

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

TAXATION (ADMINISTRATION) (AMENDMENT) ORDINANCE 1988

No. 6, 1988

The Taxation (Administration) (Amendment) Ordinance 1988 ("the Ordinance") amends the Taxation (Administration) Ordinance 1987 ("the Principal Ordinance") to allow a company to appoint as a public officer under the Principal Ordinance a person who is resident anywhere in Australia, rather than merely in the Territory. The public officer of a company is responsible for doing anything required to be done by a company under a tax law. The Ordinance also corrects a printing error in the Principal Ordinance.

The Ordinance is deemed to have come into operation on 1 August 1987, the date on which the Principal Ordinance came into operation. As many companies have only branch offices in the Territory and no officers of the company resident in the Territory, they are unable to find persons both suitable and willing to accept appointment as a public officer who are also resident in the Territory. The retrospective operation of the Ordinance avoids injustice to those companies unable to comply with the provisions of the Principal Ordinance and will validate existing appointments of non-residents.

Details of the Ordinance are as follows.

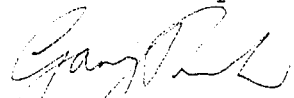
Section 1 provides that the Ordinance may be cited as the Taxation (Administration) (Amendment) Ordinance 1988.

Section 2 deems the Ordinance to have come into operation on 1 August 1987.

Section 3 deals with interpretation.

Section 4 amends section 83 of the Principal Ordinance to provide that a person is eligible for appointment as the public officer of a company if the person is ordinarily resident in Australia, rather than ordinarily resident in the Territory.

Section 5 amends section 87 of the Principal Ordinance by omitting an incorrect reference to section 79 and replacing it by a reference to section 82.



Authorised by the Minister of State for
the Arts and Territories