foreign wages)

E is \$100 000

V is the number of days in the period commencing on 1 April, 1990, and ending on 30 June, 1990, in respect of which the employer paid or was liable to pay wages (disregarding foreign wages);

(b) in relation to each subsequent financial year, is a reference to an amount calculated in accordance with the following formula:

$$\frac{TW}{TW + IW} \left[\left(\frac{AX}{184} + \frac{AY}{Z} \right) - \frac{1}{4} \left(TW + IW - \left(\frac{AX}{184} + \frac{AY}{Z} \right) \right) \right]$$

where—

TW is the amount of the taxable wages paid or payable by the employer during the financial year

IW is the amount of the interstate wages paid or payable by the employer during the financial year

- A is \$200 000
- X is the number of days in the period commencing on the first day of July in the financial year and ending on the thirty-first day of December in the financial year in respect of which the employer paid or was liable to pay wages (disregarding foreign wages)
- Y is the number of days in the period commencing on the first day of January in the financial year and ending on the thirtieth day of June in the financial year in respect of which the employer paid or was liable to pay wages (disregarding foreign wages)
- Z is the number of days in the period commencing on the first day of January in the financial year and ending on the thirtieth day of June in the financial year.

Registration

6. Section 14 of the principal Act is amended by striking out from subsection (4) "\$5 700" and substituting "\$6 900".

Substitution of s. 18k

7. Section 18k of the principal Act is repealed and the following section is substituted:

Interpretation

18k. A reference in section 18l or 18m to the prescribed amount—

(a) in relation to the financial year commencing on 1 July, 1989, is a reference to an amount calculated in accordance with the following formula:

$$\frac{TW}{TW + IW} \left[\left(\frac{CS}{92} + \frac{DU}{182} + \frac{EV}{91} \right) - \frac{1}{4} \left(TW + IW - \left(\frac{CS}{92} + \frac{DU}{182} + \frac{EV}{91} \right) \right) \right]$$

where—

- TW is the amount of the taxable wages paid or payable by the members of the group during such period of the financial year as the designated group employer was the designated group employer in respect of the group
- IW is the amount of the interstate wages paid or payable by the members of the group during the period referred to above
- C is \$82 500
- S is the number of days in the period commencing on 1 July, 1989, and ending on 30 September, 1989, in respect of which any member of the group paid or was liable to pay wages (disregarding foreign wages)
- D is \$180 000
- U is the number of days in the period commencing on 1 October, 1989, and ending on 31 March, 1990, in respect of which any member of the group paid or was liable to pay wages (disregarding foreign wages)
- E is \$100 000

V is the number of days in the period commencing on 1 April, 1990, and ending on 30 June, 1990, in respect of which any member of the group paid or was liable to pay wages (disregarding foreign wages);

(b) in relation to each subsequent financial year, is a reference to an amount calculated in accordance with the following formula:

$$\frac{TW}{TW + IW} \cdot \left[\left(\frac{AX}{184} + \frac{AY}{Z} \right) - \frac{1}{4} \left(TW + IW - \left(\frac{AX}{184} + \frac{AY}{Z} \right) \right) \right]$$

where—

TW is the amount of the taxable wages paid or payable by the members of the group during such period of the financial year as the designated group employer was the designated group employer in respect of the group

IW is the amount of the interstate wages paid or payable by the members of the group during the period referred to above

A is \$200 000

X is the number of days in the period commencing on the first day of July in the financial year and ending on the thirty-first day of December in the financial year in respect of which any member of the group paid or was liable to pay wages (disregarding foreign wages)

Y is the number of days in the period commencing on the first day of January in the financial year and ending on the thirtieth day of June in the financial year in respect of which any member of the group paid or was liable to pay wages (disregarding foreign wages)

Z is the number of days in the period commencing on the first day of January in the financial year and ending on the thirtieth day of June in the financial year.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor