

# Tax Data 2024

**A valuable reference tool at your fingertips.**

**Tax Data 2024** is current as at **30 June 2024** and contains a vast array of relevant and useful tax information, including:

- Allowances
- Benefits
- Caps
- Charges and Penalties
- Dates
- Limits
- Rates
- Rules
- State Taxes
- Thresholds

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# Tax Data

## Income tax data

### Tax rates



#### Note

The tax rates in the tables below exclude the Medicare levy for resident taxpayers.

Non-residents are not liable for the Medicare levy and are not eligible for the CGT discount on their capital gains that accrue after 8 May 2012.

### ► 2024–25 and later income years

#### Australian residents<sup>1</sup>

Income thresholds	Rate	Tax payable in 2024–25 and later income years	
\$0 – \$18,200	0%	Nil	
\$18,201 – \$45,000	16%	Nil	+ 16% for each \$1 over \$18,200
45,001 – \$135,000	30%	\$4,288	+ 30% for each \$1 over \$45,000
\$135,001 – \$190,000	37%	\$31,288	+ 37% for each \$1 over \$135,000
\$190,001 and over	45%	\$51,638	+ 45% for each \$1 over \$190,000

#### Foreign residents

Income thresholds	Rate	Tax payable in 2024–25 and later income years	
\$0 – \$135,000	30%	Nil	+ 30% for each dollar
\$135,001 – \$190,000	37%	\$40,500	+ 37% of excess over \$135,000
\$190,001 and over	45%	\$60,850	+ 45% of excess over \$190,000

<sup>1</sup> The 'Stage three tax cuts' which were legislated by the previous government and which were to apply from 1 July 2024 were modified by the Albanese Government by *the Treasury Laws Amendment (Cost of Living Tax Cuts) Act 2024* which received Royal Assent as Act 3 of 2024 on 5 March 2024.

## Working holiday makers

Income thresholds	Rate	Tax payable in 2024–25 and later income years	
\$0 – \$45,000	15%	Nil	+ 15% for each dollar
45,001 – \$135,000	30%	\$6,750	+ 30% of excess over \$45,000
\$135,001 – \$190,000	37%	\$33,750	+ 37% of excess over \$135,000
\$190,001 and over	45%	\$54,100	+ 45% of excess over \$190,000

## ▶ 2020–21 to 2023–24

### Australian residents

Income thresholds	Rate	Tax payable in 2020–21 to 2023–24 income years	
\$0 – \$18,200	0%	Nil	
\$18,201 – \$45,000	19%	Nil	+ 19% of excess over \$18,200
\$45,001 – \$120,000	32.5%	\$5,092	+ 32.5% of excess over \$45,000
\$120,001 – \$180,000	37%	\$29,467	+ 37% of excess over \$120,000
\$180,001 +	45%	\$51,667	+ 45% of excess over \$180,000

### Foreign residents

Income thresholds	Rate	Tax payable in 2020–21 to 2023–24 income years	
\$0 – \$120,000	32.5%	Nil	+ 32.5% for each dollar
\$120,001 – \$180,000	37%	\$39,000	+ 37% of excess over \$120,000
\$180,001 +	45%	\$61,200	+ 45% of excess over \$180,000

## Working holiday makers

Income thresholds	Rate	Tax payable in 2020–21 to 2023–24 income years	
\$0 – \$45,000	15%	Nil	+ 15% for each dollar
\$45,001 – \$120,000	32.5%	\$6,750	+ 32.5% of excess over \$45,000
\$120,001 – \$180,000	37%	\$31,125	+ 37% of excess over \$120,000
\$180,001 +	45%	\$53,325	+ 45% of excess over \$180,000

► **2018–19 and 2019–20**

**Australian residents**

Income thresholds	Rate	Tax payable in 2018–19 and 2019–20 income years	
\$0 – \$18,200	0%	Nil	
\$18,201 – \$37,000	19%	Nil	+ 19% of excess over \$18,200
\$37,001 – \$90,000	32.5%	\$3,572	+ 32.5% of excess over \$37,000
\$90,001 – \$180,000	37%	\$20,797	+ 37% of excess over \$90,000
\$180,001 +	45%	\$54,097	+ 45% of excess over \$180,000

**Foreign residents**

Income thresholds	Rate	Tax payable in 2018–19 and 2019–20 income years	
\$0 – \$90,000	32.5%	Nil	+ 32.5% for each dollar
\$90,001 – \$180,000	37%	\$29,250	+ 37% of excess over \$90,000
\$180,001 +	45%	\$62,550	+ 45% of excess over \$180,000

**Working holiday makers**

Income thresholds	Rate	Tax payable in 2018–19 and 2019–20 income years	
\$0 – \$37,000	15%	Nil	+ 15% for each dollar
\$37,001 – \$90,000	32.5%	\$5,550	+ 32.5% of excess over \$37,000
\$90,001 – \$180,000	37%	\$22,775	+ 37% of excess over \$90,000
\$180,001 +	45%	\$56,075	+ 45% of excess over \$180,000

## ► Tax rates for minors

Unearned income of minors is subject to special rules contained in ss. 102AA to 102AGA in Div 6AA of Part III of the *ITAA 1936*. The tax rates that apply under Div 6AA are as follows:

### 2017–18 and later income years

#### Australian residents

Income thresholds	Rate	Tax payable in 2017–18 and later income years
\$0 – \$416	0%	Nil
\$417 – \$1,307	66%	66% for each dollar
\$1,308 +	45%	45% for each dollar

#### Foreign residents

Income thresholds	Rate	Tax payable in 2014–15 to 2016–17 income years
\$0 – \$416	32.5%	Nil + 32.5% of excess over \$0
\$417 – \$663	37%	\$135.20 + 66% of excess over \$416
\$664 +	45%	Nil + 45% of the total amount

## ► Medicare levy

### Low-income thresholds and phase-in limits

The Medicare levy applies only to residents. The Medicare levy low-income thresholds (at or below which no Medicare levy is payable) and Medicare levy phase-in limits are shown in the table below. If the individual's income is above the Medicare levy phase-in limits, the full Medicare levy rate is 2%.<sup>2</sup>

Where the income is above the low-income threshold but no more than the phase-in limit, the levy payable is shaded in such that the levy is 10 per cent of the excess of taxable income over the low-income threshold.

Shown below in:

- Columns A to D as: (Low-income threshold | Phase-in limit)
- Column E as: (Increase in lower income limit | Increase in upper income limit).

<sup>2</sup> The Medicare Levy was increased from 1.5% to 2% by the *Medicare Levy Amendment (DisabilityCare Australia) Act 2013* which received Royal Assent on 28 May 2013 as Act No. 43 of 2013.

	A	B	C	D	E
Income year	Individuals	Families	Pensioners below age pension age <sup>3</sup>	Seniors	+ amount for each dependent child/student
2023–24	\$26,000   \$32,500	\$43,846   \$54,807	\$41,089   \$51,361		\$4,027   \$5,034
2022–23	\$24,276   \$30,345	\$40,939   \$51,173	\$38,365   \$47,956.		\$3,760   \$4,700
2021–22	\$23,365   \$29,206	\$39,402   \$49,252	\$36,925   \$46,156		\$3,619   \$4,523
2020–21	\$23,226   \$29,032	\$39,167   \$48,958	\$36,705   \$45,881		\$3,597   \$4,496
2019–20	\$22,801   \$28,501	\$38,474   \$48,092	\$36,056   \$45,069		\$3,533   \$4,416

## ► Medicare levy surcharge

An additional Medicare levy surcharge (MLS) is payable by taxpayers without adequate private patient hospital insurance. The MLS is calculated, depending on the individual's surcharge income, at 1 per cent, 1.25 per cent or 1.5 per cent of the sum of:

- taxable income
- total reportable fringe benefits
- any amount on which family trust distribution tax has been paid.

Surcharge income includes:

- taxable income
- reportable fringe benefits
- total net investment losses
- reportable superannuation contributions
- a spouse's share of the net income of a trust on which the trustee must pay tax under s. 98 of the *ITAA 1936* and which has not been included in the spouse's taxable income
- exempt foreign employment income.

## Medicare levy surcharge income thresholds

### MLS thresholds for 2024–25 income year

Tiers for 2024–25	Income threshold for individuals	Income threshold for families	Rate of surcharge
Tier '0'	Up to \$97,000	Up to \$194,000	0%
Tier 1	\$97,001 — \$113,000	\$194,001 — \$226,000	1%
Tier 2	\$113,001 — \$151,000	\$226,001 — \$302,000	1.25%
Tier 3	\$151,001 and above	\$302,001 and above	1.50%

<sup>3</sup> This ensures that pensioners below age pension age do not pay the Medicare levy if they do not have an income tax liability.

## MLS thresholds for 2023–24 income year

Tiers for 2023–24	Income threshold for individuals	Income threshold for families	Rate of surcharge
Tier '0'	Up to \$93,000	Up to \$186,000	0%
Tier 1	\$93,001 — \$108,000	\$186,001 — \$216,000	1%
Tier 2	\$108,001 — \$144,000	\$216,001 — \$288,000	1.25%
Tier 3	\$141,001 and above	\$288,001 and above	1.50%

## MLS thresholds for the 2014–15 to the 2022–23 income years

Tiers for 2014–15 to 2022–23	Income threshold for individuals	Income threshold for families	Rate of surcharge
Tier '0'	Up to \$90,000	Up to \$180,000	0%
Tier 1	\$90,001 — \$105,000	\$180,001 — \$210,000	1%
Tier 2	\$105,001 — \$140,000	\$210,001 — \$280,000	1.25%
Tier 3	\$140,001 and above	\$280,001 and above	1.50%

## ► Company tax rate

There is a two tier system of company tax rates in Australia with a reduced tax rate applicable for entities which satisfy the definition of a base rate entity.

The definition of *base rate entity* was amended<sup>4</sup> to exclude the 'carrying on a business' requirement with effect from 1 July 2017 and also to increase the aggregated turnover threshold from \$25 million to \$50 million with effect from 1 July 2018.

The amended definition applying for the 2017–18 and later income years is as follows:

An entity is a **base rate entity** for a year of income if:

- (a) no more than 80 per cent of its assessable income for the income year is **base rate entity passive income** (BRE passive income) — i.e. income of a passive nature<sup>5</sup>
- (b) its aggregated turnover for the income year — worked out as at the end of the year — is less than:
  - \$25 million — applicable for the 2017–18 income year
  - \$50 million — applicable for the 2018–19 and later income years.

<sup>4</sup> The amendment was made by the *Treasury Laws Amendment (Enterprise Tax Plan Base Rate Entities) Act 2018* which received Royal Assent as Act No. 94 of 2018 on 31 August 2018.

<sup>5</sup> The *Treasury Laws Amendment (Enterprise Tax Plan Base Rate Entities) Act 2018* — which received Royal Assent on 28 August 2018 — amended the previous definition of 'base rate entity' by removing the 'carrying on a business' requirement and replacing it with the BRE passive income requirement.

The rate of tax applicable to an eligible base rate entity (BRE tax rate) has been reduced since the 2017–18 income year as follows:<sup>6</sup>

Income year	Company type	Applicable tax rate
2021–22 and later income years	BRE	25%
	Other	30%
2020–21	BRE	26%
	Other	30%
2017–18 to the 2019–20 income years	BRE	27.5%
	Other	30%

### ► Tax rates for non-profit companies

The current rates and shade-in thresholds for non-profit companies are summarised in the table below.<sup>7</sup>

Entity	Applicable tax rates		
	Nil	55%	Corporate rate <sup>8</sup>
<b>Non-profit company that is an SBE / base rate entity</b>			
2021–22 and later income years	0 — \$416	\$417 — \$762	25%
2020–21 income year	0 — \$416	\$417 — \$788	26%
From the 2016–17 income year	0 — \$416	\$417 — \$832	27.5%
<b>Non-profit company (generally)</b>			
2015–16 to 2026–27 income year	0 — \$416	\$417 — \$915	30%

<sup>6</sup> Prior to the 2017–18 income year, a reduced corporate tax rate of 27.5 per cent applied to companies that were *small business entities*. Entities were small business entities if they carried on a business in the income year and their aggregated turnover did not exceed the applicable threshold for the year, namely \$10 million.

<sup>7</sup> These rates and thresholds were amended by the *Tax Laws Amendment (Enterprise Tax Plan) Act 2017*, which was enacted on 19 May 2017 as Act No. 41 of 2017.

<sup>8</sup> This table takes into account the changes enacted by the *Treasury Laws Amendment (Lower Taxes for Small and Medium Businesses) Act 2018*, which received Royal Assent on 25 October 2018 as Act No. 134 of 2018.

## ► Rates of tax on trust income

### General rules

<i>ITAA 1936</i>	Status of present entitlement	Assessment and tax rates
s. 97	A beneficiary who is not under a legal disability is made presently entitled to a share of the income of the trust estate	Beneficiary is assessed at the marginal tax rates applicable to that beneficiary
s. 98	A beneficiary is made presently entitled to a share of the income of the trust estate but the trustee is assessed on that income on behalf of the beneficiary because the beneficiary is: <ul style="list-style-type: none"> <li>■ under a legal disability, or</li> <li>■ a non-resident.</li> </ul>	The trustee is assessed at the tax rates applicable to the beneficiary
s. 99A	No beneficiary is presently entitled to a share of the income of the trust estate	The trustee is assessed at the top marginal tax rate + Medicare levy: <ul style="list-style-type: none"> <li>■ 47% for the 2014–15 and later income years</li> <li>■ 46.5% for the 2006–07 to 2013–14 income years</li> <li>■ 48.5% for the 2005–06 and earlier income years</li> </ul>
s. 99	The Commissioner exercises his discretion to assess the trustee under s. 99 instead of s. 99A for: <ul style="list-style-type: none"> <li>■ deceased estates (see below)</li> <li>■ certain bankrupt estates</li> <li>■ certain trusts that consist of property of a kind referred to in s. 102AG(2)(c) (about certain excepted trust income relating to compensations amounts and benefits).</li> </ul>	The trustee is assessed at marginal tax rates



## Deceased estates — income year ends WITHIN THREE YEARS of date of death

During the first three years where there is income of the deceased estate to which no beneficiary is presently entitled, this amount is taxed at the general individual income tax rates (exclusive of the Medicare levy).

Applicable from ...					
1 July 2018		1 July 2020		1 July 2024	
Taxable income	Tax rate	Taxable income	Tax rate	Taxable income	Tax rate
0 to \$18,200	Nil	0 to \$18,200	Nil	0 to \$18,200	Nil
\$18,201 to \$37,000	19% for amounts > \$18,200	\$18,201 to <b>\$45,000</b>	19% for amounts > \$18,200	\$18,201 to <b>\$45,000</b>	16% for amounts > \$18,200
\$37,001 to <b>\$90,000</b>	\$3,572 + 32.5% for amounts > \$37,000	\$45,001 to \$120,000	\$5,092 + 32.5% for amounts > <b>\$45,000</b>	\$45,001 to \$135,000	\$4,288 + 30% for amounts > <b>\$45,000</b>
<b>\$90,001</b> to \$180,000	\$20,797 + 37% for amounts > <b>\$90,000</b>	<b>\$120,001</b> to \$180,000	\$29,467 + 37% for amounts > <b>\$120,000</b>	\$135,000 to \$190,000	\$31,288 + 37% for amounts > <b>\$190,000</b>
\$180,001 and over	\$54,097 + 45% for amounts > \$180,000	\$180,001 and over	\$51,667 + 45% for amounts > \$180,000	<b>\$190,001</b> , and over	\$51,638 + 45% for amounts > <b>\$190,000</b>

## Deceased estates — income year ends AFTER THREE YEARS from date of death

Where the administration of the deceased estate takes longer than three years, the following special progressive tax rates apply — i.e. where there is no present entitlement.

### Tax rates 2024–25

Income thresholds	Tax payable
\$0 – \$416	Nil
\$417 – \$611	Nil + 50% of excess over \$416
\$612 – \$45,000	\$97.76 + 16% of excess over \$611 [if taxable income > \$611, entire amount over \$0 is taxed at 16%]
\$45,001 – \$135,000	\$7,200 + 30% of excess over \$45,000
\$135,001 – \$190,000	\$34,200 + 37% of excess over \$135,000

Income thresholds	Tax payable	
\$190,001 and over	\$54,550	+ 45% of excess over \$190,000

### Tax rates 2020–21 to 2022–24

Income thresholds	Tax payable	
\$0 – \$416	Nil	
\$417 – \$670	Nil	+ 50% of excess over \$416
\$671 – \$45,000	\$127.30	+ 19% of excess over \$670 [if taxable income > \$670, entire amount over \$0 is taxed at 19%]
\$45,001 – \$120,000	\$8,550	+ 32.5% of excess over \$45,000
\$120,001 – \$180,000	\$32,925	+ 37% of excess over \$120,000
\$180,001 +	\$55,125	+ 45% of excess over \$180,000

### Tax rates 2018–19 and 2019–20

Income thresholds	Tax payable	
\$0 – \$416	Nil	
\$417 – \$670	Nil	+ 50% of excess over \$416
\$671 – \$37,000	\$127.30	+ 19% of excess over \$670 [if taxable income > \$670, entire amount over \$0 is taxed at 19%]
\$37,001 – \$90,000	\$7,030	+ 32.5% of excess over \$37,000
\$90,001 – \$180,000	\$24,255	+ 37% of excess over \$90,000
\$180,001 +	\$57,555	+ 45% of excess over \$180,000

## ▶ Diverted profits tax

Tax is payable at a rate of **40 per cent** on profits diverted offshore by significant global entities through contrived arrangements between related parties.<sup>9</sup>

The amount of diverted profit on which the diverted profits tax (DPT) is payable is the sum of the DPT base amounts for the DPT tax benefits in respect of the taxpayer for the relevant income year.

The DPT base amount<sup>10</sup> is:

Bases for identifying DPT tax benefit	DPT base amount
A tax benefit that relates to an amount that is: <ul style="list-style-type: none"><li>■ assessable income</li><li>■ an allowable deduction</li><li>■ a capital loss, or</li><li>■ subject to withholding tax.</li></ul>	The amount of the DPT tax benefit
A tax benefit that relates to an amount that is: <ul style="list-style-type: none"><li>■ a foreign income tax offset</li><li>■ an innovation tax offset, or</li><li>■ an exploration credit.</li></ul>	The amount of the DPT tax benefit divided by the standard Australian corporate tax rate.

