

Taxation Administration (Amounts Payable—Thresholds—Home Buyer Concession Scheme) Determination 2008 (No 2)

Disallowable instrument DI2008–285

made under the

Taxation Administration Act 1999, s 139 (Determination of amounts payable under tax laws)

EXPLANATORY STATEMENT

1. This Disallowable Instrument is the *Taxation Administration (Amounts Payable—Thresholds—Home Buyer Concession Scheme) Determination 2008 (No 2)*.
2. The Disallowable Instrument commences on 1 January 2009.
3. The Disallowable Instrument determines the property value thresholds for an eligible property and the land value thresholds for an eligible vacant block for the purposes of the calculation of duty payable under section 31 of the *Duties Act 1999* (the Act) by an eligible home buyer under the Home Buyer Concession Scheme commencing on 1 January 2009. The duty is payable to the Territory.
4. Under section 139 of the *Taxation Administration Act 1999* the Minister has authority to determine, in writing by disallowable instrument, amounts payable under tax laws. The Act is a tax law specified in section 4 of the *Taxation Administration Act 1999*.
5. Property value threshold amounts for the calculation of concessional duty for eligible property are as follows:
 - (a) the **lower threshold** is the highest sale price in the lowest 20% of all sale prices for residential properties for the two quarters between April 2008 and September 2008 and the determined value is \$340,000, which is an increase of 2.10% from the previous threshold of \$333,000; and
 - (b) the **upper threshold** represents the median of all sale prices for residential properties for the two quarters between April 2008 and September 2008 and the determined value is \$422,000, which is an increase of 2.43% from the previous threshold of \$412,000.

6. The land value threshold amounts for the calculation of concessional duty for an eligible vacant block reflect the same percentage changes as calculated from sales data for eligible property and are as follows:
 - (a) the *lower threshold* reflects a 2.10% increase from the previous threshold of \$185,300 for which the determined value is \$189,200; and
 - (b) the *upper threshold* reflects a 2.43% increase from the previous threshold of \$227,600 for which the determined value is \$233,200.
7. For eligible property and eligible vacant land at or below the lower threshold, the minimum duty of \$20 is payable. The amount of the concession reduces for eligible property and eligible vacant land up to the higher threshold where the concession is zero.
8. The eligibility criteria and method of calculating the concession are determined in a separate Disallowable Instrument and remain unchanged.
9. The instrument revokes Disallowable Instrument DI2008-80. However, DI2008-80 continues to apply for transactions that occurred for the period 1 July 2008 to 31 December 2008 inclusive.

Authorised by the Treasurer
Katy Gallagher