



AUSTRALIAN CAPITAL TERRITORY

Stamp Duties and Taxes (Amendment) Act 1993

No. 16 of 1993

An Act to amend the *Stamp Duties and Taxes Act 1987*

[Notified in ACT Gazette S26: 9 March 1993]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Stamp Duties and Taxes (Amendment) Act 1993*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on 1 April 1993.

Principal Act

3. In this Act, “Principal Act” means the *Stamp Duties and Taxes Act 1987*.¹

Interpretation

4. Section 4 of the Principal Act is amended by inserting in subsection (1) the following definitions:

“ ‘trading stock’, in relation to a vehicle dealer licensed under the *Sale of Motor Vehicles Act 1977* or a corresponding law, means a vehicle offered or exposed for sale by the dealer in the course of the dealer’s business, except a vehicle used—

- (a) personally by the dealer or a member of the dealer’s staff;
or
- (b) for the general purposes of the dealer’s business;

‘used vehicle’, in relation to a licensed vehicle dealer, means a vehicle offered or exposed for sale by the dealer in the course of the dealer’s business, being a vehicle—

- (a) which was registered under the Motor Traffic Act or a corresponding law at some time prior to its acquisition by the dealer; or
- (b) whose first registration (whether under the Motor Traffic Act or a corresponding law) was in the name of the dealer where, before being offered or exposed for sale, it was used—
 - (i) personally by the dealer or a member of the dealer’s staff;
 - (ii) as a demonstration vehicle; or
 - (iii) for the general purposes of the dealer’s business;”.

Taxable sales

5. Section 56A of the Principal Act is amended by inserting “used” before “vehicle” (first occurring).

Exempt sales

6. Section 56B of the Principal Act is amended—

- (a) by inserting “used” before “vehicle” (first occurring); and
- (b) by omitting paragraph (d).

Recovery of tax by licensed vehicle dealer

7. Section 56EA of the Principal Act is amended by inserting in subsection (1) “used” before “vehicle” (last occurring).

Refunds for exempt sales where exemption not claimed

8. Section 56F of the Principal Act is amended by inserting “used” before “vehicle” (first occurring).

Prerequisites for registration

9. Section 61 of the Principal Act is amended by omitting from subparagraph (1) (c) (ii) all the words after “stock”.

Amendment of Schedule 6

10. Schedule 6 to the Principal Act is amended by omitting paragraphs (e) and (f) and substituting the following paragraphs:

- “(e) a licensed dealer under the *Sale of Motor Vehicles Act 1977* or a corresponding law, where the vehicle is held by the dealer as trading stock;
- (f) the purchaser of the vehicle from a licensed vehicle dealer, where—
 - (i) the vehicle is a used vehicle; and
 - (ii) the registration of the vehicle is the first such registration or transfer after the sale by the dealer.”.

NOTE

1. Reprinted as at 31 August 1992.

[Presentation speech made in Assembly on 17 February 1993]

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