<sup>9</sup> As defined in the *Treasury Laws Amendment Combating Multinational Tax Avoidance) Act 2017* which received Royal Assent on 4 April 2017. The 40 per cent rate is set by the *Diverted Profits Tax Act 2017* which received Royal Assent on the same day. The diverted profits tax (DPT) applies to DPT tax benefits for income years commencing on or after 1 July 2017, whether or not the DPT tax benefit arises in connection with a scheme that was entered into or commenced to be carried out before that time.

<sup>10</sup> Section 177P(2) of the *ITAA 1936*.

## Motor vehicles

### ▶ Motor vehicle expenses - set rate per km

Income year	Rate
2024-25	88 cents
2023-24	85 cents
2022-23	78 cents
2020-21 and 2021-22	72 cents
2018-19 and 2019-20	68 cents

### ▶ Car cost limit

Income year	Cost limit for Div 40 purposes	Maximum input tax credit
2024-25	\$69,674	\$6,334
2023-24	\$68,108	\$6,192
2022-23	\$64,741	\$5,885
2021-22	\$60,733	\$5,521
2020-21	\$59,136	\$5,376

### ▶ Luxury car tax

Income year	Rate of LCT	LCT threshold (non-fuel efficient)	LCT threshold (fuel efficient <sup>11</sup> )
2024-25	33%	\$80,567	\$91,387
2023-24	33%	\$76,950	\$89,332
2022-23	33%	\$71,849	\$84,916
2021-22	33%	\$69,152	\$79,659
2020-21	33%	\$68,740	\$77,565

<sup>11</sup> Applicable only to fuel-efficient cars (i.e. those which have a fuel consumption not exceeding seven litres per 100 kilometres as a combined rating under vehicle standards in force under s. 7 of the *Motor Vehicle Standards Act 1989*).



## LCT refunds for eligible primary producers and tourism operators

Taxpayers who purchase a four-wheel drive or all-wheel-drive may be eligible for a refund of LCT equal to the lesser of  $\frac{8}{33}$ <sup>rd</sup>s of the LCT borne up to a maximum refund limit of \$3,000 if they carry on a primary production or tourism business. For eligible vehicles supplied or imported on or after 1 July 2019, the refund has been increased to a maximum of \$10,000.<sup>12</sup>

### ► Effective life of cars

Date of acquisition	Effective life	Prime cost	Diminishing value
On or after 10 May 2006	8 years	12.5%	25%

### ► Balancing adjustments

For the purposes of calculating a balancing adjustment under s. 40-370(1) on the disposal of a car, the assessable or deductible amount must be reduced to the extent that the car was not used for a taxable purpose. The reduction is required under step 2 of the method statement in s. 40-370(2).

A taxpayer who has claimed motor vehicle expenses using the 'cents per kilometre method' is required — for the purposes of the reduction in step 2 of the method statement — to assume the extent of their use of the car for taxable purpose was 20%.

### ► Taxi cents per kilometre earnings rate

The per kilometre rate measures taxi takings per kilometre of distance travelled. The rate includes GST but does not take expenses into account.

The latest rate developed is \$1.30 per kilometre.<sup>13</sup> This has been the rate since the 2012–13 income year.



### Website

The ATO's 'Input benchmark guide' for taxi operators which provides benchmarks that a taxi operator can use to compare and check their business performance to the taxi industry average is available here:

[www.ato.gov.au/Business/Small-business-benchmarks/In-detail/Benchmarks-A-Z/R-Z/Taxi-drivers-and-operators/](http://www.ato.gov.au/Business/Small-business-benchmarks/In-detail/Benchmarks-A-Z/R-Z/Taxi-drivers-and-operators/)

<sup>12</sup> Per the *Treasury Laws Amendment (2019 Measures No. 2) Act 2019* (Act No. 94 of 2019).

<sup>13</sup> ATO Taxi cents per kilometre earnings rate(QC 17588) last modified 11 September 2019.

## Home office running expenses

Individual taxpayers may claim a deduction for additional running expenses incurred when working from home. The deduction can be claimed on the basis of **actual expenses** incurred which relate to the income earning activity. Alternatively, a fixed rate method can be used to work out the deduction. The fixed rate method which has been available since the 2017–18 income year has been revised for the 2022–23 and later years.

### ► Fixed rate for home office expenses from 1 July 2022

PCG 2023/1 outlines the methods for calculating the work-related additional running expenses incurred as a result of working from home from 1 July 2022. A taxpayer can use this method if they meet the eligibility criteria outlined in the guideline and satisfy the increased substantiation obligations.

The fixed rate of **67 cents per hour** for each hour a taxpayer worked from home during the income year is intended to cover the following expenses:

- energy expenses (electricity and gas) for lighting, heating, cooling and electronic items used while working from home
- internet expenses
- mobile and home phone expenses
- stationery and computer consumables.

The fixed-rate method in PCG 2023/1 does not cover the decline in value of depreciating assets.

### ► Fixed rate for home office expenses prior to 1 July 2022

#### Fixed rate method

The fixed rate<sup>14</sup> covers the additional running expenses incurred for:

- the decline in value of home office furniture and furnishings
- electricity and gas for heating, cooling and lighting
- the cost of repairs to home office equipment, furniture and furnishings.

Year	Rate
2018–19 to 2021–22	52 cents per hour
2017–18	45 cents per hour

<sup>14</sup> See PS LA 2001/6. Note that taxpayers may claim actual expenses incurred, provided the expenses can be substantiated.

## Temporary shortcut method from 1 March 2020 to 30 June 2022

A shortcut method for working out the home deduction is available for the period from 1 March 2020 until 30 June 2022. The shortcut method covers all working from home expenses incurred by an individual taxpayer<sup>15</sup>, such as:

- phone expenses
- internet expenses
- the decline in value of equipment and furniture
- electricity and gas for heating, cooling and lighting.

Year	Rate
2021–22	80 cents per hour
2020–21	80 cents per hour
Between 1 March 2020 to 30 June 2020	80 cents per hour

## Instant asset write-off and temporary full expensing

### ► Small business entities

#### Instant asset write-off

Small business entities (SBEs) are entitled, under s. 328-180 of the *ITAA 1997*, to claim an immediate deduction for the taxable purpose proportion of the cost of a depreciating asset in the year in which the asset is acquired or installed ready for use for a taxable purpose provided that the cost of the asset is less than the specified threshold (the 'instant asset write-off').

The threshold of \$1,000 for the instant asset write-off was increased to \$20,000 for assets first acquired between 12 May 2015 and 30 June 2019. This threshold was further increased to \$25,000 from 29 January 2019, to \$30,000 from 2 April 2019, then to \$150,000 from 12 March 2020.<sup>16</sup>

An immediate deduction applies to the second element of cost expenditure incurred in these periods (up to the relevant threshold).

<sup>15</sup> Note that this measure applies to employees who are working from home to fulfill their employment duties and have incurred additional expenses as a result of working from home. If a work from home arrangement was in place before 1 March 2020, then the shortcut method cannot be used.

<sup>16</sup> Refer to s. 328-180 of the *IT(TP) Act 1997*.

First used, or installed ready for use from ...	Instant asset write-off threshold
7.30 pm (AEST) on 12 May 2015 to 28 January 2019	\$20,000
29 January 2019 until 7.30 pm (AEST) on 2 April 2019 <sup>17</sup>	\$25,000
7.30 pm (AEST) on 2 April 2019 to 11 March 2020 <sup>18</sup>	\$30,000
12 March 2020 to 30 June 2021 <sup>19</sup> [assets first acquired on or after 12 May 2015 and before 30 June 2021 and for second element of cost — incurred before 31 December 2020]	\$150,000
1 July 2023 to 30 June 2024	\$20,000

### Temporary full expensing

Under s. 328-181 of the *IT(TP) Act 1997*<sup>20</sup>, an SBE is entitled to claim an immediate deduction for the cost of a depreciating asset (regardless of quantum) if the SBE first starts to hold the asset, and starts to use it or have it installed ready for use for a taxable purpose, between 7.30 pm AEDT on 6 October 2020 and 30 June 2023.<sup>21</sup> If a deduction is available under the temporary full expensing provision, then the instant asset write-off does not apply.

An immediate deduction applies to the second element of cost expenditure incurred in that period (also regardless of quantum).

### Return to the normal rules for SBEs for calculating deductions for depreciating assets

Once the temporary expensing measures cease, the instant asset write-off threshold for SBEs reverts to \$1,000.

<sup>17</sup> Pursuant to the *Treasury Laws Amendment (Increasing and Extending the Instant Asset Write-Off) Act 2019*, which received Royal Assent on 6 April 2019 as Act No. 51 of 2019.

<sup>18</sup> Pursuant to the *Treasury Laws Amendment (Increasing and Extending the Instant Asset Write-Off) Act 2019*, which received Royal Assent on 6 April 2019 as Act No. 51 of 2019.

<sup>19</sup> Pursuant to the *Coronavirus Economic Response Package Omnibus 2020* which received Royal Assent on 24 March 2020 as Act No. 22 of 2020, as extended by the *Treasury Laws Amendment (2020 Measures No. 3) Bill 2020* which received Royal Assent on 19 June 2020 as Act No. 61 of 2020.

<sup>20</sup> This section modifies the operation of the instant asset write-off in s. 328-180 of the *IT(TP) Act* which modifies the corresponding section in the *ITAA 1997*.

<sup>21</sup> The temporary full expensing of depreciating assets regime to 30 June 2023 is contained in the *Treasury Laws Amendment (Enhancing Superannuation Outcomes for Australian and Helping Australian Businesses Invest) Act 2022* which received Royal Assent, as Act No. 10 of 2022, on 22 February 2022.



First used, or installed ready for use from...	Instant asset write-off threshold
7.30 pm (AEDT) on 6 October 2020 to 30 June 2023 <sup>22</sup> [assets first held, or second element of cost incurred, between these times]	No threshold
1 July 2023 to 30 June 2024 <sup>23</sup>	\$20,000

A small business entity can also deduct the entire balance of its general small business pool if the balance at the end of the income year is less than the applicable threshold.

## ► Entities other than small business entities

### Immediate deduction subject to thresholds

From **2 April 2019**, **medium-sized businesses** — entities that are not SBEs and that have an aggregated turnover of less than \$50 million — are entitled, under s. 40-82 of the *ITAA 1997*, to claim an immediate deduction for the cost of a depreciating asset that is less than \$30,000.<sup>24</sup>

The immediate deduction was to cease to be available after 30 June 2020<sup>25</sup> but the end date was extended to 31 December 2020. At the same time, access to the concession was expanded by increasing the aggregated turnover threshold from 'less than \$50 million' to 'less than \$500 million' and the cost threshold was increased from \$30,000 to \$150,000.<sup>26</sup>

The end date has since been further extended so that an immediate deduction is available for assets costing up to \$150,000 that are acquired by 31 December 2020 and are first used or installed ready for use by 30 June 2021.<sup>27</sup>

### Instant asset write-off

An immediate deduction applies to the second element of cost expenditure incurred in these periods (up to the relevant threshold).

<sup>22</sup> The *Treasury Laws Amendment (Enhancing Superannuation Outcomes for Australians and Helping Australian Businesses Invest) Act 2022* which received Royal Assent on 22 February 2022 as Act No. 10 of 2022 extended this date to 30 June 2023.

<sup>23</sup> The *Treasury Laws Amendment (Support for Small Business and Charities and Other Measures) Bill 2023* which received Royal Assent on 28 June 2024 as Act. No 52 of 2024.

<sup>24</sup> The entity must be an eligible medium sized business for the current year and for the year in which it started to hold the asset.

<sup>25</sup> Pursuant to the *Treasury Laws Amendment (Increasing and Extending the Instant Asset Write-Off) Bill 2019*, which received Royal Assent on 6 April 2019 as Act No. 51 of 2019.

<sup>26</sup> Pursuant to the *Coronavirus Economic Response Package Omnibus Act 2020* which received Royal Assent on 24 March 2020 as Act No. 22 of 2020, as extended by the *Treasury Laws Amendment (2020 Measures No. 3) Act 2020* which received Royal Assent on 19 June 2020 as Act No. 61 of 2020. Businesses with an aggregated turnover of \$500 million or more are not eligible to use instant asset write-off.

<sup>27</sup> Pursuant to the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* which received Royal Assent on 14 October 2020 as Act No. 92 of 2020.

Eligible taxpayers	Asset first used, or installed ready for use	Threshold
All business entities, other than SBEs, with an aggregated turnover less than \$50 million <sup>28</sup>	7.30 pm (AEDT) on 2 April 2019 to 11 March 2020	\$30,000
All businesses, other than SBEs, with an aggregated turnover less than \$500 million	12 March 2020 to 30 June 2021 providing the asset was purchased on or after 7.30 pm (AEST) on 2 April 2019 and by 31 December 2020	\$150,000

### Temporary full expensing of first and second element of cost (no threshold)

Entities with an aggregated turnover of less than \$5 billion can deduct the full cost (regardless of quantum) of:

- depreciating assets that are first held, and first used or installed ready for use for a taxable purpose, at or after 7.30 pm AEDT on 6 October 2020 and on or before 30 June 2022
- improvements to these assets and to existing eligible depreciating assets made during this period.

Temporary full expensing is not available to entities with an aggregated turnover of \$50 million or more if a commitment was made in relation to an asset before 7.30 pm AEDT on 6 October 2020 or the asset is a second-hand asset.<sup>29</sup>

### Temporary accelerated depreciation

Qualifying entities are entitled to a deduction for **50 per cent**<sup>30</sup> of the cost of a qualifying depreciating asset first held and started to be used in the period **12 March 2020 to 30 June 2021**.<sup>31</sup>

#### Qualifying entities

An entity is eligible for accelerated depreciation if the following three core requirements are met:

- (a) the income year is the year in which the entity **starts to use the asset**, or has it **installed ready for use**, for a taxable purpose
- (b) the entity's aggregated turnover is **less than \$500 million** for the income year and for the income year in which it started to hold the asset (if that was an earlier year)
- (c) the asset is a **qualifying asset**.<sup>32</sup>

<sup>28</sup> Medium sized businesses must have first acquired the asset in the period beginning at 7.30 pm, by legal time in the Australian Capital Territory, on 2 April 2019 and ending on 30 June 2020.

<sup>29</sup> Pursuant to Subdiv 40-BB of the *Income Tax (Transitional Provisions) Act 1997*, enacted by the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* which received Royal Assent on 14 October 2020 as Act No. 92 of 2020.

<sup>30</sup> Refer to s. 40-130 of the *IT(TP) Act 1997* for the applicable method statements.

<sup>31</sup> Pursuant to the *Coronavirus Economic Response Package Omnibus Act 2020* which received Royal Assent on 24 March 2020 as Act No. 22 of 2020.

<sup>32</sup> Section 40-120(1) of the *IT(TP) Act 1997*.

## Qualifying assets

Subject to certain exclusions<sup>33</sup>, a depreciating asset qualifies for accelerated depreciation if, **between 12 March 2020 and 30 June 2021**:

- (a) the entity *starts to hold* the asset; and
- (b) the asset was first used, or installed ready for use, for a taxable purpose.<sup>34</sup>

## Temporary Jobkeeper payments

Under the Jobkeeper scheme which started on **30 March 2020 and ended on 28 March 2021**, eligible entities are entitled to Jobkeeper payments **per Jobkeeper fortnight** per eligible employee as set out in the table below.<sup>35</sup> The Jobkeeper Scheme is administered by the Commissioner.

Period	Rate of payment per eligible employee
30 March 2020 to 27 September 2020	<b>\$1,500</b> per Jobkeeper fortnight
28 September 2020 to 3 January 2021	<b>\$1,200</b> per Jobkeeper fortnight Reduced to <b>\$750</b> per Jobkeeper fortnight if the person's total hours of work, paid leave and paid absence on public holidays in any 'reference period' <sup>36</sup> was < 80 hours
4 January 2021 to 28 March 2021	<b>\$1,000</b> per Jobkeeper fortnight Reduced to <b>\$650</b> per Jobkeeper fortnight if the person's total hours of work, paid leave and paid absence on public holidays in any 'reference period' was < 80 hours

Broadly, an entity qualifies for the Jobkeeper scheme at a time if:

1. on 1 March 2020, the entity carried on a business in Australia, or was a non-profit body that pursued its objectives principally in Australia; and
2. the entity satisfied the 'decline in turnover test' at or before the time; and
3. for a fortnight commencing on or after 28 September 2020 — the entity also satisfied the 'actual decline in turnover test'.<sup>37</sup>

<sup>33</sup> There are four exclusions: (1) a commitment to the asset was entered into before 12 March 2020; (2) the asset is a second hand asset; (3) the asset is an asset to which Div 40 does not apply (e.g. Div 43 capital works); and (4) the asset is not in Australia.

<sup>34</sup> Section 40-125(1) of the *IT(TP) Act 1997*.

<sup>35</sup> For JobKeeper fortnights beginning on or after 3 August 2020, an individual can be an eligible employee if they have preserved their eligibility as a '1 March 2020 employee', or meet the eligibility requirements as at 1 July 2020: per amendments to the *Jobkeeper Rules* made by the *Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 7) 2020 (the Amending Instrument)* which was registered on 14 August 2020 (F2020L01021).

<sup>36</sup> Defined as the 28-day period ending at the end of the most recent 'pay cycle' for the employee for the entity that ended before 1 March 2020, or the 28-day period ending at the end of the most recent 'pay cycle' for the employee for the entity that ended before 1 July 2020: s. 4A(1) of the *JobKeeper Rules*.

<sup>37</sup> Sections 7(1), 7(1)(b) and 7(1)(c) of the *JobKeeper Rules*.

## The original decline in turnover test

There are two ways in which an entity can satisfy the original decline in turnover test:

1. the **basic decline in turnover test** — this requires a comparison of the entity's *projected GST turnover* for a period (the 'turnover test period') with its current GST turnover as calculated for a relevant comparison period (the comparison turnover)<sup>38</sup>
2. the **alternative test** — this test is relevant if there is no comparison period<sup>39</sup> and the Commissioner has, under a legislative instrument, specified — for a class of entities — the amounts which can be used instead of current GST turnover for the comparison period.

