

2002

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Treasurer)

## **Duties (Insurance Exemptions) Amendment Bill 2002**

---

### **A Bill for**

An Act to amend the *Duties Act 1999*

---

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Duties (Insurance Exemptions) Amendment Act*  
3 *2002*.

4 **2 Commencement**

5 This Act commences on a day fixed by the Minister by written  
6 notice.

7 *Note 1* The naming and commencement provisions automatically commence on  
8 the notification day (see *Legislation Act 2001*, s 75).

9 *Note 2* A single day or time may be fixed, or different days or times may be  
10 fixed, for the commencement of different provisions (see *Legislation*  
11 *Act 2001*, s 77 (1)).

12 *Note 3* If a provision has not commenced within 6 months beginning on the  
13 notification day, it automatically commences on the first day after that  
14 period (see *Legislation Act 2001*, s 79).

15 **3 Act amended**

16 This Act amends the *Duties Act 1999*.

17 **4 Definitions for ch 8**  
18 **Section 175, definition of *general insurance***

19 *omit*

20 part 8.6

21 *substitute*

22 section 201

23 **5 Section 201 heading**

24 *substitute*

25 **201 Insurance exempt from duty generally**

---

**6 New section 201A, part 8.6***insert***201A Insurance exempt from duty in certain circumstances**

(1) The Minister may, in writing, determine guidelines for exempting from duty under part 8.2 a premium, or part of a premium, paid for a contract for—

(a) public liability insurance; or

(b) any other general insurance prescribed by the guidelines for this paragraph.

(2) The guidelines may—

(a) state circumstances in which a premium, or part of a premium, paid for a contract of insurance mentioned in subsection (1) is exempt from duty under part 8.2; or

(b) state the extent to which a premium paid for a contract of insurance mentioned in subsection (1) is exempt from duty under part 8.2; or

(c) state procedures to be followed to get an exemption from the duty payable under part 8.2 on the premium, or part of the premium, paid for a contract of insurance mentioned in subsection (1).

(3) Part 8.2 (other than sections 180 and 181) does not apply in relation to a premium, or part of a premium, paid for a contract of insurance that effects general insurance if, under the guidelines, the premium or the part of the premium is exempt from duty under the section.

(4) A determination under subsection (1) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

---

## **Endnote**

### **Republications of amended laws**

For the latest republications of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

© Australian Capital Territory 2002