



Tax Laws Amendment (2014 Measures No. 1) Regulation 2014

Select Legislative Instrument No. 90, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 12 June 2014

Peter Cosgrove
Governor-General

By His Excellency's Command

Mathias Cormann
Minister for Finance
for the Treasurer

OPC60400 - A

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1 Name of regulation

This regulation is the *Tax Laws Amendment (2014 Measures No. 1) Regulation 2014*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the following Acts:

- (a) the *Income Tax Assessment Act 1936*;
- (b) the *Income Tax Assessment Act 1997*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Defence force pay and allowances

Income Tax Regulations 1936

1 Paragraph 7A(a)

Repeal the paragraph.

2 After paragraph 7A(aa)

Insert:

- (ab) duty with Operation Slipper in Afghanistan, including within the land territory, internal waters, airspace and superjacent airspace of Afghanistan, starting on 1 July 2014 and ending on 31 December 2014;

3 Paragraph 7A(b)

Omit “(Operation Palate II);”, substitute “(Operation Palate II).”.

4 Paragraphs 7A(d) to (f)

Repeal the paragraphs.

Schedule 2—Australian Valuation Office

Income Tax Assessment Regulations 1997

1 Paragraph 30-212.02(b)

Omit “General Manager, Australia Valuation Office”, substitute “Commissioner”.

2 Paragraph 30-212.02(c)

Repeal the paragraph, substitute:

- (c) include the application fee required by the approved form, which must not be more \$1 000.

3 Subregulation 30-212.09(1)

Omit “30-212.03”, substitute “30-212.02”.

4 Regulations 30-212.10 and 30-212.11

Repeal the regulations, substitute:

30-212.10 Fees for carrying out valuations

- (1) The fee for carrying out a valuation is the actual cost of the valuation, including all costs of the Commissioner in obtaining the valuation.
- (2) If the Commissioner starts a valuation but the application for the valuation is withdrawn or treated as having no effect under subregulation 30-212.09(3), a fee representing the cost of the incomplete valuation is payable.

30-212.11 Crediting and repaying valuation fees

- (1) The application fee paid under regulation 30-212.02 is to be credited against the fee for the valuation.
- (2) An advance payment of a fee paid under regulation 30-212.07 is to be credited against the fee for the valuation.
- (3) The fee payable for the valuation is a debt due to the Commonwealth and recoverable in a court of competent jurisdiction.

- (4) However, if the total of advance payments of fees is more than the fee payable for the valuation, the Commissioner must pay the difference to the applicant as soon as practicable.

5 Paragraph 31-15.02(b)

Omit “General Manager, Australia Valuation Office”, substitute “Commissioner”.

6 Paragraph 31-15.02(d)

Repeal the paragraph, substitute:

- (d) include the application fee required by the approved form, which must not be more \$1 000.

7 Regulations 31-15.07 and 31-15.08

Repeal the regulations, substitute:

31-15.07 Fees for carrying out valuations

- (1) The fee for carrying out a valuation is the actual cost of the valuation, including all costs of the Commissioner in obtaining the valuation.
- (2) If the Commissioner starts a valuation but the application for the valuation is withdrawn or treated as having no effect under subregulation 31-15.06(3), a fee representing the cost of the incomplete valuation is payable.

31-15.08 Crediting and repaying valuation fees

- (1) The application fee paid under regulation 31-15.02 is to be credited against the fee for the valuation.
- (2) An advance payment of a fee paid under regulation 31-15.04 is to be credited against the fee for the valuation.
- (3) The fee payable for the valuation is a debt due to the Commonwealth and recoverable in a court of competent jurisdiction.
- (4) However, if the total of advance payments of fees is more than the fee payable for the valuation, the Commissioner must pay the difference to the applicant as soon as practicable.