A business will satisfy the basic decline in turnover test where its GST turnover in the turnover test period falls short of the comparison turnover by the *specified percentage* applicable to it.

### *Specified percentage*

The 'specified percentage' varies depending on the type of entity, as follows:

If the entity is...	The entity's shortfall must equal or exceed...
An ACNC-registered charity other than: (a) an entity that is public or private university, or (b) a school within the meaning of the <i>GST Act</i> — i.e. pre-schools, primary schools, secondary schools and education for children with disabilities. <sup>40</sup>	15 per cent <sup>41</sup>
An entity whose aggregated turnover: (i) is <i>likely to exceed \$1 billion</i> for the income year in which the test time occurs, or (ii) <b>exceeds \$1 billion</b> for the <i>previous income year</i> . <sup>42</sup>	50 per cent <sup>43</sup>
An entity which satisfies neither of the above two categories, i.e. not an ACNC-registered charity, and its aggregated turnover is <b>\$1 billion or less</b> .	30 per cent <sup>44</sup>

<sup>38</sup> Certain modifications apply to the meaning of GST turnover as defined in the *GST Act*.

<sup>39</sup> Examples include a business that started before 1 March 2020 but after the relevant comparison period or an entity that has acquired or disposed of part of its business after the relevant comparison period and before the applicable turnover test period. The Commissioner's alternative test is set out in the *Coronavirus Economic Response Package (Payments and Benefits) Alternative Decline in Turnover Test Rules 2020* (for JobKeeper fortnights commencing before 28 September 2020) and the *Coronavirus Economic Response Package (Payments and Benefits) Alternative Decline in Turnover Test Rules (No. 2) 2020* (for JobKeeper fortnights commencing on or after 28 September 2020).

<sup>40</sup> Section 8(3) and s. 4 definition of 'school' in the *Coronavirus Economic Response Package (Payments and Benefits) Rules 2020* (the '*Jobkeeper Rules*'), registered on 9 April 2020 (F2020L00419).

<sup>41</sup> Section 8(2)(a) of the *Jobkeeper Rules*.

<sup>42</sup> Section 8(4) of the *Jobkeeper Rules*.

<sup>43</sup> Section 8(2)(b) of the *Jobkeeper Rules*.

<sup>44</sup> Section 8(2)(c) of the *Jobkeeper Rules*.

### Turnover test period

The 'turnover test period' must be:

- (a) a calendar month that ends after 30 March 2020 and before 1 October 2020<sup>45</sup>, or
- (b) a quarter that starts on **1 April 2020** or **1 July 2020**.<sup>46, 47</sup>

### The actual decline in turnover test — fortnights beginning on or after 28 September 2020

To qualify for JobKeeper payments for fortnights beginning on or after 28 September 2020, the entity must satisfy the actual decline in turnover test (in addition to the original decline in turnover test<sup>48</sup>) for the quarter that is relevant to the particular JobKeeper fortnight, as follows:

If the fortnight begins on or after...	The quarter is the quarter ending on...
28 September 2020 but before 4 January 2021	30 September 2020
4 January 2021	31 December 2020

Like the original decline in turnover test, the actual decline in turnover test uses the basic test which relies on GST turnover or an alternative test if the normal comparison period is not appropriate. The actual decline in turnover test requires the actual sales to be used in the same way as would be reported in a business activity statement if the entity were registered for GST test and the actual test must be done for the following quarters:

For the quarter ending on...	The relevant comparison period is...
30 September 2020	30 September 2019
31 December 2020	31 December 2019

A business will satisfy the actual decline in turnover test where its GST turnover in the turnover test period falls short of the comparison turnover by the *specified percentage* applicable to it (refer above).

## JobMaker Hiring Credit

The JobMaker Hiring Credit is available to eligible employers over 12 months from 7 October 2020 for each additional new job they create for an eligible employee.<sup>49</sup> Eligible employers can claim<sup>50</sup>:

- \$200 a week for each additional eligible employee they hire aged 16 to 29 years old
- \$100 a week for each additional eligible employee aged 30 to 35 years old.

<sup>45</sup> Section 8(7)(a)(i) of the *Jobkeeper Rules*.

<sup>46</sup> Section 8(7)(a)(ii) of the *Jobkeeper Rules*.

<sup>47</sup> A six-month test period, commencing on 1 January 2020, applies to universities that are Table A providers: s. 8(7)(aa) of the *Jobkeeper Rules*.

<sup>48</sup> If the entity qualified for the JobKeeper Scheme prior to 28 September 2020, it does not have to apply the original decline in turnover test again (as it has already satisfied the test).

<sup>49</sup> The eligibility rules are contained in the *Coronavirus Economic Response Package (Payments and Benefits) Rules 2020* (inserted by the *Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 9) 2020*, registered on 4 December 2020).

<sup>50</sup> Subject to a cap of \$10,400 per additional new position created.

## Division 7A

### ► Key Division 7A dates

Issue	Legislative reference ( <i>ITAA 1936</i> unless otherwise specified)	Commencement date
Division 7A — loans and payments made by private companies  Amendments relating to timing of making of loan agreements and repayments of loans	Div 7A (ss. 109B to 109ZE) of Part III of the <i>ITAA 1936</i>  Sections 109D and 109N	4 December 1997  Loans made in the 2004–05 and later income years
Division 7A and trust distributions	Section 109UB and Subdiv EA of Div 7A of Part III of the <i>ITAA 1936</i>	27 March 1998 and 12 December 2002
Legislative amendments to ensure no loss of franking credits, improvements to interaction with FBT provisions, Commissioner’s discretion	Includes s. 109RB	1 July 2006
Division 7A and trust distributions, CLPs, amendments to the term ‘payment’ for the use of company assets	Insertions in and amendments to Subdivs EA and EB, and ss. 109BB, 109BC, 109C, 109R, 109Y, and 109ZCA	1 July 2009
TR 2010/3  (Withdrawn with effect from 1 July 2022)	Ruling on when an unpaid present entitlement becomes a loan for Div 7A purposes	16 December 2009  Note: An entity may continue to rely on TR 2010/3 for trust entitlements conferred on or before 30 June 2022.
PS LA 2010/4  (Withdrawn with effect from 1 July 2022)  <b>Note:</b> An entity may continue to rely on this PS LA for trust entitlements conferred on or before 30 June 2022.	Practice statement that provides practical guidance for taxpayers and ATO officers on the administrative aspects of TR 2010/3	Section 2 loans — self-corrective action to be taken by 31 December 2011  Section 3 loans:  <b>2010 income year</b> — funds representing 2010 UPE must be put on sub-trust by 30 June 2011  <b>2011 and later income years</b> — UPEs must be put on sub-trust before the following lodgment day of the main trust’s tax return

Issue	Legislative reference (ITAA 1936 unless otherwise specified)	Commencement date
TR 2014/5	Considers the taxation implications, including under Div 7A, of private companies paying money or transferring property in compliance with orders in matrimonial proceedings under s. 79 of the <i>Family Law Act 1975</i> .	30 July 2014
TR 2015/4	Explains the treatment of an unpaid present entitlement of a beneficiary connected with a trust for the purposes of the maximum net asset value test in s. 152-15 of the <i>ITAA 1997</i> .	Before and after the date of the Ruling.
TD 2015/20	States that a private company that releases its unpaid present entitlement makes a payment for the purposes of Div 7A.	Before and after the date of the Determination.
PCG 2017/13	Provides guidance where: <ul style="list-style-type: none"> <li>■ a trust has adopted investment Option 1, in accordance with PS LA 2010/4, on or before 30 June 2012 by placing funds representing a UPE under a sub-trust arrangement on a 7-year interest-only loan with the main trust</li> <li>■ the loan principal must be repaid in the 2017, 2018, 2019 or 2020 income year.</li> </ul>	Where the principal of the loan must be repaid at the end of the loan term which is either in the 2017, 2018, 2019 or 2020 income year.
TD 2022/11 — Income tax: Div 7A: when will an unpaid present entitlement or amount held on sub-trust become the provision of financial accommodation?	This TD contains the ATO view (and compliance approach) on when trust entitlements created on or after 1 July 2022 constitute the provision of ‘financial accommodation’.	Applies to trust entitlements created on or after 1 July 2022

## ► Benchmark interest rates

Income year	Division 7A (to 30 June) <sup>51</sup>	FBT (to 31 March)
2024-25	8.77%	8.77%
2023-24	8.27%	7.77%
2022-23	4.77%	4.52%
2021-22	4.52%	4.52%
2020-21	4.52%	4.80%

## ► Prescribed interest rates – PS LA 2010/4 (Withdrawn): Option 2<sup>52</sup>

PS LA 2010/4 was withdrawn with effect from 1 July 2022. It may be relied on in respect of trust entitlements conferred on or before 30 June 2022. This includes circumstances where Option 1 and Option 2 have been put in place after 30 June 2022 for such entitlements.

Income year	Interest rate <sup>53</sup>
2024-25	10.79%
2023-24	10.26%
2022-23	6.82%
2021-22	6.51%
2020-21	6.57%

<sup>51</sup> The applicable interest rate is that which applies to the year of the repayment.

<sup>52</sup> TD 2022/11 Income tax: Division 7A: when will an unpaid present entitlement or amount held on sub-trust become the provision of 'financial accommodation'? was published on 13 July 2022. TD 2022/11 contains the ATO view (and compliance approach) on this issue that applies to trust entitlements created on or after 1 July 2022.

<sup>53</sup> The prescribed interest rate for a particular income year is the Reserve Bank of Australia's *indicator lending rate for small business variable (other) overdraft* for the month of May immediately before the start of that income year. These rates can be found at Table F5 on [www.rba.gov.au/statistics/tables/xls/f05hist.xlsx](http://www.rba.gov.au/statistics/tables/xls/f05hist.xlsx)



## Other annual data

### ► CGT improvement threshold

The CGT improvement threshold is relevant for the purposes of Subdiv 108-D of the *ITAA 1997*.

Income year	Threshold	Income year	Threshold
2024–25	\$182,665	2004–05	\$106,882
2023–24	\$174,465	2003–04	\$104,377
2022–23	\$162,899	2002–03	\$101,239
2021–22	\$156,784	2001–02	\$97,721
2020–21	\$155,849	2000–01	\$92,802
2019–20	\$153,093	1999–2000	\$91,072
2018–19	\$150,386	1998–99	\$89,992
2017–18	\$147,582	1997–98	\$89,992
2016–17	\$145,401	1996–97	\$88,227
2015–16	\$143,392	1995–96	\$84,347
2014–15	\$140,443	1994–95	\$82,290
2013–14	\$136,884	1993–94	\$80,756
2012–13	\$134,200	1992–93	\$80,036
2011–12	\$130,418	1991–92	\$78,160
2010–11	\$126,619	1990–91	\$73,459
2009–10	\$124,258	1989–90	\$68,018
2008–09	\$119,594	1988–89	\$63,450
2007–08	\$116,337	1987–88	\$58,859
2006–07	\$112,512	1986–87	\$53,950
2005–06	\$109,447	1985–86	\$50,000

► **Value of goods taken from stock for private use**

**2023–24 income year — TD 2023/7**

The amounts specified in the schedule within TD 2023/7 are reproduced in the table below:

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Bakery	1,520	760
Butcher	1,030	515
Restaurant/café (licensed)	5,160	2,090
Restaurant/café (unlicensed)	4,180	2,090
Caterer	4,410	2,205
Delicatessen	4,180	2,090
Fruiterer/greengrocer	1,040	520
Takeaway food shop	4,290	2,145
Mixed business (includes milk bar, general store and convenience store)	5,200	2,600

**2022–23 income year — TD 2022/15**

The amounts specified in the schedule within TD 2022/15 are reproduced in the table below:

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Bakery	1,360	680
Butcher	990	495
Restaurant/café (licensed)	4,830	1,950
Restaurant/café (unlicensed)	3,900	1,950
Caterer	4,120	2,060
Delicatessen	3,900	1,950
Fruiterer/greengrocer	1,010	505
Takeaway food shop	4,030	2,015

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Mixed business (includes milk bar, general store and convenience store)	4,870	2,435

### 2021–22 income year — TD 2021/8

The amounts specified in the schedule within TD 2021/8 are reproduced in the table below:

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Bakery	1,350	675
Butcher	920	460
Restaurant/café (licensed)	4,640	1,830
Restaurant/café (unlicensed)	3,660	1,830
Caterer	3,870	1,935
Delicatessen	3,660	1,830
Fruiterer/greengrocer	960	480
Takeaway food shop	3,790	1,895
Mixed business (includes milk bar, general store and convenience store)	4,590	2,295

### 2020–21 income year — TD 2021/1

The amounts specified in the schedule within TD 2020/1 are reproduced in the table below:

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Bakery	1,350	675
Butcher	900	450
Restaurant/café (licensed)	4,640	1,810
Restaurant/café (unlicensed)	3,620	1,810

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Caterer	3,830	1,915
Delicatessen	3,620	1,810
Fruiterer/greengrocer	930	465
Takeaway food shop	3,670	1,835
Mixed business (includes milk bar, general store and convenience store)	4,460	2,230

### 2019–20 income year — TD 2020/1

The amounts specified in the schedule within TD 2020/1 are reproduced in the table below:

Type of business	Amount (excluding GST) for...	
	adult/child over 16 years (\$)	child 4 to 16 years (\$)
Bakery	1,350	675
Butcher	850	425
Restaurant/café (licensed)	4,640	1,750
Restaurant/café (unlicensed)	3,500	1,750
Caterer	3,790	1,895
Delicatessen	3,500	1,750
Fruiterer/greengrocer	880	440
Takeaway food shop	3,440	1,720
Mixed business (includes milk bar, general store and convenience store)	4,260	2,130

## Income test thresholds

Income test	When applicable	Income threshold				
		2020–21 \$	2021–22 \$	2022–23 \$	2023–24 \$	2024–25 \$
Adjusted taxable income (ATI)	Offset for maintaining an invalid or invalid carer	100,000	100,900	104,432	112,578	TBA
	Paid parental leave <sup>54</sup>	151,350	156,647	168,865	175,788	TBA
	Family Tax Benefit (Part A) <sup>55</sup>	55,626–183,778	56,137–185,433	58,108–191,930	62,634–206,858	65,189–215,314
	Family Tax Benefit (Part B)	100,000	100,900	104,432	112,578	117,194.
	Employee share schemes — \$1,000 exemption <sup>56</sup>	180,000				
	Non-commercial losses <sup>57</sup>	250,000				
Family income	Child care subsidy (CCS)	68,390–353,680	69,390–353,680	72,466–356,756	80,000–530,000 <sup>58</sup>	83,280–533,280
Rebate income	Seniors and pensioners tax offset (refer to page 36)	50,119–95,198				
Income for surcharge purposes	Medicare levy surcharges (refer to page 5 for applicable rates)	90,000 (singles) 180,000 (families)		93,000–186,000	97,000–194,000	
High income threshold	Div 293 tax	250,000				

<sup>54</sup> This amount is measured as the primary carer's ATI for the financial year prior to the date of birth, date of adoption of the child or the date of claim, whichever is earlier.

<sup>55</sup> The applicable thresholds depend on adjustable taxable income, income test, ages and number of children in care.

<sup>56</sup> On 30 June 2015, the *Tax and Superannuation Laws Amendment (Employee Share Schemes) Bill 2015* received Royal Assent as Act No. 105 of 2015. The Government retained the \$1,000 up-front tax concession for employees earning less than \$180,000 per year — see s. 83A-35 of the *ITAA 1997*.

<sup>57</sup> Section 35-10(2E) of the *ITAA 1997*.

<sup>58</sup> From 10 July 2023, the maximum amount of CCS increased from 85% to 90% for families earning up to \$80,000.

## Offsets

### ► Means testing of private health insurance rebate

#### Lifetime Health Cover loading

A person who does not have private health (hospital cover) insurance on their Lifetime Health Cover base day (usually 1 July following the 31<sup>st</sup> birthday) but who later in life decides to take out private hospital cover will pay a two per cent Lifetime Health Cover (LHC) loading on top of their premium for every year they are aged over 30.

The LHC loading also applies if a person ceases to have private health insurance and then later decides to take out private health insurance again. There is an exception, known as 'Days of Absence' which permits someone to be without hospital cover for periods totalling 1,094 days (i.e. three years less one day) during their lifetime, without affecting their loading. This covers small gaps, such as switching from one fund to another.

However, if the total gap period exceeds 1,094 days, the person will pay a two per cent loading on re-joining private hospital cover. The loading increases by two per cent for every year without cover after that. The LHC is removed after 10 continuous years of private health insurance cover.

#### 2024–25 income year

The income thresholds and the rates of the Medicare levy surcharge and the private health insurance rebate for 2024–25 income year are as follows.

	Rebate entitlement by income threshold			
	Tier '0'	Tier 1	Tier 2	Tier 3
Singles <sup>59</sup>	Up to \$97,000	\$97,001–\$113,000	\$113,001–\$151,000	\$151,001 or more
Couples/families <sup>60</sup>	Up to \$194,000	\$194,001–\$226,000	\$226,001–\$302,000	\$302,001 or more
Rate of Medicare levy surcharge				
All ages	0%	1.0%	1.25%	1.5%
Rate of Private Health Insurance Rebate: From 1 April 2024				
Under 65 years	24.608%	16.405%	8.202%	0%
65–69 years	28.710%	20.507%	12.303%	0%
70 years and over <sup>61</sup>	32.812%	24.608%	16.405%	0%

<sup>59</sup> A single person is a person who does not have dependants and is not married on the last day of the income year.

<sup>60</sup> These thresholds are for families with no more than one child. For families with more than one child, the thresholds are **increased by \$1,500** for each child after the first child.

<sup>61</sup> This rate applies to a single, couple or family with no more than one child and where the oldest person on the policy is aged 70 years and over.

## 2023–24 income year

The income thresholds and the rates of the Medicare levy surcharge and the private health insurance rebate for 2023–24 income year are as follows.

