



LAND TAX

No. 55 of 1978

ANALYSIS

1. Short title.
2. Construction.
3. Principal Act.
4. Interpretation.
5. Land tax for financial year 1978-1979.
6. Amount of rebate for financial year 1978-1979 in respect of land on which separate dwelling-house erected or of stratum flat.
7. Amount of rebate in respect of residential units in building owned jointly or by home-unit company.

AN ACT to fix the scale of land tax in respect of the financial year ending with 30th June 1979.

[20 December 1978]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Land Tax Act 1978*.

Short title.

Construction.

2—This Act shall be read together with and treated as part of the *Land and Income Taxation Act 1910*.

Principal Act.

3—In this Act, the *Land and Income Taxation Act 1910* is referred to as the Principal Act.

Interpretation.

4—In this Act, unless the context otherwise requires—

“ financial year 1978-1979 ” means the period of 12 months ending with 30th June 1979;

“ residential unit ” has the meaning assigned to that expression by section 21B (1) of the Principal Act;

“ rural land ” has the meaning assigned to that expression by section 10 of the Principal Act.

Land tax for financial year 1978-1979.

5—(1) For the financial year 1978-1979, the graduated land tax referred to in subsection (1) of section 10 of the Principal Act shall—

(a) be imposed in respect of all land within the State other than land excepted under that subsection and rural land; and

(b) subject to this section and sections 6 and 7, be levied and paid according to the scale specified in Schedule 1.

(2) Where the total amount of land tax payable by a person for the financial year 1978-1979 would, apart from this subsection, be less than \$2, that amount is not payable.

(3) Where, on the assessment of land tax, the amount determined in respect of a person for the financial year 1978-1979 is an amount which is not exactly divisible by 10 and a number of cents remains after making such a division, the amount of land tax payable by that person is—

(a) if that number does not exceed 5—the amount as determined less that number of cents; or

(b) if that number exceeds 5—the amount exactly divisible by 10 next greater than the amount so determined.

6—(1) For the purposes of section 21A of the Principal Act, the amount of rebate in respect of land, or a stratum flat, to which that section applies is, for the financial year 1978-1979—

Amount of rebate for financial year 1978-1979 in respect of land on which separate dwelling-house erected or of stratum flat.

- (a) where the land value of the land or flat does not exceed \$30 000—the whole of the amount of land tax that would, but for that section, be payable in respect of the land or flat; and
- (b) where the land value of the land or flat exceeds \$30 000 but does not exceed \$50 000—\$295 reduced by \$14·75 in respect of every \$1 000 by which the land value exceeds \$30 000.

(2) For the purpose only of subsection (1), it shall be assumed that the owner of the land or stratum flat referred to in that subsection owned no other land or stratum flat and was not entitled to any relief from the tax by way of exemption or rebate.

7—(1) In this section, a reference to the prescribed proportion, in relation to a residential unit and to the building in which the residential unit is situated, is a reference to the proportion that the total floor area of the residential unit bears to the total floor area in the building that is separately occupied, or capable of being used for separate occupation, whether for residential purposes or not.

Amount of rebate in respect of residential units in building owned jointly or by home-unit company.

(2) For the purposes of section 21B of the Principal Act, the amount of rebate in respect of a residential unit to which that section applies is, for the financial year 1978-1979—

- (a) where the notional land value of the unit, determined in accordance with subsection (3), does not exceed \$30 000—the whole of the amount of land tax that would, but for that section, be payable in respect of that unit if it were a stratum flat to which section 21A of the Principal Act applies (being a stratum flat of which the land value is the same as the notional value of the unit); or
- (b) where the notional land value of the unit, determined in accordance with subsection (3), exceeds \$30 000 but does not exceed \$50 000—\$295 reduced by \$14·75 in respect of every \$1 000 by which that notional land value exceeds \$30 000.

(3) For the purposes of subsection (2), the notional land value of a residential unit shall be determined by applying to the land value of the land on which the building containing the unit is situated the prescribed proportion applicable to the unit.

Section 5

SCHEDULE 1

GENERAL RATES OF LAND TAX

Land value of taxable land	Amounts and rates of land tax
Land not exceeding \$4 500 in value.	Nil.
Land exceeding \$4 500 in value, but not exceeding \$15 000 in value.	1 cent for each dollar of the land value in excess of \$4 500.
Land exceeding \$15 000 in value but not exceeding \$25 000 in value.	\$105, and 1·2 cents for each dollar of the land value in excess of \$15 000.
Land exceeding \$25 000 in value, but not exceeding \$50 000 in value.	\$225, and 1·4 cents for each dollar of the land value in excess of \$25 000.
Land exceeding \$50 000 in value, but not exceeding \$100 000 in value.	\$575, and 2 cents for each dollar of the land value in excess of \$50 000.
Land exceeding \$100 000 in value, but not exceeding \$150 000 in value.	\$1 575, and 2·5 cents for each dollar of the land value in excess of \$100 000.
Land exceeding \$150 000 in value.	\$2 825, and 3 cents for each dollar of the land value in excess of \$150 000.