

# Taxation Administration (Amounts Payable–Duty) Determination 2013 (No 2)

## Disallowable instrument DI2013-174

made under the

***Taxation Administration Act 1999, s 139 (Determination of amounts payable under tax laws)***

### Part 1 Preliminary

#### 1 Name of instrument

This instrument is the *Taxation Administration (Amounts Payable–Duty) Determination 2013 (No 2)*.

#### 2 Commencement

This instrument commences on 1 July 2013.

### Part 2 Determination of amounts payable—Duties Act, s 31

#### 3 Definition

In this part:

***dutiable amount***, for a dutiable transaction, means the dutiable value of the dutiable property subject to the transaction.

#### 4 Amounts payable

For the purposes of section 31 of the *Duties Act 1999*, the duty chargeable or payable on the ***dutiable amount*** listed in column 1 of Table 1 is the rate of duty listed in column 2 opposite that amount.

**Table 1 Amounts payable—Duties Act, s 31**

Column 1 <b><i>Dutiable amount</i></b>	Column 2 <b>Rate of duty</b>
Less than or equal to \$200 000	\$2.20 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> , or \$20, whichever is the greater
More than \$200 000 but not more than \$300 000	\$4 400 plus \$3.70 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> that is more than \$200 000
More than \$300 000 but not more than \$500 000	\$8 100 plus \$4.50 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> that is more than \$300 000
More than \$500 000 but not more than \$750 000	\$17 100 plus \$5.00 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> that is more than \$500 000
More than \$750 000 but not more than \$1 000 000	\$29 600 plus \$6.50 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> that is more than \$750 000
More than \$1 000 000 but not more than \$1 650 000	\$45 850 plus \$7.00 for every \$100, or part of \$100, of the <b><i>dutiable amount</i></b> that is more than \$1 000 000
\$1 650 001 and over	A flat rate of \$5.50 per \$100 applied to the total transaction value

## Part 3 Determination of amounts payable—Duties Act, other sections

### 5 Definition

In this part:

**relevant amount** means—

- (a) for a marketable security to which the *Duties Act 1999*, Part 15.3 (Shares, units and interests—marketable securities) applies—the dutiable value of the marketable security, or
- (b) for property to which the *Duties Act 1999*, section 33 (1) (a) or (b) (Certain business assets) applies that is the subject of a dutiable transaction—the dutiable value of the property, or
- (c) for a lease to which the *Duties Act 1999*, Part 15.2 (General rate—short-term leases) applies—the cost or value of the lease; or
- (d) for a contract of general insurance to which the *Duties Act 1999*, section 178 (Rate of duty) applies—the premium paid in relation to the contract; or
- (e) for a policy of life insurance to which the *Duties Act 1999*, section 185 (1) (Rates of duty) applies—the sum insured; or
- (f) for a policy of temporary or term insurance to which the *Duties Act 1999*, section 185 (2) applies—the first year’s premium for the policy; or
- (g) for a life insurance rider to which the *Duties Act 1999*, section 185 (3) applies—the first year’s premium for the rider; or
- (h) for disability income insurance to which the *Duties Act 1999*, section 185 (4) applies—the premium paid to effect the insurance.

### 6 Amounts payable

For the purposes of each provision of the *Duties Act 1999* listed in column 1 of Table 2, the rate of duty chargeable or payable on the **relevant amount** in relation to each provision is the rate of duty listed in column 2 opposite that provision.

**Table 2 Amounts payable—Duties Act, various sections**

Column 1 Duties Act provision	Column 2 Rate of duty
Part 15.3	60 cents for every \$100, or part of \$100, of the <b>relevant amount, paragraph (a)</b> (marketable security)
s 33 (1)	60 cents for every \$100, or part of \$100, of the <b>relevant amount, paragraph (b)</b> (property)
Part 15.2	50 cents for every \$100, or part of \$100, of the <b>relevant amount, paragraph (c)</b> (short-term lease)
s 178	6% of the <b>relevant amount, paragraph (d)</b> (general insurance)
s 185 (1)	<ul style="list-style-type: none"> <li>• 60 cents on the first \$2 000, or part of \$2 000, of the <b>relevant amount, paragraph (e)</b> (life insurance) and</li> <li>• 12 cents for every \$200, or part of \$200, of the <b>relevant amount, paragraph (e)</b> (life insurance) that is more than \$2 000</li> </ul>
s 185 (2)	3% of the <b>relevant amount, paragraph (f)</b> (temporary or term insurance)
s 185 (3)	3% of the <b>relevant amount, paragraph (g)</b> (life insurance rider)

Column 1 Duties Act provision	Column 2 Rate of duty
s 185 (4)	6% of the <i>relevant amount</i> , <b>paragraph (h)</b> (disability income insurance)

## 7 Revocation

DI2013-87 is revoked.

## 8 Transitional Provisions

DI2013-87 continues to apply to relevant dutiable transactions between 5 June 2013 and 30 June 2013 inclusive.

Andrew Barr MLA  
Treasurer

28 June 2013