	Rebate entitlement by income threshold			
	Tier '0'	Tier 1	Tier 2	Tier 3
Singles <sup>62</sup>	Up to \$93,000	\$93,001–\$108,000	\$108,001–\$144,000	\$144,001 or more
Couples/families <sup>63</sup>	Up to \$186,000	\$186,001–\$216,000	\$216,001–\$288,000	\$288,001 or more
Rate of Medicare levy surcharge				
All ages	0%	1.0%	1.25%	1.5%
Rate of Private Health Insurance Rebate: From 1 April 2023				
Under 65 years	24.608%	16.405%	8.202%	0%
65–69 years	28.710%	20.507%	12.303%	0%
70 years and over <sup>64</sup>	32.812%	24.608%	16.405%	0%

## 2018–19 to 2022–23 income years



### Important — Private health insurance thresholds paused

The Medicare levy surcharge and private health insurance rebate income thresholds were paused at the 2014–15 amounts from 1 July 2015 and remain unchanged to 2022–23. The private health insurance income thresholds for rebate purposes are normally adjusted annually on 1 April. The rebate percentage was not changed on 1 April 2023.

<sup>62</sup> A single person is a person who does not have dependants and is not married on the last day of the income year.

<sup>63</sup> These thresholds are for families with no more than one child. For families with more than one child, the thresholds are **increased by \$1,500** for each child after the first child.

<sup>64</sup> This rate applies to a single, couple or family with no more than one child and where the oldest person on the policy is aged 70 years and over.

The rates of the Medicare levy surcharge and the private health insurance rebate which applied for the 2018–19 to 2022–23 income years are as follows.

	Rebate entitlement by income threshold			
	Tier '0'	Tier 1	Tier 2	Tier 3
Singles <sup>65</sup>	Up to \$90,000	\$90,001–\$105,000	\$105,001–\$140,000	\$140,001 or more
Couples/families <sup>66</sup>	Up to \$180,000	\$180,001–\$210,000	\$210,001–\$280,000	\$280,001 or more
Rate of Medicare levy surcharge				
All ages	0%	1.0%	1.25%	1.5%
Rate of Private Health Insurance Rebate: 1 April 2021 – 31 March 2023				
Under 65 years	24.608%	16.405%	8.202%	0%
65–69 years	28.710%	20.507%	12.303%	0%
70 years and over <sup>67</sup>	32.812%	24.608%	16.405%	0%
Rate of Private Health Insurance Rebate: 1 April 2019 – 31 March 2021				
Under 65 years	25.059%	16.706%	8.352%	0%
65–69 years	29.236%	20.883%	12.529%	0%
70 years and over	33.413%	25.059%	16.706%	0%
Rate of Private Health Insurance Rebate: 1 April 2018 – 31 March 2019				
Under 65 years	25.415%	16.943%	8.471%	0%
65–69 years	29.651%	21.180%	12.707%	0%
70 years and over	33.887%	25.415%	16.943%	0%

### **Warning— Medicare levy surcharge**

If a person decides to cancel their PHI policy (private hospital cover) and their *surcharge income* exceeds \$90,000 (as a single) or \$180,000 (as a couple/family), they will be subject to the Medicare levy surcharge at the rate set out in the table above.

<sup>65</sup> A single person is a person who does not have dependants and is not married on the last day of the income year.

<sup>66</sup> These thresholds are for families with no more than one child. For families with more than one child, the thresholds are **increased by \$1,500** for each child after the first child.

<sup>67</sup> This rate applies to a single, couple or family with no more than one child and where the oldest person on the policy is aged 70 years and over.



## ▶ Net medical expenses (NME) tax offset

The tax law was amended<sup>68</sup> to phase out the NME tax offset by the end of the 2018–19 income year. During the 2013–14 to 2018–19 income years, the following two categories of transitional arrangements applied:

- **Category A:** the NME tax offset was available for out-of-pocket medical expenses from the 2012–13 income year until the end of the 2018–19 income year only for medical expenses relating to:
  - disability aids
  - attendant care
  - aged care.
- **Category B:**
  - taxpayers who received an amount of NME tax offset during the 2012–13 income year were eligible to claim the medical expenses (as defined) for the 2013–14 income year
  - taxpayers who received an amount of NME tax offset during both the 2012–13 and 2013–14 income years were also eligible to claim the NMETO for the 2014–15 income year.

## ▶ Former low income tax offset (LITO)<sup>69</sup>

Income year	Maximum offset	Full entitlement	Effective tax-free threshold	Phasing-out rule <sup>70</sup>
2019–20	\$445	Income ≤ \$37,000	\$20,542	\$37,000 – \$66,667
2018–19	\$445	Income ≤ \$37,000	\$20,542	\$37,000 – \$66,667
2017–18	\$445	Income ≤ \$37,000	\$20,542	\$37,000 – \$66,667

<sup>68</sup> Amended by Schedule 3 to the *Tax Laws Amendment (2014 Measures No. 1) Act 2014* which received Royal Assent as Act No. 11 of 2014 on 18 March 2014.

<sup>69</sup> Under amendments made by the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* (which received Royal Assent on 14 October 2020 as Act No. 92 of 2020), the end-date for the former low income tax offset was brought forward by 12 months so that instead of ceasing to apply from the 2021–22 income year, it ceased to apply from the 2020–21 income year.

<sup>70</sup> For the 2011–12 income year, the LITO phased out at the rate of four cents for every dollar earned above the lower threshold until the upper threshold was reached. For the 2012–13, 2013–14, and 2014–15 income years, the LITO phased out at a rate of 1.5 cents for every dollar earned above the lower threshold until the upper threshold was reached.

## ► Low and middle income tax offset from 2018–19 to 2021–22<sup>71</sup>

The low and middle income tax offset (LMITO) is available to Australian resident individuals (and certain trustees)<sup>72</sup> that have taxable income not exceeding \$126,000 for an income year during the 2018–19 to 2021–22 income years.<sup>73</sup>

The LMITO operates in addition to the former LITO (for the 2018–19 and 2019–20 income year) and the new LITO (for the 2020–21 and 2021–22 income years) (see below) and taxpayers may be entitled to receive both types of offset during the 2018–19 to 2020–21 income years.

The amount of the LMITO depends on the taxpayer's relevant income level, as set out in the following tables:



### Note

The low- and middle-income tax offset can only reduce the amount of tax payable on an individual's taxable income to a minimum of \$0. Any offset amount that remains once tax payable is zero cannot be refunded.

The low- and middle-income tax offset ceases from 1 July 2022 and is not available for the 2022–23 and later income years.

### 2021–22 income year

Relevant income <sup>74</sup>	LMITO amount
\$37,000 or less	\$675
\$37,001 to \$48,000	\$675 plus 7.5 cent for every dollar above \$37,000
\$48,001 to \$90,000	\$1,500
\$90,001 to \$126,000	\$1,500 less 3 cents for every dollar above \$90,000

<sup>71</sup> Enacted by the *Treasury Laws Amendment (Personal Income Tax Plan) Act 2018* which received Royal Assent as Act No. 47 of 2018, as modified by the *Treasury Laws Amendment (Tax Relief So Working Australians Keep More Of Their Money) Act 2019* which received Royal Assent as Act No. 52 of 2019 and the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* which received Royal Assent on 14 October 2020 as Act No. 92 of 2020. The LMITO was extended to the 2021–22 income year by the *Treasury Laws Amendment (2021 Measures No. 4) Bill 2021* which received Royal Assent on 30 June 2021. The amount of the LMITO was increased to \$420 by the *Treasury Laws Amendment (Cost of Living Support and Other Measures) Bill 2022* which received Royal Assent on 31 March 2022.

<sup>72</sup> The offset is available if the trustee is taxed on a share of the net income of a trust on behalf of an Australian resident beneficiary that is under a legal disability, provided the amount of that share does not exceed \$126,000. If a trustee is taxed in relation to the shares of multiple beneficiaries of the trust, the trustee is separately entitled to the offset in respect of each beneficiary's share of income in respect of which the trustee is taxed — see s. 61-105(3) of the *ITAA 1997*.

<sup>73</sup> Sections 61-105(1) and (2) of the *ITAA 1997*.

<sup>74</sup> *Relevant income* of the entity is the taxable income of an individual or the share of the net income of the trust in respect of which a trustee is taxed on behalf of a beneficiary — s. 61-107(1) of the *ITAA 1997*.

## 2018–19 to 2020–21 income years

Relevant income <sup>75</sup>	LMITO amount
\$37,000 or less	\$255
\$37,001 to \$48,000	\$255, plus 7.5 per cent of the amount of relevant income exceeding \$37,000 (to a maximum benefit of \$1,080)
\$48,001 to \$90,000	\$1,080 (maximum) <sup>76</sup>
\$90,001 to \$126,000	\$1,080, less three per cent of the amount of relevant income exceeding \$90,000



### Note

In some cases, a taxpayer may be entitled to both the LMITO and the Beneficiary tax offset.<sup>77</sup> In this case, the Beneficiary Tax Offset applies to reduce tax payable *before* the LMITO.



### Important

The LMITO is:

- capped<sup>78</sup> — i.e. the offset is not available to reduce tax payable on unearned income of minors taxed under the integrity rules in Div 6AA of Part III of the *ITAA 1936*
- non-refundable and cannot be carried forward or transferred
- not given a specific priority.<sup>79</sup>

## ► Low income tax offset from 2020–21<sup>80</sup>

The new low income tax offset (new LITO) replaced the former LITO in the 2020–21 income year. It operates concurrently with the LMITO only in the 2020–21 and 2021–22 income years.<sup>81</sup>

<sup>75</sup> *Relevant income* of the entity is the taxable income of an individual or the share of the net income of the trust in respect of which a trustee is taxed on behalf of a beneficiary — s. 61-107(1) of the *ITAA 1997*.

<sup>76</sup> The amount of the offset is capped. The amount of the cap is the amount of tax payable by the entity which is not payable in relation to the unearned income of minors taxed under the integrity rules in Div 6AA of Part III of the *ITAA 1936* (unearned income).

<sup>77</sup> Section 160AAA of the *ITAA 1936*.

<sup>78</sup> Section 61-107(2) and (4) of the *ITAA 1997*.

<sup>79</sup> Item 20 of the table in s. 63-10(1) of the *ITAA 1997*.

<sup>80</sup> Enacted by the *Treasury Laws Amendment (Personal Income Tax Plan) Act 2018* which received Royal Assent as Act No. 47 of 2018, as modified by the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* which received Royal Assent on 14 October 2020 as Act No. 92 of 2020.

<sup>81</sup> As noted above, The LMITO was extended to the 2021–22 income year by the *Treasury Laws Amendment (2021 Measures No. 4) Bill 2021* which received Royal Assent on 30 June 2021.

The new LITO is available to Australian resident individuals (or certain trustees)<sup>82</sup> if their taxable income for the relevant income year does not exceed \$66,667.<sup>83</sup>

The amount of the new LITO which is available to a taxpayer depends on the taxpayer's relevant income level, as set out in the following table:

Relevant income <sup>84</sup> for the 2020–21 and later income years	New LITO amount
\$37,500 or less	\$700
\$37,501 to \$45,000	\$700, less 5 per cent of the relevant income that exceeds \$37,500
\$45,001 to \$66,667	\$325, less an amount equal to 1.5 per cent of the relevant income that exceeds \$45,000

Like the LMITO, the new LITO is:

- capped<sup>85</sup>
- non-refundable and cannot be carried forward or transferred
- not given a specific priority.<sup>86</sup>

### ► Seniors and Pensioners Tax Offset (SAPTO)

Income year	Family status (pensioner)	Maximum offset per person	Income range for phasing out of SAPTO <sup>87</sup>
2018–19 to 2023–24	Single	\$2,230	\$32,279 – \$50,119
	Married / de facto	\$1,602 each	\$28,974 (each) – \$83,580 (combined income)
	Couple separated due to illness (each)	\$2,040 each	\$31,279 (each) – \$95,198 (combined income)

<sup>82</sup> The offset is available to trustees if the trustee is taxed on a share of the net income of a trust on behalf of an Australian resident beneficiary who is under a legal disability for that income year, provided the amount of that share does not exceed \$66,667. If the trustee is taxed on the shares of multiple beneficiaries of the trust, the trustee is separately entitled to the new offset — see s. 61-110(3) of the *ITAA 1997*. A beneficiary that receives the benefit of the offset from multiple sources may have to pay additional tax to undo the benefit of having received offsets greater than the amount they would have received if they had been personally assessed — see paras. 1.20 and 1.36 of the Explanatory Memorandum.

<sup>83</sup> Section 61-110 of the *ITAA 1997*.

<sup>84</sup> Relevant income of the entity is the taxable income of an individual or the share of the net income of the trust on which a trustee is taxed on behalf of a beneficiary — s. 61-115(1) of the *ITAA 1997*.

<sup>85</sup> Section 61-115(2) and (4) of the *ITAA 1997*.

<sup>86</sup> Item 20 of the table in s. 63-10(1) of the *ITAA 1997*.

<sup>87</sup> The SAPTO is reduced by 12.5 cents per dollar of income above the bottom of the income range, and cuts out completely once the top of the threshold is reached.

## ▶ Superannuation spouse contribution tax offset

Spouse's income <sup>88</sup> (A)	Maximum rebatable contributions (B)	Maximum rebate
\$0 – \$37,000	\$3,000	18% × \$3,000 = \$540
\$37,000 – \$39,999	\$3,000 – (A – \$37,000)	18% of B
\$40,000 +	Nil	Nil

## ▶ Innovation tax offset

A tax offset of 20 per cent of the amount paid for qualifying shares is available for a qualifying investor in early stage innovation companies (ESIC). The innovation tax offset is available for shares issued on or after 1 July 2016, and is capped at \$200,000.

Investors who do not meet the *sophisticated investor* test under the *Corporations Act 2001* will not be eligible for any tax incentives if their total investment in qualifying ESICs in an income year is more than \$50,000.

## ▶ Tax offset for early stage venture capital limited partnerships (ESVCLP)

Limited partners in an ESVCLP may be eligible for a non-refundable carry-forward tax offset of up to 10 per cent of the lesser of:

- the partner's contributions to the ESVCLP for the income year; and
- the partner's investment related amount (broadly the proportionate share of the investments made by the ESVCLP).<sup>89</sup>

For a limited partner to be eligible for the tax offset in relation to a contribution into a ESVCLP, the ESVCLP must be unconditionally registered on or after 7 December 2015.<sup>90</sup>

## ▶ Rates of research and development (R&D) tax offset

### Income years commencing on or after 1 July 2021<sup>91</sup>

For income years commencing on or after 1 July 2021, the expenditure threshold is increased from \$100 million to **\$150 million**, and the rates of R&D incentive are as follows:

Eligible entity type	Rate of R&D tax offset
Eligible entities, not controlled by tax exempt entity, with aggregated turnover <\$20 million	Entity's corporate tax rate plus 18.5 percentage points premium (refundable)

<sup>88</sup> This includes the spouse's assessable income, reportable fringe benefits and reportable employer superannuation contributions. Any assessable First home super saver released amount or COVID-19 early release of superannuation payment is excluded.

<sup>89</sup> Section 61-765 *ITAA 1997*.

<sup>90</sup> See s. 61-760 of the *ITAA 1997* for other eligibility requirements.

<sup>91</sup> Pursuant to amendments enacted by the *Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020* which received Royal Assent on 14 October 2020 as Act No. 92 of 2020.

Eligible entity type	Rate of R&D tax offset
Eligible entities, controlled by a tax exempt entity, where aggregated turnover is <\$20 million	The company's corporate tax rate + 'marginal intensity premium'*(as applicable — see below)
Eligible entities with aggregated turnover ≥\$20 million	

\*'marginal intensity premium' is the sum of the tier 1 and tier 2 amounts outlined in the following table:

Tier	R&D intensity range	Intensity premium
1	Notional deductions representing up to and including 2 per cent of total expenses	8.5%
2	Notional deductions representing greater than 2 per cent of total expenses	16.5%

### Income years commencing before 1 July 2021

The rates of the R&D incentive detailed in the table in s. 355-100 of the *ITAA 1997* for notional deductions between \$20,000 and \$100 million are as follows:

Eligible entity type	Rate of R&D tax offset	
	pre 1 July 2016	from 1 July 2016 <sup>92</sup>
Eligible entities, not controlled by tax exempt entity, with aggregated turnover <\$20 million	45% (refundable) <sup>93</sup>	43.5% (refundable) <sup>93</sup>
Eligible entities, controlled by a tax exempt entity, where aggregated turnover is <\$20 million	40% (non-refundable) <sup>93</sup>	38.5% (non-refundable) <sup>93</sup>
All other eligible entities	40% (non-refundable) <sup>93</sup>	38.5% (non-refundable) <sup>93</sup>

<sup>92</sup> See the *Budget Savings (Omnibus) Act 2016*, which received Royal Assent as Act No. 55 of 2016 on 16 September 2016.

<sup>93</sup> This offset is available in respect of the first \$100 million of eligible expenditure.

## ▶ Digital games tax offset

A refundable income tax offset of 30 per cent of a company's total qualifying Australian development expenditure incurred on developing new or existing digital games<sup>94, 95</sup> is available to eligible companies that are:

- Australian residents with an ABN; or
- foreign resident with a permanent establishment in Australia.

The tax refundable offset applies to eligible expenditure incurred on or after 1 July 2022 and which is certified by the Minister for the Arts.

Total Australian qualifying development expenditure incurred on the games in the income year must be at least \$500,000.

The amount of the offset is capped at \$20 million per company or group of companies, per income year.

## ▶ Skills and training boost

Small businesses<sup>96</sup> can claim an additional deduction equal to 20% of eligible expenditure incurred on external training provided to their employees.<sup>95</sup> The external training must be provided by a registered training provider.

Training expenses can include incidental costs related to the provision of training – e.g. the cost of books or equipment needed for the course – provided they are charged by the registered training provider. Notional deduction applies to eligible expenditure incurred between 7.30 pm (AEDT) on 29 March 2022<sup>97</sup> and 30 June 2024.

## ▶ Technology investment boost

Small businesses<sup>96</sup> can access a bonus deduction equal to 20 per cent of their eligible expenditure incurred on expenses and depreciating assets for the purposes of their digital operations or digitising their operations.<sup>95</sup> It applies to the total of eligible expenditure of up to \$100,000 per income year, up to a maximum bonus deduction of \$20,000 per income year.

The bonus deduction is available for eligible expenditure incurred between 7.30 pm (AEDT) on 29 March 2022 and 30 June 2023. The asset must be first used or installed ready for use by 30 June 2023.

