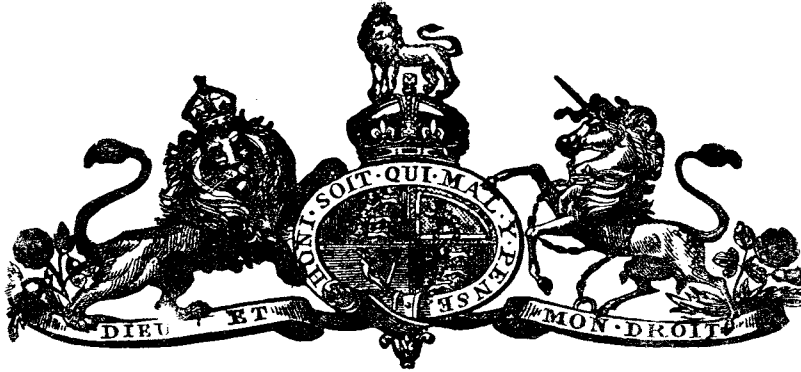


TASMANIA.



1926.

ANNO SEPTIMO DECIMO  
 GEORGI V. REGIS.  
 No. 18.

ANALYSIS.

1. Short title.  
Principal Act.
2. Amendment of Section 12 of the Principal Act.  
Commissioner may make use of information for the purpose of the Deceased Persons' Estates Duties Act, 1915.
3. Amendment of Section 27 of the Principal Act.
4. Amendment of Section 50 of the Principal Act.
5. Amendment of Section 53 of the Principal Act.
6. Exemption of certain persons from income tax.  
Deduction in the case of certain married men.  
Deduction in the case of certain unmarried men.  
Deduction in the case of certain returned soldiers.  
Taxable amount in cases not provided for in Sections 54b or 54c.  
How deduction to be made.  
No exemption or deduction in respect of prize in lottery.  
Rebate of tax in respect of returned soldiers.  
Additional tax on profits from manufacture or sale by certain persons of liquor.
7. Limitation of Act.

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AN ACT to amend the Land and Income Taxation Act, 1910. [18 October, 1926.]

A.D.  
 1926.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1—(1) This Act may be cited as “The Land and Income Taxation Act, 1926.” Short title.

(2) The Land and Income Taxation Act, 1910, is herein called “the Principal Act.” Principal Act.  
1 Geo. V. No 47.

*Land and Income Taxation.*

A.D. 1926.

Amendment of  
Section 12 of the  
Principal Act.  
Commissioner  
may make use of  
information for  
the purpose of  
the Deceased  
Persons' Estates  
Duties Act 1915.  
6 Geo. V. No. 66.  
Amendment of  
Section 27 of the  
Principal Act.

**2** Section Twelve of the Principal Act is hereby amended by inserting after Subsection (3) thereof the following new Subsection (4):—

“(4) Notwithstanding anything herein contained, it shall be lawful for the Commissioner to make use, for the purpose of carrying out and giving effect to the provisions of the Deceased Persons' Estates Duties Act, 1915, of any information obtained by him in connection with the administration of this Act, and the making use of such information for the purpose aforesaid shall not be deemed to be a contravention of Subsection (1) of this section.”

**3** Section Twenty-seven of the Principal Act is hereby amended by inserting therein after Paragraph XII. thereof the following new Paragraph XIII. :—

“XIII. Every pension granted under any Imperial Act, or any Act of the legislature of any British possession or territory, in respect of the war which commenced on the fourth day of August, one thousand nine hundred and fourteen, to any person who served in such war in the naval, military, or air forces of His Majesty, and who was disabled in consequence of such war, or to a dependant of any person who served as aforesaid and was killed while in the said service, or died from injuries received or disease contracted by him in the course of such service.”

Amendment of  
Section 50 of the  
Principal Act.

**4** Section Fifty of the Principal Act is hereby amended by deleting all the words in the fourth and fifth lines thereof.

Amendment of  
Section 53 of the  
Principal Act.

**5** Section Fifty-three of the Principal Act is hereby amended by expunging Paragraph x. thereof, and substituting the following paragraph therefor :—

“x. From the gross amount of the income of the taxpayer, ascertained as above provided, the deductions allowable under the foregoing provisions of this Act shall be made, in addition to a further deduction of Thirty-nine Pounds in respect of each child who was under the age of sixteen years at the beginning of the financial year in which the income was received, wholly maintained by the taxpayer. The balance of the income remaining, after all such deductions as aforesaid have been made, shall be the net income of the taxpayer, and such net income shall, subject to any deductions to be made therefrom as hereinafter provided, be the taxable amount.”

**6** The following Sections **54a** to **54h** inclusive, including the subheading to **54h**, are hereby inserted after Section Fifty-four of the Principal Act :—

“**54a** A person—

I.—(a) Whose net income from all sources during the year ending on the thirtieth day of June immediately preceding the year of assessment did not exceed Two hundred Pounds; and

Exemption of  
certain persons  
from income tax.

*Land and Income Taxation.*

- (b) Who is a widower or widow having a child under the age of sixteen years dependent upon him or her, or is married : or A.D. 1926.
- ii —(a) Whose net income from all sources during the year aforesaid did not exceed One hundred and twenty-five Pounds ; and
- (b) Who is unmarried—
- shall not be liable to income tax.

**“54b—**(1) For the purpose of arriving at the taxable amount of the income of any taxpayer (other than a returned soldier who is totally and permanently incapacitated)— Deduction in the case of certain married men.

