

# **Taxation Administration (Amounts payable - Utilities (Network Facilities Tax)) Determination 2012 (No 2)**

## **Disallowable instrument DI2012-276**

made under the

*Taxation Administration Act 1999*, s139 (Determination of amounts payable under tax laws)

## **EXPLANATORY STATEMENT**

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### **Purpose**

The purpose of this instrument is to revoke DI2012-39, notified on 5 April 2012, and to determine a new rate for the calculation of Utilities (Network Facilities tax) payable under the *Utilities (Network Facilities Tax) Act 2006* (the UNFT Act).

### **Summary**

The Network Facilities tax is payable to the ACT Government by the owners of utility network infrastructure that is located in the ACT. The tax is calculated by multiplying the determined rate by the total network route length, measured in kilometres.

Section 139 of the *Taxation Administration Act 1999* (the Taxation Administration Act) empowers the Minister to determine amounts for taxes, duties and levies payable under a tax law, including the UNFT Act.

Owners must lodge an annual return for each year ending 31 March. The 2012-13 return is for the period 1 April 2012 to 31 March 2013, and is payable by 30 May 2013.

The Government has aligned the amount of UNFT payable by utility network businesses in 2013 to reflect the growth in average unimproved land value since the tax was introduced in 2006. The UNFT rate will increase from \$771 to \$921 per kilometre for the year ending 31 March 2013 (a 19.45% increase). This amount will be indexed by the annual Wage Price Index for the preceding December quarter in future years.

### **Determination**

This instrument determines that, for the purposes of section 8 of the UNFT Act, the determined rate will be \$921 per kilometre of network route length. This determination commences on the day after its notification day.

**Authorised by the Treasurer  
Andrew Barr MLA**