## ▶ Small Business Energy Incentive

Small and medium businesses<sup>98</sup> can access a bonus deduction equal to 20 per cent of the cost of eligible assets or improvements to existing assets that support electrification or more efficient energy use. The bonus deduction applies to the cost of eligible assets and improvements up to a maximum amount of \$100,000, with the maximum bonus deduction being \$20,000. The bonus deduction applies to eligible assets first used or first installed ready for use, and eligible improvement costs incurred, from 1 July 2023 until 30 June 2024.

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<sup>94</sup> As defined in s. 378-20 of the *ITAA 1997*.

<sup>95</sup> Introduced by *Treasury Laws Amendment (2022 Measures No. 4) Bill 2023* which received Royal Assent on 23 June 2023 as Act no 29 of 2023.

<sup>96</sup> As defined under s. 328-110 of the *ITAA 1997* — aggregated annual turnover of less than \$50 million.

<sup>97</sup> The ATO website explains that for eligible expenditure incurred in the period between 7.30 pm (AEDT) on 29 March 2022 and 30 June 2022, businesses with a normal balance date may claim the 100% deduction in their 2021–22 tax returns and the additional 20% deduction in their 2022–23 tax returns.

<sup>98</sup> As defined in s. 328-110 of the *ITAA 1997* — aggregated annual turnover of less than \$50 million.

## ► Small Business Income Tax Offset

Sole traders carrying on a business or those who have a share of net small business income from a partnership or trust may be entitled to a small business tax offset. The offset is calculated based on the proportion of tax payable relating to the individual's total net small business income.<sup>99</sup> The aggregated turnover threshold and the rate of the offset depends on the income year of the return. The maximum offset is \$1,000.

Income year	Aggregated turnover threshold	Rate of offset	Maximum offset
2016–17 to 2019–20	\$5 million	8.0%	\$1,000
2020–21	\$5 million	13%	\$1,000
2021–22 and onwards	\$5 million	16%	\$1,000

## Higher Education Loan Program (HELP)

### ► HELP repayment income thresholds

The repayment thresholds and rates for the compulsory repayment of HELP debts are set out below.

Income year	Rate	HELP repayment income <sup>100</sup>
2024–25	Nil	Below \$54,435
	1.0%	\$54,435 – \$62,850
	2.0%	\$62,851 – \$66,620
	2.5%	\$66,621 – \$70,618
	3.0%	\$70,619 – \$74,855
	3.5%	\$74,856 – \$79,346
	4.0%	\$79,347 – \$84,107
	4.5%	\$84,108 – \$89,154
	5.0%	\$89,155 – \$94,503
	5.5%	\$94,504 – \$100,174
	6.0%	\$100,175 – \$106,185
6.5%	\$106,186 – \$112,556	

<sup>99</sup> Net small business income is the sum of your assessable income from carrying on your business, minus any deductions.

<sup>100</sup> HELP repayment income = taxable income + reportable fringe benefits + net investment losses + reportable superannuation contributions + exempt foreign employment income.



Income year	Rate	HELP repayment income <sup>100</sup>
	7.0%	\$112,557 — \$119,309
	7.5%	\$119,310 — \$126,467
	8.0%	\$126,468 — \$134,056
	8.5%	\$134,057 — \$142,100
	9.0%	\$142,101 — \$150,626
	9.5%	\$150,627 — \$159,663
	10.0%	\$159,664 and above
2023–24	Nil	Below \$51,550
	1.0%	\$51,550 — \$59,518
	2.0%	\$59,519 — \$63,089
	2.5%	\$63,090 — \$66,875
	3.0%	\$66,876 — \$70,888
	3.5%	\$70,889 — \$75,140
	4.0%	\$75,141 — \$79,649
	4.5%	\$79,650 — \$84,429
	5.0%	\$84,430 — \$89,494
	5.5%	\$89,495 — \$94,865
	6.0%	\$94,866 — \$100,557
	6.5%	\$100,558 — \$106,590
	7.0%	\$106,591 — \$112,985
	7.5%	\$112,986 — \$119,764
	8.0%	\$119,765 — \$126,950
	8.5%	\$126,951 — \$134,568
	9.0%	\$134,569 — \$142,642
	9.5%	\$142,643 — \$151,200
	10.0%	\$151,201 and above

Income year	Rate	HELP repayment income <sup>100</sup>
2022–23	Nil	Below \$48,361
	1.0%	\$48,361 — \$55,836
	2.0%	\$55,837 — \$59,186
	2.5%	\$59,187 — \$62,738
	3.0%	\$62,739 — \$66,502
	3.5%	\$66,503 — \$70,492
	4.0%	\$70,493 — \$74,722
	4.5%	\$74,723 — \$79,206
	5.0%	\$79,207 — \$83,958
	5.5%	\$83,959 — \$88,996
	6.0%	\$88,997 — \$94,336
	6.5%	\$94,337 — \$99,996
	7.0%	\$99,997 — \$105,996
	7.5%	\$105,997 — \$112,355
	8.0%	\$112,356 — \$119,097
	8.5%	\$119,098 — \$126,243
	9.0%	\$126,244 — \$133,818
	9.5%	\$133,819 — \$141,847
10.0%	\$141,848 and above	
2021–22	Nil	Below \$47,014
	1.0%	\$47,014 — \$54,282
	2.0%	\$54,283 — \$57,538
	2.5%	\$57,539 — \$60,991
	3.0%	\$60,992 — \$64,651
	3.5%	\$64,652 — \$68,529
	4.0%	\$68,530 — \$72,641
	4.5%	\$72,642 — \$77,001

Income year	Rate	HELP repayment income <sup>100</sup>
	5.0%	\$77,002 — \$81,620
	5.5%	\$81,621 — \$86,518
	6.0%	\$86,519 — \$91,709
	6.5%	\$91,710 — \$97,212
	7.0%	\$97,213 — \$103,045
	7.5%	\$103,046 — \$109,227
	8.0%	\$109,228 — \$115,780
	8.5%	\$115,781 — \$122,728
	9.0%	\$122,729 — \$130,092
	9.5%	\$130,093 — \$137,897
	10.0%	\$137,898 and above
2020–21	Nil	Below \$46,620
	1.0%	\$46,620 — \$53,826
	2.0%	\$53,827 — \$57,055
	2.5%	\$57,056 — \$60,479
	3.0%	\$60,480 — \$64,108
	3.5%	\$64,109 — \$67,954
	4.0%	\$67,955 — \$72,031
	4.5%	\$72,032 — \$76,354
	5.0%	\$76,355 — \$80,935
	5.5%	\$80,936 — \$85,792
	6.0%	\$85,793 — \$90,939
	6.5%	\$90,940 — \$96,396
	7.0%	\$96,397 — \$102,179
	7.5%	\$102,180 — \$108,309
	8.0%	\$108,310 — \$114,707
	8.5%	\$114,708 — \$121,698

Income year	Rate	HELP repayment income <sup>100</sup>
	9.0%	\$121,699 — \$128,999
	9.5%	\$129,000 — \$136,739
	10%	\$136,740 and above

## Website

Rates and income thresholds for prior income years are available at:

[www.ato.gov.au/Rates/HELP,-TSL-and-SFSS-repayment-thresholds-and-rates/](http://www.ato.gov.au/Rates/HELP,-TSL-and-SFSS-repayment-thresholds-and-rates/)



## Note — Repayment income

'Repayment income' includes:

- taxable income
- reportable fringe benefits (as reported on the payment summary)
- net investment losses (from financial investments and rental properties)
- reportable superannuation contributions
- any exempt foreign employment income amounts included in a tax return.

## Reasonable allowances

### ► Overtime meal allowance

Income year	Reasonable amount
2024–25 income year	\$37.65
2023–24 income year	\$35.65
2022–23 income year	\$33.25
2021–22 income year	\$32.50
2020–21 income year	\$31.95

### ► Employee truck drivers

Employee truck drivers who have received a travel allowance and who are required to sleep away from home may claim amounts up to the food and drink component only of the reasonable domestic daily travel allowance. The reasonable amounts are:

Income year	Salary range	Breakfast	Lunch	Dinner	Per day
202425	All	\$30.35	\$34.65	\$59.75	

Income year	Salary range	Breakfast	Lunch	Dinner	Per day
2023–24	All	\$28.75	\$32.80	\$56.60	These amounts are separate and cannot be aggregated into a single daily amount
2022–23	All	\$26.80	\$30.60	\$52.75	
2021–22	All	\$26.15	\$29.85	\$51.50	
2020–21	All	\$25.75	\$29.35	\$50.65	

## Domestic travel allowance

The Commissioner issues an annual determination setting out the reasonable amounts for travel allowance expenses in relation to daily accommodation rates; meals (breakfast, lunch and dinner); and deductible expenses incidental to the travel.



### Reference

- 2024–25 income year — see TD 2024/3
- 2023–24 income year — see TD 2023/3
- 2022–23 income year — see TD 2022/10
- 2021–22 income year — see TD 2021/6
- 2020–21 income year — see TD 2020/5

### ► Reasonable amounts for the 2024–25 income year

The 2024–25 reasonable amounts are set out below, according to the following annual salary levels:

- up to \$143,650
- from \$143,651 to \$255,670.
- \$255,671 and above.

**TABLE 1 — Salary up to \$143,650**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 33.90 Lunch 38.10 Dinner 64.95 (total \$136.95)		
Adelaide	158	as above	23.95	318.90
Brisbane	181	as above	23.95	341.90
Canberra	178	as above	23.95	338.90
Darwin	220	as above	23.95	380.90
Hobart	176	as above	23.95	336.90
Melbourne	173	as above	23.95	333.90

Place	Accommodation	Food & drink	Incidentals	Daily Total
Perth	180	as above	23.95	340.90
Sydney	198	as above	23.95	358.90
High cost country centres	see Table 4	as above	23.95	Variable
Tier 2 country centres (see Table 5)	155	Breakfast 23.95 Lunch 23.95 Dinner 23.95	23.95	303.70
Other country centres	141	Breakfast 23.95 Lunch 34.65 Dinner 59.75	23.95	289.70

**TABLE 2 — Salary from \$143,651 to \$255,670**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 36.90 Lunch 52.10 Dinner 73.10 (total 162.10)		
Adelaide	211	as above	34.25	407.35
Brisbane	257	as above	34.25	453.35
Canberra	246	as above	34.25	442.35
Darwin	293	as above	34.25	489.35
Hobart	235	as above	34.25	431.35
Melbourne	231	as above	34.25	427.35
Perth	245	as above	34.25	441.35
Sydney	264	as above	34.25	460.35
High cost country centres	See Table 4	as above	34.25	Variable
Tier 2 country centres (see Table 5)	207	Breakfast 33.90 Lunch 34.65 Dinner 67.50	34.25	377.30
Other country centres	188	Breakfast 33.90 Lunch 34.65 Dinner 67.50	34.25	358.30

**TABLE 3 — Salary \$255,671 and above**

Place	Accommodation	Food & drink	Incidentals	Total
		Breakfast 41.10 Lunch 58.10 Dinner 81.30 (total 180.50)		
Adelaide	211	as above	34.25	425.75
Brisbane	257	as above	34.25	471.75
Canberra	246	as above	34.25	460.75
Darwin	293	as above	34.25	507.75
Hobart	235	as above	34.25	449.75
Melbourne	265	as above	34.25	479.75
Perth	265	as above	34.25	479.75
Sydney	265	as above	34.25	479.75
All country centres	\$207, or the relevant amount in Table 4 if higher	as above	34.25	Variable

**TABLE 4 — High cost country centres — accommodation component**

Country centre	\$	Country centre	\$
Albany (WA)	193	Horsham (VIC)	165
Alice Springs (NT)	206	Jabiru (NT)	216
Ararat (VIC)	159	Kalgoorlie (WA)	181
Armidale (NSW)	166	Karratha (WA)	223
Bairnsdale (VIC)	173	Katherine (NT)	228
Ballarat (VIC)	187	Kingaroy (QLD)	180
Benalla (VIC)	168	Kununurra (WA)	204
Bendigo (VIC)	164	Launceston (TAS)	174
Bordertown (SA)	164	Lismore (NSW)	163
Bourke (NSW)	184	Mackay (QLD)	166
Bright (VIC)	180	Maitland (NSW)	187
Broken Hill (NSW)	161	Mildura (VIC)	158
Broome (WA)	220	Mount Gambier (SA)	164
Bunbury (WA)	178	Mount Isa (QLD)	185
Bundaberg (QLD)	184	Mudgee (NSW)	188
Burnie (TAS)	178	Muswellbrook (NSW)	157

Country centre	\$	Country centre	\$
Cairns (QLD)	175	Nambour (QLD)	163
Carnarvon (WA)	170	Newcastle (NSW)	195
Castlemaine (VIC)	162	Newman (WA)	271
Ceduna (SA)	156	Nhulunbuy (NT)	230
Charters Towers (QLD)	168	Norfolk Island (NSW)	203
Christmas Island (WA)	218	Northam (WA)	214
Cocos (Keeling) Islands (WA)	331	Nowra (NSW)	168
Dalby (QLD)	201	Orange (NSW)	202
Dampier (WA)	175	Port Hedland (WA)	175
Derby (WA)	192	Port Lincoln (SA)	170
Devonport (TAS)	161	Port Macquarie (NSW)	190
Dubbo (NSW)	170	Portland (VIC)	159
Emerald (QLD)	179	Rockhampton (QLD)	174
Esperance (WA)	180	Roma (QLD)	182
Exmouth (WA)	214	Seymour (VIC)	161
Geelong (VIC)	175	Shepparton (VIC)	167
Geraldton (WA)	165	Swan Hill (VIC)	181
Gladstone (QLD)	171	Thursday Island (QLD)	323
Gold Coast (QLD)	209	Toowoomba (QLD)	161
Goulburn (NSW)	165	Townsville (QLD)	174
Gosford (NSW)	161	Wagga Wagga (NSW)	177
Grafton (NSW)	169	Wangaratta (VIC)	186
Griffith (NSW)	159	Warrnambool (VIC)	159
Gunnedah (NSW)	167	Weipa (QLD)	238
Halls Creek (WA)	170	Whyalla (SA)	167
Hamilton (VIC)	161	Wilpena-Pound (SA)	223
Hervey Bay (QLD)	175	Wollongong (NSW)	181
Horn Island (QLD)	345	Wonthaggi (VIC)	188
		Yulara (NT)	570

**TABLE 5 — Tier 2 country centres**

Country centre	Country centre
Albury (NSW)	Maryborough (QLD)
Ayr (QLD)	Naracoorte (SA)
Bathurst (NSW)	Narrabri (NSW)



Country centre	Country centre
Bega (NSW)	Port Augusta (SA)
Chinchilla (QLD)	Port Pirie (SA)
Cobar (NSW)	Queanbeyan (NSW)
Coffs Harbour (NSW)	Queenstown (TAS)
Colac (VIC)	Renmark (SA)
Cooma (NSW)	Sale (VIC)
Cowra (NSW)	Tamworth (NSW)
Echuca (VIC)	Taree (NSW)
Innisfail (QLD)	Tennant Creek (NT)
Inverell (NSW)	Tumut (NSW)
Kadina (SA)	Wodonga (VIC)

### ► Reasonable amounts for the 2023–24 income year

The 2023–24 reasonable amounts are set out below, according to the following annual salary levels:

- up to \$138,790
- from \$138,791 to \$247,020.
- \$247,021 and above.

**TABLE 1 — Salary up to \$138,790**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 32.10 Lunch 36.10 Dinner 61.50 (total \$129.70)		
Adelaide	158	as above	23.00	310.70
Brisbane	181	as above	23.00	333.70
Canberra	178	as above	23.00	330.70
Darwin	220	as above	23.00	372.70
Hobart	176	as above	23.00	328.70
Melbourne	173	as above	23.00	325.70
Perth	180	as above	23.00	332.70
Sydney	198	as above	23.00	350.70
High cost country centres	see Table 4	as above	23.00	Variable

Place	Accommodation	Food & drink	Incidentals	Daily Total
Tier 2 country centres (see Table 5)	155	Breakfast 28.75	23.00	296.15
		Lunch 32.80		
		Dinner 56.60		
Other country centres	141	Breakfast 28.75	23.00	282.15
		Lunch 32.80		
		Dinner 56.60		

**TABLE 2 — Salary from \$138,791 to \$247,020**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 34.95 Lunch 49.35 Dinner 69.20 (total 143.05)		
Adelaide	211	as above	32.90	397.40
Brisbane	257	as above	32.90	443.40
Canberra	246	as above	32.90	432.40
Darwin	293	as above	32.90	479.40
Hobart	235	as above	32.90	421.40
Melbourne	231	as above	32.90	417.40
Perth	245	as above	32.90	431.40
Sydney	264	as above	32.90	450.40
High cost country centres	See Table 4	as above	32.90	Variable
Tier 2 country centres (see Table 5)	207	Breakfast 32.10	32.90	368.75
		Lunch 32.80		
		Dinner 63.95		
Other country centres	188	Breakfast 32.10	32.90	349.75
		Lunch 32.80		
		Dinner 63.95		

**TABLE 3 — Salary \$247,021 and above**

Place	Accommodation	Food & drink	Incidentals	Total
		Breakfast 38.90 Lunch 55.00 Dinner 77.00 (total 170.90)		
Adelaide	211	as above	32.90	414.80
Brisbane	257	as above	32.90	460.80
Canberra	246	as above	32.90	449.80
Darwin	293	as above	32.90	496.80
Hobart	235	as above	32.90	438.80
Melbourne	265	as above	32.90	468.80
Perth	265	as above	32.90	468.80
Sydney	265	as above	32.90	468.80
All country centres	\$195, or the relevant amount in Table 4 if higher	as above	32.90	Variable

**TABLE 4 — High cost country centres — accommodation component**

Country centre	\$	Country centre	\$
Albany (WA)	193	Jabiru (NT)	216
Alice Springs (NT)	206	Kalgoorlie (WA)	181
Armidale (NSW)	166	Karratha (WA)	223
Ararat (VIC)	159	Katherine (NT)	228
Ballarat (VIC)	187	Kununurra (WA)	204
Benalla (VIC)	168	Launceston (TAS)	174
Bendigo (VIC)	164	Lismore (NSW)	163
Bordertown (SA)	164	Mackay (QLD)	166
Bourke (NSW)	184	Maitland (NSW)	187
Bright (VIC)	180	Mount Gambier (SA)	164
Broken Hill (NSW)	161	Mount Isa (QLD)	185
Broome (WA)	220	Mudgee (NSW)	188
Bunbury (WA)	178	Muswellbrook (NSW)	157
Bundaberg (QLD)	184	Nambour (QLD)	163
Burnie (TAS)	178	Newcastle (NSW)	195
Cairns (QLD)	175	Newman (WA)	271