- i. Whose net income from all sources during the year ending on the thirtieth day of June immediately preceding the year of assessment did not exceed Five hundred Pounds : and
- ii. Who is a widower or widow having a child under the age of sixteen years dependent upon him or her, or who is married—

there shall be deducted from such net income the sum of One Pound for every Two Pounds by which such net income was less than Five hundred Pounds.

(2) For the purpose of arriving at the taxable amount of the income of any unmarried taxpayer (other than a returned soldier who is totally and permanently incapacitated), whose net income from all sources during the year aforesaid did not exceed Four hundred Pounds, there shall be deducted from such net income the sum of One Pound for every Six Pounds by which such net income was less than Four hundred Pounds. Deduction in the case of certain unmarried men.

**“54c—**(1) For the purpose of arriving at the taxable amount of the income of any returned soldier who is totally and permanently incapacitated, and— Deduction in the case of certain returned soldiers.

- i. Whose net income from all sources during the year ending on the Thirtieth day of June immediately preceding the year of assessment exceeded Five hundred Pounds : and
- ii. Who is a widower or widow having a child under the age of sixteen years dependent upon him or her, or who is married—

there shall be deducted from such net income the sum of Five hundred Pounds.

(2) For the purpose of arriving at the taxable amount of the income of any unmarried returned soldier who is totally and permanently incapacitated, and whose net income from all sources during the year aforesaid exceeded Four hundred Pounds, there shall be deducted from such net income the sum of Four hundred Pounds.

**“54d** The taxable amount of the income of any taxpayer, other than a person to whom the provisions of Section **54b** or Section **54c** of this Act apply, shall be the net income of such taxpayer. Taxable amount in cases not provided for in Sections 54b or 54c.

*Land and Income Taxation.*

A.D. 1926.

How deduction  
to be made.

“**54e** Where the income of any person (not being a company) is partly income from business and partly income from property, the deduction allowed under Section **54b** or Section **54c**, as the case may be, shall be made from his income from business, and if his income from business is insufficient to allow him the full benefit of such deduction, then the balance of such deduction shall be made from his income from property (other than dividends upon which income tax has been paid at the source in this State).

No exemption or  
deduction in  
respect of prize  
in lottery.

“**54f** Notwithstanding anything contained in this Act to the contrary, any income receivable by any person as a prize in any lottery authorised by law in this State shall be liable to income tax under this Act without any exemption or deduction whatsoever.

Rebate of tax in  
respect of  
returned soldiers.“**54g**—(1) Every returned soldier—

- I. Whose net income from all sources during the year ending on the thirtieth day of June immediately preceding the year of assessment did not exceed Five hundred Pounds; and
- II. Who is a widower or widow having a child under the age of sixteen years dependent upon him or her, or who is married—

shall be entitled to a deduction from the tax payable by him or her under this Act of ten per centum of the amount of such tax.

(2) Every returned soldier whose net income from all sources during the year ending on the thirtieth day of June immediately preceding the year of assessment did not exceed Four hundred Pounds, and who is unmarried, shall be entitled to a deduction from the tax payable by him or her under this Act of five per centum of the amount of such tax.

(3) Every such returned soldier as is referred to in Subsection (1) or Subsection (2) of this section, who is totally and permanently incapacitated, shall be wholly exempt from taxation under this Act.

(4) Every returned soldier, other than a returned soldier who comes within the provisions of Subsection (3) of this section, who is totally and permanently incapacitated, shall be entitled to a deduction from the tax payable by him or her under this Act of ten per centum of the amount of such tax.

(5) For the purpose of this Act a returned soldier means a person resident in this State who was a member of the naval or military forces, or the Army Medical Corps Nursing Service, of the British Empire, and who as such member served outside the Commonwealth in the war which commenced on the fourth day of August, one thousand nine hundred and fourteen.

“*Additional Tax on Profits of Manufacturers of, or Wholesale Dealers in, Liquor.*”

Additional tax on  
profits from  
manufacture or  
sale by certain  
persons of liquor.  
2 Ed. VII. No.  
32.

“**54h**—(1) In any case in which the taxable amount of the income of any taxpayer or any part thereof is derived from the profits on the manufacture by him, or on the sale by him or any person on his behalf, of any liquor as defined by the Licensing Act, 1902, under a wholesale

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*Land and Income Taxation.*

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or importer's licence under that Act, there shall be charged, collected, levied, and paid to the Commissioner by such taxpayer for the year ending on the thirty-first day of December, One thousand nine hundred and twenty-seven, and for every subsequent year, in respect of such taxable amount or part thereof (as the case may be) so derived, an income tax at such rate per Pound as Parliament shall from time to time declare and enact. A.D. 1926.

(2) The tax payable under this section shall be in addition to any other tax payable by such taxpayer under this Act.

(3) Such taxpayer shall be entitled to a rebate from any tax payable by him under this section equal to the amount of the fee paid by him in respect of any such licence as aforesaid in the year in which such profits were derived, but such rebate shall not exceed the amount of such tax.

(4) Where such taxpayer is a company, the taxable amount of the income of the company shall, for the purposes of this section, be deemed to be the full income of the company before any deduction has been made therefrom in respect of any dividends declared, ascertained, or become due by the company."

**7** This Act shall remain in operation until the thirty-first day of December, One thousand nine hundred and twenty-seven. **Limitation of Act.**

