

LAND TAX ASSESSMENT AMENDMENT BILL 2017

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Stephen Dawson (Minister for Environment)**, read a first time.

Second Reading

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [10.47 pm]: I move —

That the bill be now read a second time.

The Land Tax Assessment Amendment Bill 2017 seeks to amend the Land Tax Assessment Act 2002 to address a deficiency in the land tax exemption for public statutory authorities, which has the unintended effect of extending the exemption to private sector organisations. It is the longstanding policy intent that the exemption be confined to statutory authorities established to carry on an undertaking of a public nature for the benefit of the community under some authority or direction of the government. However, advice received by the Commissioner of State Revenue in 2015 confirms that the current exemption extends to any entity established under an enactment of the state, regardless of the nature of its undertaking. The issue resulted from an alteration in the definition of “public statutory authority” when the Land Tax Assessment Act was rewritten in 2002.

In July 2015, the then Minister for Finance issued a media statement and the following month advised the Legislative Assembly of the previous government’s intention to introduce amendments to address the issue with retrospective effect to 1 July 2003, the date the new act came into operation. This government has considered the matter and agrees the amendments are necessary as they restore the policy intent of the exemption by ensuring the exemption will apply only to those organisations established for a public purpose and that perform a statutory function on behalf of the state. Although the amendments will operate from 1 July 2003, they will not apply to any matters that were subject to objection or review proceedings that commenced prior to the previous government’s announcement in 2015.

As the legislation has been consistently administered in line with the original policy intent of the exemption, it is not anticipated that any reassessment of taxpayers’ past year’s land tax assessments will be required.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper 1120.]

Debate adjourned, pursuant to standing orders.

House adjourned at 10.49 pm