Country centre	\$	Country centre	\$
Carnarvon (WA)	170	Nhulunbuy (NT)	230
Castlemaine (VIC)	162	Norfolk Island (NSW)	203
Christmas Island (WA)	218	Northam (WA)	214
Cobar (NSW)	144	Nowra (NSW)	168
Cocos (Keeling) Islands (WA)	331	Orange (NSW)	202
Dalby (QLD)	201	Port Hedland (WA)	175
Dampier (WA)	175	Port Lincoln (SA)	170
Derby (WA)	192	Port Macquarie (NSW)	190
Devonport (TAS)	161	Rockhampton (QLD)	174
Dubbo (NSW)	170	Roma (QLD)	182
Emerald (QLD)	179	Shepparton (VIC)	167
Esperance (WA)	180	Swan Hill (VIC)	181
Exmouth (WA)	214	Thursday Island (QLD)	323
Geelong (VIC)	175	Toowoomba (QLD)	161
Geraldton (WA)	165	Townsville (QLD)	174
Gladstone (QLD)	171	Wagga Wagga (NSW)	177
Gold Coast (QLD)	209	Wangaratta (VIC)	186
Gosford (NSW)	161	Weipa (QLD)	238
Griffith (NSW)	159	Whyalla (SA)	167
Halls Creek (WA)	170	Wilpena-Pound (SA)	223
Hervey Bay (QLD)	175	Wollongong (NSW)	181
Horn Island (QLD)	345	Wonthaggi (VIC)	188
Horsham (VIC)	165	Yulara (NT)	570

**TABLE 5 — Tier 2 country centres**

Country centre	Country centre
Albury (NSW)	Kingaroy (QLD)
Ayr (QLD)	Maryborough (QLD)
Bairnsdale (VIC)	Mildura (VIC)
Bathurst (NSW)	Naracoorte (SA)
Bega (NSW)	Narrabri (NSW)
Ceduna (SA)	Port Augusta (SA)
Charters Towers (QLD)	Portland (VIC)
Chinchilla (QLD)	Port Pirie (SA)
Coffs Harbour (NSW)	Queanbeyan (NSW)

Country centre	Country centre
Colac (VIC)	Queenstown (TAS)
Cooma (NSW)	Renmark (SA)
Cowra (NSW)	Sale (VIC)
Echuca (VIC)	Seymour (VIC)
Goulburn (NSW)	Tamworth (NSW)
Grafton (NSW)	Taree (NSW)
Gunnedah (NSW)	Tennant Creek (NT)
Hamilton (VIC)	Tumut (NSW)
Innisfail (QLD)	Warrnambool (VIC)
Inverell (NSW)	Wodonga (VIC)
Kadina (SA)	

### ► Reasonable amounts for the 2022–23 income year

The 2022–23 reasonable amounts are set out below, according to the following annual salary levels:

- up to \$133,450
- from \$133,451 to \$237,520
- \$237,521 and above.

**TABLE 1 — Salary up to \$133,450**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 29.90 Lunch 33.65 Dinner 57.30 (total \$120.85)		
Adelaide	157	as above	21.30	299.15
Brisbane	175	as above	21.30	317.15
Canberra	168	as above	21.30	310.15
Darwin	220	as above	21.30	362.15
Hobart	147	as above	21.30	289.15
Melbourne	173	as above	21.30	315.15
Perth	180	as above	21.30	322.15
Sydney	198	as above	21.30	340.15
High cost country centres	see Table 4	as above	21.30	Variable
Tier 2 country centres (see Table 5)	134	Breakfast 26.80 Lunch 30.60	21.30	265.45

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Dinner 52.75		
Other country centres	121	Breakfast 26.80 Lunch 30.60 Dinner 52.75	21.30	249.45

**TABLE 2 — Salary from \$133,451 to \$237,520**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 32.55 Lunch 46.00 Dinner 64.50 (total 143.05)		
Adelaide	208	as above	30.50	381.55
Brisbane	257	as above	30.50	430.55
Canberra	246	as above	30.50	419.55
Darwin	293	as above	30.50	466.55
Hobart	196	as above	30.50	369.55
Melbourne	228	as above	30.50	401.55
Perth	245	as above	30.50	418.55
Sydney	264	as above	30.50	437.55
High cost country centres	See Table 4	as above	30.50	Variable
Tier 2 country centres (see Table 5)	160	Breakfast 29.90 Lunch 30.60 Dinner 59.60	30.50	310.60
Other country centres	145	Breakfast 29.90 Lunch 30.60 Dinner 59.60	30.50	295.60

**TABLE 3 — Salary \$237,521 and above**

Place	Accommodation	Food & drink	Incidentals	Total
		Breakfast 38.20 Lunch 54.05 Dinner 75.65 (total 167.90)		

Place	Accommodation	Food & drink	Incidentals	Total
Adelaide	209	as above	30.50	407.40
Brisbane	257	as above	30.50	455.40
Canberra	246	as above	30.50	444.40
Darwin	293	as above	30.50	491.40
Hobart	196	as above	30.50	394.40
Melbourne	265	as above	30.50	463.40
Perth	265	as above	30.50	463.40
Sydney	265	as above	30.50	463.40
All country centres	\$195, or the relevant amount in Table 4 if higher	as above	30.50	Variable

**TABLE 4 — High cost country centres — accommodation component**

Country centre	\$	Country centre	\$
Albany (WA)	179	Jabiru (NT)	216
Alice Springs (NT)	150	Kalgoorlie (WA)	172
Armidale	147	Karratha (WA)	215
Ballarat (VIC)	159	Katherine (NT)	162
Bathurst (NSW)	141	Kununurra (WA)	204
Bega (NSW)	145	Launceston (TAS)	143
Benalla (VIC)	143	Lismore (NSW)	144
Bendigo (VIC)	140	Mackay (QLD)	161
Bordertown (SA)	149	Maitland (NSW)	163
Bourke (NSW)	165	Mount Gambier (SA)	142
Bright (VIC)	167	Mount Isa (QLD)	168
Broken Hill (NSW)	152	Mudgee (NSW)	164
Broome (WA)	220	Muswellbrook (NSW)	157
Bunbury (WA)	157	Newcastle (NSW)	185
Bundaberg (QLD)	147	Newman (WA)	239
Burnie (Tas)	164	Nhulunbuy (NT)	230
Cairns (QLD)	163	Norfolk Island (NSW)	190
Carnarvon (WA)	156	Northam (WA)	189
Castlemaine (VIC)	146	Nowra (NSW)	147
Chinchilla (QLD)	143	Orange (NSW)	176
Christmas Island (WA)	198	Port Hedland (WA)	175

Country centre	\$	Country centre	\$
Cobar (NSW)	144	Port Lincoln (SA)	170
Cocos (Keeling) Islands (WA)	331	Port Macquarie (NSW)	170
Coffs Harbour (NSW)	148	Port Pirie (SA)	150
Colac (VIC)	138	Queanbeyan (NSW)	139
Dalby (QLD)	177	Queenstown (TAS)	136
Dampier (WA)	175	Rockhampton (QLD)	139
Derby (WA)	170	Roma (QLD)	146
Devonport (TAS)	158	Shepparton (VIC)	150
Dubbo (NSW)	148	Swan Hill (VIC)	154
Emerald (QLD)	156	Tennant Creek (NT)	146
Esperance (WA)	162	Toowoomba (QLD)	144
Exmouth (WA)	190	Thursday Island (QLD)	258
Geelong (VIC)	149	Townsville (QLD)	143
Geraldton (WA)	165	Wagga Wagga (NSW)	154
Gladstone (QLD)	155	Wangaratta (VIC)	158
Gold Coast (QLD)	209	Weipa (QLD)	190
Gosford (NSW)	145	Whyalla (SA)	145
Griffith (NSW)	138	Wilpena-Pound (SA)	193
Halls Creek (WA)	170	Wollongong (NSW)	158
Hervey Bay (QLD)	157	Wonthaggi (VIC)	160
Horn Island (QLD)	295	Yulara (NT)	440
Horsham (VIC)	154		

**TABLE 5 — Tier 2 country centres**

Country centre	Country centre
Albury (NSW)	Kingaroy (QLD)
Ararat (VIC)	Maryborough (QLD)
Ayr (QLD)	Mildura (VIC)
Bairnsdale (VIC)	Nambour (QLD)
Ceduna (SA)	Naracoorte (SA)
Charters Towers (QLD)	Narrabri (NSW)
Cooma (NSW)	Port Augusta (SA)
Cowra (NSW)	Portland (VIC)
Echuca (VIC)	Renmark (SA)
Goulburn (NSW)	Sale (VIC)



Country centre	Country centre
Grafton (NSW)	Seymour (VIC)
Gunnedah (NSW)	Tamworth (NSW)
Hamilton (VIC)	Taree (NSW)
Innisfail (QLD)	Tumut (NSW)
Inverell (NSW)	Warrnambool (VIC)
Kadina (SA)	Wodonga (VIC)

### ► Reasonable amounts for the 2021–22 income year

The 2021–22 reasonable amounts are set out below, according to the following annual salary levels:

- up to \$129,250
- from \$129,251 to \$230,050
- \$230,051 and above.

**TABLE 1 — Salary up to \$129,250**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 29.20 Lunch 32.85 Dinner 56.00 (total 118.05)		
Adelaide	157	as above	20.60	295.62
Brisbane	175	as above	20.60	313.65
Canberra	168	as above	20.60	306.65
Darwin	220	as above	20.60	358.65
Hobart	147	as above	20.60	285.65
Melbourne	173	as above	20.60	311.65
Perth	180	as above	20.60	318.65
Sydney	198	as above	20.60	336.65
High cost country centres	see Table 4	as above	20.60	variable
Tier 2 country centres (see Table 5)	134	Breakfast 26.15 Lunch 29.85 Dinner 51.50	20.60	262.10
Other country centres	118	Breakfast 26.15 Lunch 29.85 Dinner 51.50	20.60	262.10

**TABLE 2 — Salary from \$129,251 to \$230,050**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 31.80 Lunch 45.00 Dinner 63.00 (total 139.80)		
Adelaide	208	as above	29.45	377.25
Brisbane	257	as above	29.45	426.25
Canberra	246	as above	29.45	415.25
Darwin	293	as above	29.45	462.25
Hobart	196	as above	29.45	365.25
Melbourne	228	as above	29.45	397.25
Perth	245	as above	29.45	414.25
Sydney	264	as above	29.45	433.25
High cost country centres	See Table 4	as above	29.45	Variable
Tier 2 country centres (see Table 5)	154	Breakfast 29.20 Lunch 29.85 Dinner 58.20	29.45	300.70
Other country centres	142	Breakfast 29.20 Lunch 29.85 Dinner 58.20	29.45	288.70

**TABLE 3 — Salary \$230,051 and above**

Place	Accommodation	Food & drink	Incidentals	Total
		Breakfast 37.50 Lunch 53.10 Dinner 74.30 (total 164.90)		
Adelaide	209	as above	29.45	403.35
Brisbane	257	as above	29.45	451.35
Canberra	246	as above	29.45	440.35
Darwin	293	as above	29.45	487.35
Hobart	196	as above	29.45	390.35
Melbourne	265	as above	29.45	459.35
Perth	265	as above	29.45	459.35

Place	Accommodation	Food & drink	Incidentals	Total
Sydney	265	as above	29.45	459.35
All country centres	\$195, or the relevant amount in Table 4 if higher	as above	29.45	variable

**TABLE 4 — High cost country centres — accommodation component**

Country centre	\$	Country centre	\$
Albany (WA)	179	Kalgoorlie (WA)	172
Alice Springs (NT)	150	Karratha (WA)	215
Armidale	147	Katherine (NT)	158
Ballarat (VIC)	154	Kununurra (WA)	204
Bathurst (NSW)	141	Launceston (TAS)	141
Bega (NSW)	145	Lismore (NSW)	144
Benalla (VIC)	142	Mackay (QLD)	161
Bendigo (VIC)	140	Maitland (NSW)	155
Bordertown (SA)	149	Mount Gambier (SA)	140
Bourke (NSW)	165	Mount Isa (QLD)	168
Bright (VIC)	167	Mudgee (NSW)	159
Broken Hill (NSW)	152	Muswellbrook (NSW)	157
Broome (WA)	220	Newcastle (NSW)	185
Bunbury (WA)	155	Newman (WA)	170
Burnie (Tas)	164	Nhulunbuy (NT)	230
Cairns (QLD)	163	Norfolk Island (NSW)	190
Carnarvon (WA)	156	Northam (WA)	145
Castlemaine (VIC)	146	Nowra (NSW)	146
Chinchilla (QLD)	143	Orange (NSW)	156
Christmas Island (WA)	198	Port Hedland (WA)	175
Cobar (NSW)	144	Port Lincoln (SA)	170
Cocos (Keeling) Islands (WA)	331	Port Macquarie (NSW)	170
Coffs Harbour (NSW)	148	Port Pirie (SA)	150
Colac (VIC)	138	Queanbeyan (NSW)	139
Dalby (QLD)	177	Queenstown (TAS)	136
Dampier (WA)	175	Roma (QLD)	142
Derby (WA)	170	Shepparton (VIC)	150
Devonport (TAS)	158	Swan Hill (VIC)	136

Country centre	\$	Country centre	\$
Emerald (QLD)	156	Tennant Creek (NT)	146
Esperance (WA)	162	Toowoomba (QLD)	144
Exmouth (WA)	190	Thursday Island (QLD)	200
Geraldton (WA)	165	Townsville (QLD)	143
Gladstone (QLD)	155	Wagga Wagga (NSW)	152
Gold Coast (QLD)	209	Wangaratta (VIC)	144
Gosford (NSW)	145	Weipa (QLD)	138
Halls Creek (WA)	170	Whyalla (SA)	145
Hervey Bay (QLD)	157	Wilpena-Pound (SA)	193
Horn Island (QLD)	200	Wollongong (NSW)	155
Horsham (VIC)	154	Wonthaggi (VIC)	152
Jabiru (NT)	216	Yulara (NT)	440

**TABLE 5 — Tier 2 country centres**

Country centre	Country centre
Albury (NSW)	Inverell (NSW)
Ararat (VIC)	Kadina (SA)
Ayr (QLD)	Kingaroy (QLD)
Bairnsdale (VIC)	Maryborough (QLD)
Bundaberg (QLD)	Mildura (VIC)
Ceduna (SA)	Naracoorte (SA)
Charters Towers (QLD)	Narrabri (NSW)
Cooma (NSW)	Port Augusta (SA)
Cowra (NSW)	Portland (VIC)
Dubbo (NSW)	Renmark (SA)
Echuca (VIC)	Rockhampton (QLD)
Geelong (VIC)	Sale (VIC)
Goulburn (NSW)	Seymour (VIC)
Grafton (NSW)	Tamworth (NSW)
Griffith (NSW)	Taree (NSW)
Gunnedah (NSW)	Tumut (NSW)
Hamilton (VIC)	Warrnambool (VIC)
Innisfail (QLD)	Wodonga (VIC)

## ► Reasonable amounts for the 2020–21 income year

The 2020–21 reasonable amounts are set out below, according to the following annual salary levels:

- up to \$126,970
- from \$126,971 to \$225,980
- \$225,981 and above.

**TABLE 1 — Salary up to \$126,970**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 28.70 Lunch 32.30 Dinner 55.05 (total 116.05)		
Adelaide	157	as above	20.40	293.45
Brisbane	175	as above	20.40	311.45
Canberra	168	as above	20.40	304.45
Darwin	220	as above	20.40	356.45
Hobart	147	as above	20.40	283.45
Melbourne	173	as above	20.40	309.45
Perth	180	as above	20.40	316.45
Sydney	188	as above	20.40	324.45
High cost country centres	see Table 4	as above	20.40	variable
Tier 2 country centres (see Table 5)	134	Breakfast 25.75 Lunch 29.35 Dinner 50.65	20.40	260.15
Other country centres	114	Breakfast 25.75 Lunch 29.35 Dinner 50.65	20.40	240.15

**TABLE 2 — Salary from \$126,971 to \$225,980**

Place	Accommodation	Food & drink	Incidentals	Daily Total
		Breakfast 31.25 Lunch 44.25 Dinner 61.95 (total 137.45)		
Adelaide	208	as above	29.20	374.65
Brisbane	257	as above	29.20	423.65
Canberra	246	as above	29.20	412.65
Darwin	293	as above	29.20	459.65
Hobart	196	as above	29.20	365.65
Melbourne	228	as above	29.20	394.65
Perth	245	as above	29.20	411.65
Sydney	251	as above	29.20	417.65
High cost country centres	See Table 4	as above	29.20	Variable
Tier 2 country centres (see Table 5)	152	Breakfast 28.70 Lunch 29.35 Dinner 57.20	29.20	296.45
Other country centres	136	Breakfast 28.70 Lunch 29.35 Dinner 57.20	29.20	280.45

**TABLE 3 — Salary \$225,981 and above**

Place	Accommodation	Food & drink	Incidentals	Total
		Breakfast 36.80 Lunch 52.20 Dinner 73.10 (total 162.10)		
Adelaide	209	as above	29.20	400.30
Brisbane	257	as above	29.20	448.30
Canberra	246	as above	29.20	437.30
Darwin	293	as above	29.20	484.30
Hobart	196	as above	29.20	387.30
Melbourne	265	as above	29.20	456.30
Perth	265	as above	29.20	456.30

Place	Accommodation	Food & drink	Incidentals	Total
Sydney	265	as above	29.20	456.30
All country centres	\$195, or the relevant amount in Table 4 if higher	as above	29.20	Variable

