



Tax Laws Amendment (Luxury Car Tax—Minor Amendments) Act 2008

No. 150, 2008

**An Act to amend the law relating to taxation, and
for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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No. 150, 2008

An Act to amend the law relating to taxation, and for related purposes

[Assented to 11 December 2008]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Tax Laws Amendment (Luxury Car Tax—Minor Amendments) Act 2008*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	11 December 2008
2. Schedule 1, items 1 to 7	The day on which this Act receives the Royal Assent.	11 December 2008
3. Schedule 1, item 8	Immediately after the commencement of the <i>Tax Laws Amendment (Luxury Car Tax) Act 2008</i> .	3 October 2008

Note: This table relates only to the provisions of this Act as originally passed by both Houses of the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Luxury Car Tax

A New Tax System (Luxury Car Tax) Act 1999

1 Paragraph 18-5(2)(a)

After “*refund-eligible car”, insert “(or you would have borne luxury car tax on the supply or importation if you had acquired the *car directly rather than entering into a financing arrangement relating to the car)”.

2 Paragraph 18-5(3)(a)

Omit “*borne by you as”.

3 Paragraph 18-10(2)(a)

After “*refund-eligible car”, insert “(or you would have borne luxury car tax on the supply or importation if you had acquired the *car directly rather than entering into a financing arrangement relating to the car)”.

4 Paragraph 18-10(3)(a)

Omit “*borne by you as”.

5 Application

The amendments made by items 1 to 4 apply to taxable supplies of luxury cars and taxable importations of luxury cars on or after 1 July 2008.

Taxation Administration Act 1953

6 Section 8AAZA (paragraph (a) of the definition of *credit*)

After “*Product Grants and Benefits Administration Act 2000*”, insert “or Division 18 (refunds) of the *A New Tax System (Luxury Car Tax) Act 1999*”.

7 Application

The amendment made by item 6 applies to taxable supplies of luxury cars and taxable importations of luxury cars on or after 1 July 2008.

Tax Laws Amendment (Luxury Car Tax) Act 2008

8 Item 13 of Schedule 1

Repeal the item, substitute:

13 Application

The amendments made by this Schedule do not apply where:

- (a) the contract to make the taxable supply or taxable importation of the luxury car was entered into before 7.30 pm, by legal time in the Australian Capital Territory, on 13 May 2008; or
- (b) the contract to make the taxable supply or taxable importation of the luxury car was entered into before that time and, after that time, a contract to finance the making of the supply is entered into.

*[Minister's second reading speech made in—
House of Representatives on 25 November 2008
Senate on 1 December 2008]*

(220/08)
