

Taxation Administration (Amounts Payable—Thresholds—Pensioner Duty Concession Scheme) Determination 2008 (No 2)

Disallowable instrument DI2008–287

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—Pensioner Duty 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* by an **eligible pensioner** under the Pensioner Duty 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 *Duties Act 1999* is a tax law as 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 median of all sale prices for residential properties for the two quarters between April 2008 and September 2008. This value is determined to be \$422,000; and
 - (b) the **upper threshold** represents the lowest sale price in the highest 25% of all sale prices for residential properties for the two quarters between April 2008 and September 2008. This value is determined to be \$530,000.
6. The land value threshold amounts for the calculation of concessional duty for an eligible vacant block are reflective of the thresholds calculated for the Home Buyer Concession Scheme as follows:

- (a) the *lower threshold* is determined to be \$189,200; and
 - (b) the *upper threshold* is determined to be \$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 the method of calculation of the concession are determined in a separate Disallowable Instrument.
 9. DI2008-79 is revoked. However, DI2008-79 continues to apply to transactions that occurred in the period 1 July 2008 to 31 December 2008.

Authorised by the Treasurer
Katy Gallagher