**TABLE 4 — High cost country centres — accommodation component**

Country centre	\$	Country centre	\$
Albany (WA)	179	Kalgoorlie (WA)	172
Alice Springs (NT)	150	Karratha (WA)	215
Ballarat (VIC)	151	Katherine (NT)	158
Bathurst (NSW)	135	Kununurra (WA)	204
Bega (NSW)	145	Launceston (TAS)	141
Benalla (VIC)	140	Mackay (QLD)	161
Bendigo (VIC)	138	Maitland (NSW)	152
Bordertown (SA)	149	Mount Gambier (SA)	140
Bourke (NSW)	165	Mount Isa (QLD)	160
Bright (VIC)	165	Mudgee (NSW)	150
Broken Hill (NSW)	144	Muswellbrook (NSW)	148
Broome (WA)	220	Newcastle (NSW)	174
Bunbury (WA)	155	Newman (WA)	170
Burnie (Tas)	164	Nhulunbuy (NT)	222
Cairns (QLD)	153	Norfolk Island (NSW)	190
Carnarvon (WA)	156	Northam (WA)	143
Castlemaine (VIC)	146	Orange (NSW)	155
Chinchilla (QLD)	143	Port Hedland (WA)	175
Christmas Island (WA)	190	Port Lincoln (SA)	170
Cocos (Keeling) Islands (WA)	319	Port Macquarie (NSW)	161
Coffs Harbour (NSW)	140	Port Pirie (SA)	150
Colac (VIC)	138	Queanbeyan (NSW)	139
Dalby (QLD)	164	Queenstown (TAS)	136
Dampier (WA)	175	Roma (QLD)	139
Derby (WA)	170	Shepparton (VIC)	148
Devonport (TAS)	158	Swan Hill (VIC)	136
Emerald (QLD)	156	Tennant Creek (NT)	146
Esperance (WA)	160	Toowoomba (QLD)	144

Country centre	\$	Country centre	\$
Exmouth (WA)	190	Thursday Island (QLD)	200
Geraldton (WA)	165	Townsville (QLD)	143
Gladstone (QLD)	155	Wagga Wagga (NSW)	144
Gold Coast (QLD)	209	Wangaratta (VIC)	142
Gosford (NSW)	140	Weipa (QLD)	138
Halls Creek (WA)	170	Whyalla (SA)	145
Hervey Bay (QLD)	157	Wilpena-Pound (SA)	193
Horn Island (QLD)	200	Wollongong (NSW)	155
Horsham (VIC)	152	Wonthaggi (VIC)	150
Jabiru (NT)	216	Yulara (NT)	420

**TABLE 5 — Tier 2 country centres**

Country centre	Country centre
Albury (NSW)	Hamilton (VIC)
Ararat (VIC)	Innisfail (QLD)
Armidale (NSW)	Kadina (SA)
Ayr (QLD)	Kingaroy (QLD)
Bairnsdale (VIC)	Lismore (NSW)
Bundaberg (QLD)	Mildura (VIC)
Ceduna (SA)	Naracoorte (SA)
Charters Towers (QLD)	Nowra (NSW)
Cobar (NSW)	Port Augusta (SA)
Cooma (NSW)	Portland (VIC)
Cowra (NSW)	Renmark (SA)
Dubbo (NSW)	Rockhampton (QLD)
Echuca (VIC)	Sale (VIC)
Geelong (VIC)	Seymour (VIC)
Goulburn (NSW)	Tamworth (NSW)
Grafton (NSW)	Tumut (NSW)
Griffith (NSW)	Warrnambool (VIC)
Gunnedah (NSW)	Wodonga (VIC)



## Foreign exchange rates

Country	2023–24 financial year		2022–23 financial year		2021–22 financial year	
	Average	Year end	Average	Year end	Average	Year end
Canada	N/A	N/A	N/A	N/A	0.9184	0.8885
China	4.7374	4.8143	4.6826	4.8079	4.6849	4.6122
Europe	0.6061	0.6196	0.6439	0.6099	0.6440	0.6589
Hong Kong	5.1259	5.1711	5.2775	5.1951	5.6645	5.4058
India	54.4744	55.29	54.9312	54.4000	54.6773	54.3700
Indonesia	10267.808	10863	10201.7240	9,940.0000	10,442.5020	10,253.00
Japan	97.7584	106.61	92.4880	95.9200	85.1057	93.9500
Malaysia	3.0783	3.1272	3.0252	3.1022	3.0698	3.0353
New Zealand	1.081	1.0927	1.0928	1.0883	1.0666	1.1088
PNG	N/A	N/A	N/A	N/A	2.5499	2.4257
Philippines	37.0152	38.87	N/A	36.6700	N/A	N/A
Singapore	0.8839	0.8997	0.9187	0.8986	0.9869	0.9584
South Korea	874.1556	913.44	890.2842	874.2100	871.8155	895.1200
Switzerland	N/A	N/A	0.6322	0.5957	0.6764	0.6573
Taiwan	20.8653	21.5	20.6747	20.6300	20.5205	20.4900
Thailand	23.4596	24.42	23.7675	23.6200	24.2649	24.3200
UK	0.5206	0.5244	0.5597	0.5250	0.5455	0.5671
USA	0.6556	0.6624	0.6734	0.6630	0.7258	0.6889
Vietnam	16093.692	16855	15,961.9320	15,636.0000	16,603.8127	16,041.0000

## International agreements

### ► Double Tax Agreements

Countries that have Double Tax Agreements with Australia				
1. Argentina	14. Hungary	26. Mexico	38. Spain	
2. Austria	15. Iceland <sup>102</sup>	27. Netherlands	39. Sri Lanka	
3. Belgium	16. India	28. New Zealand	40. Sweden	
4. Canada	17. Indonesia	29. Norway	41. Switzerland	
5. Chile	18. Ireland	30. Papua New Guinea	42. Taiwan	
6. China	19. Israel	31. Philippines	43. Thailand	
7. Czech Republic	20. Italy	32. Poland	44. Turkey	
8. Denmark	21. Japan	33. Romania	45. United Kingdom	
9. Fiji	22. Kiribati	34. Russia	46. United States	
10. Finland	23. Korea (Republic of)	35. Singapore	47. Vietnam	
11. France	24. Malaysia	36. Slovakia		
12. Germany	25. Malta	37. South Africa		
13. Greece <sup>101</sup>				

### ► Tax Information Exchange Agreements

The following countries currently have a TIEA with Australia or were specifically listed in the *Taxation Administration Amendment Regulations 2008 (No. 2)*:

Countries that have Tax Information Exchange Agreements with Australia			
Andorra	Brunei	Isle of Man*	Netherlands Antilles
Anguilla	The Cayman Islands	Jersey*	Samoa*
Antigua and Barbuda	Cook Islands*	Liberia	San Marino
Aruba*	Costa Rica	Liechtenstein	St Kitts and Nevis
The Bahamas	Dominica	Macao	St Lucia
Bahrain	Gibraltar	Marshall Islands*	St Vincent/ Grenadines
Belize	Grenada	Mauritius*	Turks/ Caicos Islands
Bermuda	Guatemala	Monaco	Uruguay
	Guernsey*	Montserrat	Vanuatu

<sup>101</sup> Australia has not signed a comprehensive agreement with Greece; however it has concluded a separate airline profits agreement which provides for each country to exempt from tax income derived by an enterprise of the other country from its international air transport operations.

<sup>102</sup> Australia's treaty with Iceland was signed on 12 October 2022. *Treasury Laws Amendment (Refining and Improving Our Tax System) Bill 2023* received Royal Assent on 28 June 2023 as Act No. 40 of 2023, which gives force of law to the Convention. The Treaty was entered into force on 8 November 2023. The treaty's tax rates will apply from 2024 to withholding rates on the relevant Australian income earned from 1 January, fringe benefits provided from 1 April and to any other Australian taxes on income earned from 1 July. In Iceland it will take effect from 1 January 2024.

Countries that have Tax Information Exchange Agreements with Australia			
British Virgin Islands* <sup>103</sup>			

\* Australia has concluded a separate agreement with these countries to allocate taxing rights with respect to certain income of individuals and to establish a mutual agreement procedure in respect of transfer pricing

### ► Information exchange countries - reduced MIT withholding

Under the managed investment trust (MIT) withholding regime, non-resident investors are generally subject to a final withholding tax at a **reduced rate of 15 per cent** — instead of the default rate of 30 per cent — on payments from the MIT, if the address or place of payment of the recipient is in an 'information exchange country'.<sup>104</sup>

Each of the following jurisdictions is an 'information exchange country' for the purposes of the reduced MIT withholding rate, with effect from the date specified in the table:

Country or Territory	Applicable to MIT payments made on or after ...
Argentina, Bermuda, Canada, China, Czech Republic, Denmark, Fiji, Finland, France, Germany, Hungary, India, Indonesia, Ireland, Italy, Japan, Kiribati, Malta, Mexico, Netherlands, Netherlands Antilles, New Zealand, Norway, Papua New Guinea, Poland, Romania, Russia, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Taipei, Thailand, UK, USA, Vietnam	1 July 2008
Antigua and Barbuda, British Virgin Islands, Isle of Man, Jersey	1 July 2010
Gibraltar, Guernsey	1 January 2011
Belize, Cayman Islands, The Bahamas, Principality of Monaco, San Marino, Singapore, Saint Kitts and Nevis, Saint Vincent and the Grenadines	1 July 2011
Anguilla, Aruba, Belgium, Malaysia, Turks and Caicos Islands	1 January 2012
Cook Islands, Macau, Mauritius, Republic of Korea	1 July 2012
Albania, Andorra, Austria, Azerbaijan, Bahrain, Barbados, Brazil, Brunei, Bulgaria, Cameroon, Chile, Colombia, Costa Rica, Croatia, Cyprus, Dominica, Estonia, Faroe Islands, Georgia, Ghana, Greece, Greenland, Grenada, Guatemala, Iceland, Israel, Kazakhstan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Moldova, Montserrat, Nigeria, Niue, Philippines, Portugal, Samoa, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sint Maarten, Slovenia, Switzerland, Tunisia, Turkey, Uganda, Ukraine, Uruguay, Vanuatu	1 January 2019

<sup>103</sup> Australia has not signed a comprehensive agreement with the British Virgin Islands; however it has concluded a separate agreement to allocate taxing rights with respect to certain income of individuals.

<sup>104</sup> Per s. 12-385(4) of Schedule 1 to the TAA and reg. 34 of the *Taxation Administration Regulations 2017*.

Country or Territory	Applicable to MIT payments made on or after ...
Curaçao, Lebanon, Nauru, Pakistan, Panama, Peru, Qatar, United Arab Emirates	1 January 2020
Dominican Republic, Ecuador, El Salvador, Hong Kong, Jamaica, Kuwait, Morocco, Republic of North Macedonia, Serbia	1 July 2021
Armenia, Cabo Verde, Kenya, Mongolia, Montenegro, and Oman	1 January 2022

## Foreign resident capital gains withholding

The foreign resident capital gains withholding (FRCGW) measures<sup>105</sup> impose a non-final withholding obligation on the purchaser of certain Australian real property and related interests where the property is acquired from a foreign resident vendor.<sup>106</sup>

However, a FRCGW obligation does not arise if the market value of the CGT asset is less than the relevant threshold, and the CGT asset is:

- taxable Australian real property, or
- an indirect taxable Australian real property interest, the holding of which causes a company title interest to arise.<sup>107</sup>

Year	Rate <sup>108</sup>	Threshold
From 1 July 2017	12.5%	\$750,000
1 July 2016 to 30 June 2017	10%	\$2 million

## Simplified transfer pricing record keeping

### ► Low-level outbound loans - minimum interest rate

From 1 July 2015<sup>109</sup>, taxpayers with a combined cross-border loan balance of \$50 million or less for their Australian economic group at all times throughout a particular financial year may choose a simplified transfer pricing record keeping option for their outbound loans (Option 7 in PCG 2017/2<sup>110</sup>), provided that the taxpayer has assessed its compliance with the transfer pricing rules.

<sup>105</sup> Contained in Subdiv 14-D of Schedule 1 to the TAA.

<sup>106</sup> Under s. 14-200(1) of Schedule 1 to the TAA, the CGT asset must be taxable Australian real property; an indirect Australian real property interest; or an option or right to acquire these types of property or interests.

<sup>107</sup> Section 14-215(1)(a) of Schedule 1 to the TAA.

<sup>108</sup> The amount that the purchaser is required to withhold is calculated by multiplying the rate by the first element of the cost base of the CGT asset (generally the asset's purchase price) — s. 14-200(3) of Schedule 1 to the TAA.

<sup>109</sup> Or 1 January 2015 for taxpayers with a 31 December substituted accounting period.

<sup>110</sup> PCG 2017/2: *Simplified Transfer Pricing Record Keeping Options*. Note that Option 7 does not reduce the documentation requirements for: inbound related-party interest-bearing loans (and associated charges), other international related-party financial transactions (e.g. guarantees), nor other international related-party dealings.

Subject to certain other conditions being met<sup>111</sup>, the interest rate payable to the taxpayer on each of its outbound loans must be no less than that set out in the table below, for each of the income years in which the loan is in effect:

Income year	Minimum interest rate on outbound loans
2023–24	5.81%
2022–23	5.65%
2021–22	1.83%
2020–21	1.79%
2019–20	2.33%
2018–19	3.76%

### ► Low-level inbound loans - maximum interest rate

From 1 July 2013, taxpayers with a combined cross-border loan balance of \$50 million or less for their Australian economic group at all times throughout a particular financial year may choose a simplified transfer pricing record keeping option for their inbound loans (Option 4 in PCG 2017/2), provided that the taxpayer has assessed its compliance with the transfer pricing rules.

Prior to income years commencing on or after 1 July 2018 (or equivalent SAP), the maximum interest rate was the RBA indicator lending rate for ‘small business; variable; residential-secured term’.

For income years commencing on or after 1 July 2018 (or equivalent SAP), the maximum interest rate is as follows:

Income year	Maximum interest rate on outbound loans
2023–24	5.81%
2022–23	5.65%
2021–22	1.83%
2020–21	1.79%
2019–20	2.33%
2018–19	3.76%

<sup>111</sup> To qualify for Option 7, the following additional conditions must also be met: the funds actually provided by the taxpayer under the loan must be AUD funds, associated expenses must be paid in AUD, and the taxpayer must not have made sustained losses, nor undergone a restructure within the year.

# Superannuation data

## Superannuation guarantee

### ► Rate of superannuation guarantee charge (SG Charge)

The *Superannuation Guarantee (Administration) Amendment Act 2012*<sup>112</sup> amended the *Superannuation Guarantee (Administration) Act 1992 (SGA Act)* to increase the SGC percentage as follows<sup>113</sup>:

Income year	Legislated charge percentage (%)
2025–26	12.0
2024–25	11.5
2023–24	11.0
2022–23	10.5
2021–22	10.0
2020–21	9.5
2019–20	9.5



### Important — Pausing the SG rate

The *Minerals Resource Rent Tax Repeal and Other Measures Act 2014*, which received Royal Assent on 5 September 2014 as Act No. 96 of 2014, paused the SG rate at 9.5 per cent for income years up to and including 2020–21. Thereafter, the SG rate will increase by half a percentage point each year until it reaches 12 per cent on 1 July 2025.

### ► Maximum contributions base

Income year	Max. contribution base Per quarter (per year)	Max. amount of contribution for year
2024–25	<b>\$65,070</b> (\$260,280 p.a.)	\$29,932 <sup>114</sup>
2023–24	<b>\$62,270</b> (\$249,080 p.a.)	\$27,399 <sup>115</sup>
2022–23	<b>\$60,220</b> (\$240,880 p.a.)	\$25,292 <sup>116</sup>

<sup>112</sup> This Act received Royal Assent on 29 March 2012 as Act No. 22 of 2012.

<sup>113</sup> See s. 19(2) of the *SGA Act*.

<sup>114</sup> Based on an SG rate of 11.5% applicable from 1 July 2024.

<sup>115</sup> Based on an SG rate of 11.0% applicable from 1 July 2023.

<sup>116</sup> Based on an SG rate of 10.5% applicable from 1 July 2022.

Income year	Max. contribution base Per quarter (per year)	Max. amount of contribution for year
2021–22	\$58,920 (\$235,680 p.a.)	\$23,568 <sup>117</sup>
2020–21	\$57,090 (\$228,360 p.a.)	\$21,694 <sup>118</sup>

## Departing Australia superannuation payment (DASP) rates

Temporary residents, including working holiday makers (WHMs), who work in Australia and have superannuation contributions paid by their employer, are entitled to claim their superannuation benefits once they leave Australia and their visa expires or is cancelled.

This payment is called a departing Australia superannuation payment (DASP). The rates of tax applied to the DASP depend upon the make-up of the payment. The DASP tax rate for WHMs increased from 1 July 2017.<sup>119</sup>

Component of DASP	Rate for WHMs (from 1 July 2017)
<b>Ordinary element</b>	
Taxed element	65%
Untaxed element	65%
<b>Payment that is a roll-over superannuation benefit</b>	
The amount of the element that is not an excess untaxed roll-over amount	65%

## Contributions caps

The general contributions caps are summarised in the following table:

Income year	General concessional cap	Temporary concessional cap	Non-concessional cap <sup>120</sup>
2024–25	\$30,000	N/A	\$120,000 / \$360,000
2023–24	\$27,500	N/A	\$110,000 / \$330,000

<sup>117</sup> Based on an SG rate of 10.0% applicable from 1 July 2021.

<sup>118</sup> Based on an SG rate of 9.5% applicable from 1 July 2020.

<sup>119</sup> The *Superannuation (Departing Australia Superannuation Payments Tax) Amendment Act (No. 2) 2016* — which formed part of the Government's package of amendments concerning WHMs — received Royal Assent on 2 December 2016 as Act No. 94 of 2016. The Act superseded the *Superannuation (Departing Australia Superannuation Payments Tax) Amendment Act 2016* — which received Royal Assent on the same day — and reflected the Government's original intent to increase the DASP rate for WHMs to 95 per cent.

<sup>120</sup> The bring-forward rules allow you (if eligible) to make non-concessional contributions of up to three times the annual contributions cap in a single year (3 x \$120,000 = \$360,000 in 2024–25).

