

1993

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

(As presented)

(Treasurer)

**Stamp Duties and Taxes (Amendment) Bill  
1993**

**A BILL**

**FOR**

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

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

**Short title**

- 5 **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.

83002 1993/16 (T2/93)

**Principal Act**

3. In this Act, "Principal Act" means the *Stamp Duties and Taxes Act 1987*.<sup>1</sup>

**Interpretation**

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

10 " '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;

15 '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

20 (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—

25 (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**

30 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**

5 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".

10 **Amendment of Schedule 6**

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

- 15
- "(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."
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**NOTE**

1. Reprinted as at 31 August 1992.