

Details of the amendment to the Payroll Tax Amendment Bill 2001, moved by the Treasurer, Gary Humphries MLA

Summary

The amendments to the *Payroll Tax Amendment Bill 2001* (the Bill) commence on 1 September 2001. This commencement date has been chosen to limit the extent of any revenue loss through possible loopholes, and to clarify the exemption provisions, at the earliest possible date.

The *Payroll Tax Amendment Act 2001* (the Act) must be gazetted before the Minister has the power to make an approval under section 9A (2) (a). The amended provisions allow the first approval made by the Minister to be retrospective to 1 September 2001 (if the approval is made within 1 week of the Act being notified in the Gazette). This is to allow time for gazettal of the Act. Any future approvals made by the Minister cannot be retrospective as these provisions will expire 1 month after the Act is notified in the Gazette.

Amendment Notes

Clause 2

Page 2, line 3

The original clause is omitted and a new clause substitutes 1 September 2001 as the commencement date.

Clause 9

Proposed new subsections 9A (7), (8) and (9)

Page 4, line 8

Three new subsections have been added:

- Subsection (7) allows the first training approval made under subsection (2) to have retrospective effect to 1 September 2001, providing it is made within 1 week after the Act is notified in the Gazette.
- Subsection (8) provides for section 42 of the *Interpretation Act 1967* to apply to subsection (7). This is to ensure that the expiry of subsection (7), by the operation of subsection (9), does not affect the validity of the first approval made under subsection (7). In other words, the first approval made under subsection (7) remains effective after the expiry of that subsection.
- Subsection (9) provides that subsections (7), (8) and (9) expire 1 month after the Act is notified in the Gazette. This ensures the retrospective provisions apply only to the first approval made by the Minister.