



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

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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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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- (2) If the Commissioner starts a valuation but the application for the valuation is withdrawn or treated as having no effect under subregulation 30-212.09(3), a fee representing the cost of the incomplete valuation is payable.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.