



Treasury Laws Amendment (2019-20 Bushfire Tax Assistance) Act 2020

No. 1, 2020

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

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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Treasury Laws Amendment (2019-20 Bushfire Tax Assistance) Act 2020

No. 1, 2020

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

[Assented to 13 February 2020]

The Parliament of Australia enacts:

1 Short title

This Act is the *Treasury Laws Amendment (2019-20 Bushfire Tax Assistance) Act 2020*.

No. 1, 2020

*Treasury Laws Amendment (2019-20 Bushfire Tax Assistance) Act
2020*

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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
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	14 February 2020

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Income Tax Assessment Act 1997

1 Section 11-55 (table item headed “disasters”)

Before:

2019 floods—recovery grants 59-85

insert:

2019-20 bushfires—payments for volunteer work with
fire services 59-55

2019-20 bushfires—disaster relief payments and non—
cash benefits 59-60

2 After section 59-50

Insert:

59-55 2019-20 bushfires—payments for volunteer work with fire services

- (1) A payment to an individual is not assessable income and is not *exempt income if:
- (a) the purpose of the payment is to compensate the individual for the loss of income as a result of the individual performing volunteer work with a fire service (however described) of a State or Territory; and
 - (b) the work is performed during the 2019-20 income year; and
 - (c) the payment is made by a State or Territory and is covered by an agreement between the Commonwealth and that State or Territory; and
 - (d) the payment is made on or after 1 January 2020.
- (2) However, this section does not apply to:
- (a) a payment received in the individual’s capacity as an employee or contractor (including a payment of an entitlement to paid leave); or
 - (b) a workers’ compensation payment.

59-60 2019-20 bushfires—disaster relief payments and non-cash benefits

- (1) A payment made to an entity, or a *non-cash benefit provided to an entity, to the extent it would otherwise be assessable income of the entity, is not assessable income and is not *exempt income if:
- (a) the payment has been made or the benefit provided directly as a result of the bushfires commencing in Australia in the 2019-20 financial year; and
 - (b) the purpose of the payment or benefit is to provide the entity with relief from, or assist the entity in recovering from, the effects of the bushfires; and
 - (c) the payment is made, or the benefit is provided, by:
 - (i) the Commonwealth; or
 - (ii) a State or Territory; or
 - (iii) a municipal corporation; or
 - (iv) a *local governing body.
- Note: Payments covered by this subsection would include Disaster Recovery Allowance paid under the *Social Security Act 1991* and payments made under disaster recovery funding arrangements made by or on behalf of the Commonwealth.
- (2) A payment made to an entity, or a *non-cash benefit provided to an entity, to the extent it would otherwise be assessable income of the entity, is also not assessable income and is not *exempt income if:
- (a) the payment or benefit relates to the bushfires commencing in Australia in the 2019-20 financial year; and
 - (b) the payment or benefit is of a kind prescribed by the regulations for the purposes of this subsection.
- (3) However, this section does not apply to:
- (a) a payment or benefit received in an individual's capacity as an employee or contractor (including a payment of an entitlement to paid leave); or
 - (b) a workers' compensation payment; or
 - (c) a payment of compensation or damages made to an entity as a result of an order of a court or tribunal or settlement of a claim.

3 Application

The amendments made by this Schedule apply in relation to the 2019-20 income year and later income years.

Schedule 2—Deductible gift recipients

Income Tax Assessment Act 1997

1 In the appropriate position in subsection 30-45(2) (table)

Insert:

4.2.45	Australian Volunteers Support Trust	the gift must be made after 30 June 2019
4.2.46	Community Rebuilding Trust	the gift must be made after 30 June 2019

2 Section 30-315 (after table item 27AAAA)

Insert:

27AAA	Australian Volunteers Support Trust	item 4.2.45
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3 Section 30-315 (table item 27AAAB)

Renumber as 27AAB.

4 Section 30-315 (after table item 34AA)

Insert:

34A	Community Rebuilding Trust	item 4.2.46
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[Minister's second reading speech made in—
House of Representatives on 5 February 2020
Senate on 5 February 2020]

(3/20)
