

2004

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

PAYROLL TAX AMENDMENT BILL 2004

SUPPLEMENTARY EXPLANATORY STATEMENT

Circulated by the authority of the Treasurer

Ted Quinlan MLA

Details of the amendment to the Payroll Tax Amendment Bill 2004 moved by the Treasurer, Ted Quinlan MLA

Summary

The amendment is required to ensure that wages paid to both full-time and part-time employees are treated equally in the event that an employee takes their eligible leave at less than full pay or less than their average rate of pay.

Amendment Notes

Clause 4

Proposed new section 9B (3) (a)

Page 2, line 23—

Omit proposed new section 9B (3) (a), and substitute new section 9B (3) (a) (i), (ii) and (iii).

Section 9B (3) (a) has been amended to ensure that the exemption from payroll tax for wages paid or payable to both full-time and part-time employees taking paid maternity, adoption or primary carer leave is applied equitably where the leave is taken at less than the employee's usual rate of pay.

Subparagraph (i) allows a maximum period equivalent to 14 weeks leave on full pay when a full-time employee takes the leave on less than full pay.

Subparagraph (ii) allows a maximum period equivalent to 14 weeks leave on the employee's average rate of pay over the 6 weeks immediately before the leave is taken when a part-time employee takes the leave on less than the average rate of pay. Using the average rate of pay allows for any fluctuations in part-time.

Subparagraph (iii) allows a maximum period equivalent to 14 weeks leave on the rate of pay of the employee immediately before the leave was taken when a part-time employee takes the leave at their normal rate of pay.