Income year	General concessional cap	Temporary concessional cap	Non-concessional cap <sup>120</sup>
2022–23	\$27,500	N/A	\$110,000 / \$330,000
2021–22	\$27,500	N/A	\$110,000 / \$330,000
2020–21	\$25,000	N/A	\$100,000 / \$300,000



### Important — Super Guarantee opt-out where multiple employers

For quarters starting on or after 1 July 2018, high-income employees with multiple employers can opt-out of the Super Guarantee regime from some of their employers to avoid unintentionally breaching the concessional contributions cap. Eligible employees will be able to apply to the ATO for an ‘employer shortfall exemption certificate’, the effect of which will be that an employer’s maximum contribution base is nil in relation to the employee for the quarter to which the certificate relates.<sup>121</sup>

### ► Contribution limits - 2024–25 income year

Item	Threshold	Application
Concessional contributions cap amount	\$30,000	Maximum amount of concessional contributions that receive concessional treatment (taxed at 15%).
Non-concessional contributions cap amount	<b>\$120,000</b> per person / <b>\$240,000</b> or <b>\$360,000</b> per person under the ‘bring forward’ <sup>122</sup> rule	Maximum amount of non-concessional contributions that may be made without being subject to tax — provided individual has a total superannuation balance of less than \$1.7 million
CGT cap amount	Lifetime limit of <b>\$1,780,000</b> per person	Maximum amount of contributions derived from the disposal of certain small business assets that are excluded from the non-concessional contributions cap
Low rate cap amount	Lifetime limit of <b>\$245,000</b> per person	Maximum amount of superannuation lump sum payments being an element taxed in the fund that receive concessional treatment
Untaxed plan cap amount	‘Per plan’ limit of <b>\$1,780,000</b> per person	Maximum amount of superannuation lump sum payments being an element untaxed in the fund that receive concessional treatment

<sup>121</sup> This amendment was introduced by the *Treasury Laws Amendment (2018 Superannuation Measures No 1) Act 2019* which received Royal Assent on 2 October 2019 as Act No. 78 of 2019.

<sup>122</sup> Eligibility for the bring-forward arrangement depends on a members age and total super balance on 30 June of the previous year.



Item	Threshold	Application
Transfer balance cap	<b>\$1,900,000</b> million	Maximum amount of capital that can be transferred to the retirement phase of superannuation.

► **Contribution limits - 2023–24 income year**

Item	Threshold	Application
Concessional contributions cap amount	\$27,500	Maximum amount of concessional contributions that receive concessional treatment (taxed at 15%).
Non-concessional contributions cap amount	<b>\$110,000</b> per person / <b>\$220,000</b> or <b>\$330,000</b> per person under the 'bring forward' <sup>123</sup> rule	Maximum amount of non-concessional contributions that may be made without being subject to tax — provided individual has a total superannuation balance of less than \$1.7 million
CGT cap amount	Lifetime limit of <b>\$1,705,000</b> per person	Maximum amount of contributions derived from the disposal of certain small business assets that are excluded from the non-concessional contributions cap
Low rate cap amount	Lifetime limit of <b>\$235,000</b> per person	Maximum amount of superannuation lump sum payments being an element taxed in the fund that receive concessional treatment
Untaxed plan cap amount	'Per plan' limit of <b>\$1,705,000</b> per person	Maximum amount of superannuation lump sum payments being an element untaxed in the fund that receive concessional treatment
Transfer balance cap	<b>\$1,900,000</b> million	Maximum amount of capital that can be transferred to the retirement phase of superannuation.

<sup>123</sup> Eligibility for the bring-forward arrangement depend on a members age and total super balance on 30 June of the previous year.

► **Contribution limits - 2022–23 income year**

Item	Threshold	Application
Concessional contributions cap amount	\$27,500	Maximum amount of concessional contributions that receive concessional treatment (taxed at 15%).
Non-concessional contributions cap amount	<b>\$110,000</b> per person / <b>\$220,000</b> or <b>\$330,000</b> per person under the 'bring forward' rule	Maximum amount of non-concessional contributions that may be made without being subject to tax — provided individual has a total superannuation balance of less than \$1.7 million
CGT cap amount	Lifetime limit of <b>\$1,650,000</b> per person	Maximum amount of contributions derived from the disposal of certain small business assets that are excluded from the non-concessional contributions cap
Low rate cap amount	Lifetime limit of <b>\$230,000</b> per person	Maximum amount of superannuation lump sum payments being an element taxed in the fund that receive concessional treatment
Untaxed plan cap amount	'Per plan' limit of <b>\$1,650,000</b> per person	Maximum amount of superannuation lump sum payments being an element untaxed in the fund that receive concessional treatment
Transfer balance cap	\$1.7 million	Maximum amount of capital that can be transferred to the retirement phase of superannuation.

► **Contribution limits - 2021–22 income year**

Item	Threshold	Application
Concessional contributions cap amount	\$27,500	Maximum amount of concessional contributions that receive concessional treatment (taxed at 15%).
Non-concessional contributions cap amount	<b>\$110,000</b> per person / <b>\$220,000</b> or <b>\$330,000</b> per person under the 'bring forward' rule	Maximum amount of non-concessional contributions that may be made without being subject to tax — provided individual has a total superannuation balance of less than \$1.7 million
CGT cap amount	Lifetime limit of <b>\$1,615,000</b> per person	Maximum amount of contributions derived from the disposal of certain small business assets that are excluded from the non-concessional contributions cap
Low rate cap amount	Lifetime limit of <b>\$225,000</b> per person	Maximum amount of superannuation lump sum payments being an element taxed in the fund that receive concessional treatment
Untaxed plan cap amount	'Per plan' limit of <b>\$1,615,000</b> per person	Maximum amount of superannuation lump sum payments being an element untaxed in the fund that receive concessional treatment
Transfer balance cap	\$1.7 million	Maximum amount of capital that can be transferred to the retirement phase of superannuation.

► **Contribution limits - 2020–21 income year**

Item	Threshold	Application
Concessional contributions cap amount	\$25,000	Maximum amount of concessional contributions that receive concessional treatment (taxed at 15%).
Non-concessional contributions cap amount	<b>\$100,000</b> per person / <b>\$200,000</b> or <b>\$300,000</b> per person under the 'bring forward' rule	Maximum amount of non-concessional contributions that may be made without being subject to tax — provided individual has a total superannuation balance of less than \$1.6 million
CGT cap amount	Lifetime limit of <b>\$1,565,000</b> per person	Maximum amount of contributions derived from the disposal of certain small business assets that are excluded from the non-concessional contributions cap

Item	Threshold	Application
Low rate cap amount	Lifetime limit of <b>\$215,000</b> per person	Maximum amount of superannuation lump sum payments being an element taxed in the fund that receive concessional treatment
Untaxed plan cap amount	'Per plan' limit of <b>\$1,565,000</b> per person	Maximum amount of superannuation lump sum payments being an element untaxed in the fund that receive concessional treatment
Transfer balance cap	\$1.6 million <sup>124</sup>	Maximum amount of capital that can be transferred to the retirement phase of superannuation.

### ► Restrictions on superannuation funds accepting member contributions

A regulated superannuation fund may accept mandated employer contributions — i.e. contributions that an employer is obliged by law to make e.g. the superannuation guarantee — for an employee regardless of the employee's age.

A regulated superannuation fund is restricted from accepting member contributions in respect of a member who does not satisfy an age test or the 'work test'. The work test has been removed from the acceptance rules for SMSFs in respect of contributions made on or after 1 July 2022.



#### Note — The work test

To meet the work test, an individual must be gainfully employed for at least 40 hours during any consecutive 30-day period in the financial year in which the contributions are made. This is an annual test. This means once the test is met, an individual can make contributions for the entire financial year.

The eligibility age for downsizer contributions was reduced from 65 to 60 years and then further reduced to 55 years. Contributions made on or after 1 January 2023

<sup>124</sup> Indexation of the general transfer balance cap will occur on 1 Jul 2021. Once indexation occurs, there will be no single transfer balance cap which applies to all individuals: an individual who starts their first retirement phase income stream on or after indexation, will have a transfer balance cap of \$1.7 million; an individual who already had a transfer balance account and who at any time met or exceeded the \$1.6 million transfer balance cap will not be entitled to indexation and their personal transfer balance cap will remain at \$1.6 million; for every other individual, their entitlement to indexation will be based on identifying the highest ever balance in their transfer balance account and using this information to calculate the proportional increase in their transfer balance cap and applying that new personal transfer balance cap to their affairs going forward. These individuals will have a personal transfer balance cap somewhere between \$1.6 million and \$1.7 million.

Age	The fund may accept contributions made in respect of the member which are ... <sup>125</sup>
Under 55 years	Mandated employer contributions Voluntary contributions.
55—74 years	Mandated employer contributions Voluntary contributions Downsizer contributions <sup>126</sup>
75 years or older	Mandated employer contributions Downsizer contributions.

### Contributions made on or after 1 July 2022

From 1 July 2022, the work test that applied to non-concessional and salary sacrifice contributions no longer applies.<sup>127</sup>

Age	The fund may accept contributions made in respect of the member which are... <sup>128</sup>
Under 60 years	Mandated employer contributions Voluntary contributions. <sup>129</sup>
60 — 74 years	Mandated employer contributions Voluntary contributions Downsizer contributions. <sup>130</sup>
75 years or older	Mandated employer contributions Downsizer contributions.

<sup>125</sup> Adapted from the table contained in Regulation 7.04(1) *Superannuation Industry (Supervision) Regulations 1994*.

<sup>126</sup> The *Treasury Laws Amendment (2022 Measures No 2) Bill 2022* received Royal Assent as Act No. 84 of 2022 on 12 December 2022, together with the *Superannuation Legislation Amendment (Broadening Contribution Rules) Regulations 2022*, further reduced the eligibility age for downsizer contributions for individuals to 55 years.

<sup>127</sup> The work test was repealed by the *Treasury Laws Amendment (Enhancing Superannuation Outcomes) Regulations 2022* which was registered on 3 March 2022. The work test has been removed from reg. 7.04 in the *Superannuation Industry (Supervision) Regulations 1994* (about acceptance of contributions — regulated funds) and the *Treasury Laws Amendment (Enhancing Superannuation Outcomes For Australians and Helping Australian Businesses Invest) Act 2022* inserted s. 290-165(1A) (about the work test condition for ages 67 to 75) into the *ITAA 1997*. The effect of these changes is to make the work test a condition applicable to individuals aged between 67 and 75 for claiming a deduction for personal concessional contributions.

<sup>128</sup> Adapted from the table contained in Regulation 7.04(1) *Superannuation Industry (Supervision) Regulations 1994*.

<sup>129</sup> Excluding downsizer contributions.

<sup>130</sup> The *Treasury Laws Amendment (Enhancing Superannuation Outcomes and Helping Australian Businesses Invest) Act 2022* reduced the eligibility age for downsizer contributions for individuals from 65 to 60 years. The *Treasury Laws Amendment (Enhancing Superannuation Outcomes) Regulations 2022* amended the *SIS Regs* to allow superannuation trustees to accept such contributions.

## Acceptance rules for contributions made before 1 July 2022

A fund can accept contributions made before 1 July 2022 for members who satisfy the following age-related conditions and the gainfully employed test.<sup>131</sup>

		Work test or exemption from work test <sup>132</sup>	
Age	Income year	Satisfied	Not satisfied
Under 65 years	2004–05 onwards	All contributions can be accepted, except downsizer contributions.	
65 –66 years	2004–05 to 2019–20	All contributions can be accepted	Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> </ul>
	2020–21 onwards		Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> <li>➤ Voluntary contributions</li> </ul>
67 –69 years	2004–05 to 2021–22	All contributions can be accepted	Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> </ul>
70 – 74 years	2004–05 to 2019–20	Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> <li>➤ personal contributions &amp; other non-mandated contributions received, on or before 28 days after the end of the month in which the member turns 75 years old</li> </ul>	Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> </ul>

<sup>131</sup> Adapted from the table at: [www.ato.gov.au/Super/Self-managed-super-funds/In-detail/SMSF-resources/SMSF-technical/Returning-contributions/?page=2#Age\\_restrictions\\_on\\_contributions](http://www.ato.gov.au/Super/Self-managed-super-funds/In-detail/SMSF-resources/SMSF-technical/Returning-contributions/?page=2#Age_restrictions_on_contributions)

<sup>132</sup> Under the work test exemption an SMSF can accept voluntary contributions for an additional 12-month period for the end of the financial year in which the member last met the work test. The work test exemption for the 2019–20 income year is available to a member aged between 65–74 years with a total superannuation balance of less than \$300,000. For the 2020–21 and 2021–22 income years members aged 67 to 74 years may be eligible if their superannuation balance is less than \$300,000. The member must not have relied on the exemption in a previous year.

		Work test or exemption from work test <sup>132</sup>	
Age	Income year	Satisfied	Not satisfied
	2020–21 to 2021–22	Can accept only: <ul style="list-style-type: none"> <li>➤ contributions as listed above for 70–74 years</li> <li>➤ spouse contributions</li> </ul>	
75 years or older	2004–05 onwards	Can accept only: <ul style="list-style-type: none"> <li>➤ Mandated employer contributions</li> <li>➤ Downsizer contributions</li> </ul>	

### ▶ Unused concessional cap carry forward

From the 2019–20 income year additional concessional superannuation contributions can be made by utilising unused concessional contribution cap amounts from the prior year. From 1 July 2021, unused concessional contribution cap amounts for the years ended 30 June 2019 and 2020 may be utilised. This will progressively increase to five years of unused cap amounts that are able to be rolled forward. This measure is available provided that the individual's total superannuation balance is below \$500,000 just before the start of the year in which the additional contribution is made.

### ▶ Transfer balance cap indexation

A transfer balance cap of \$1.6 million, subject to indexation, was introduced from 1 July 2017. It increased to \$1.7 million from 1 July 2021 after which a single cap will no longer apply to all taxpayers. Every taxpayer will have their own transfer balance cap of between \$1.6 million and \$1.7 million, depending on when they commenced the retirement phase income stream and their respective balances. The changes in the transfer balance cap amounts are summarised in the table below.

Balance of transfer balance account before indexation	Transfer balance cap if retirement phase income stream commenced ...		
	Before 1 July 2021 <sup>133</sup>	Between 1 July 2021 to 30 June 2023 <sup>134</sup>	On or after 1 July 2023
\$1.6 million or more at any time between 1 July 2017 and 30 June 2021.	\$1.6 million — no indexation applies		\$1.9 million
\$1.7 million or more at any time between 1 July 2021 and 30 June 2023		\$1.7 million — no indexation applies	

<sup>133</sup> Taxpayers can see their highest ever balance in their transfer balance account. They can also see whether their personal transfer balance cap will be proportionally indexed.

<sup>134</sup> From 1 July 2021, taxpayers will be able to see their personal transfer balance cap in ATO online.

Balance of transfer balance account before indexation	Transfer balance cap if retirement phase income stream commenced ...		
	Before 1 July 2021 <sup>133</sup>	Between 1 July 2021 to 30 June 2023 <sup>134</sup>	On or after 1 July 2023
In all other cases — based on the highest balance of an individual's transfer balance account — provided the full amount of transfer balance cap has never been used.	between \$1.6 million and \$1.7 million — i.e. proportional indexation applies	between \$1.7 million and \$1.9 million — i.e. proportional indexation applies	

### Calculating the indexation amount

Where the full amount of a transfer balance cap has not been used, it will be proportionally indexed based on the highest ever balance of the transfer balance account. This is calculated by:

Step 1	Identify the highest ever balance in the transfer balance account
Step 2	Use the amount identified in Step 1 to work out the unused cap percentage of the transfer balance account
	Multiply the unused cap percentage by \$100,000

The results of the calculation using the above steps will fall within the ranges summarised in the following tables.

### ► First retirement phase income stream entered into from 1 July 2023

Highest transfer balance was between:	Unused cap percentage will be between:	Transfer balance cap will increase between:	Transfer balance cap after indexation will be between:
\$0 — 169,999.99	100 — 91	\$200,000 — 181,000	\$1,900,000 — 1,881,000
\$170,000 — 339,999.99	90 — 81	\$180,000 — 161,000	\$1,880,000 — 1,861,000
\$340,000 — 509,999.99	80 — 71	\$160,000 — 141,000	\$1,860,000 — 1,841,000
\$510,000 — 679,999.99	70 — 61	\$140,000 — 121,000	\$1,840,000 — 1,821,000
\$680,000 — 849,999.99	60 — 51	\$120,000 — 101,000	\$1,820,000 — 1,801,000
\$850,000 — 1,019,999.99	50 — 41	\$100,000 — 81,000	\$1,800,000 — 1,781,000
\$1,020,000 — 1,189,999.99	40 — 31	\$80,000 — 61,000	\$1,780,000 — 1,761,000



Highest transfer balance was between:	Unused cap percentage will be between:	Transfer balance cap will increase between:	Transfer balance cap after indexation will be between:
\$1,190,000 — 1,359,999.99	30 — 21	\$60,000 — 41,000	\$1,760,000 — 1,741,000
\$1,360,000 — 1,529,999.99	20 — 11	\$40,000 — 21,000	\$1,740,000 — 1,721,000
\$1,530,000 — 1,699,999.99	10 — 1	\$20,000 — 1,000	\$1,720,000 — 1,701,000
\$1,700,000 or more	0	\$nil	\$1,700,000

► **First retirement phase income stream entered into between 1 July 2021 to 30 June 2023**

Highest transfer balance was between:	Unused cap percentage will be between:	Transfer balance cap will increase between:	Transfer balance cap after indexation will be between:
\$0.00 — \$159,999.99	100 — 91	\$100,000 — \$91,000	\$1,700,000 — \$1,691,000
\$160,000 — \$319,999.99	90 — 81	\$90,000 — \$81,000	\$1,690,000 — \$1,681,000
\$320,000 — \$479,999.99	80 — 71	\$80,000 — \$71,000	\$1,680,000 — \$1,671,000
\$480,000 — \$639,999.99	70 — 61	\$70,000 — \$61,000	\$1,670,000 — \$1,661,000
\$640,000 — \$799,999.99	60 — 51	\$60,000 — \$51,000	\$1,660,000 — \$1,651,000
\$800,000 — \$959,999.99	50 — 41	\$50,000 — \$41,000	\$1,650,000 — \$1,641,000
\$960,000 — \$1,119,999.99	40 — 31	\$40,000 — \$31,000	\$1,640,000 — \$1,631,000
\$1,120,000 — \$1,279,999.99	30 — 21	\$30,000 — \$21,000	\$1,630,000 — \$1,621,000
\$1,280,000 — \$1,439,999.99	20 — 11	\$20,000 — \$11,000	\$1,620,000 — \$1,611,000
\$1,440,000 — \$1,599,999.99	10 — 1	\$10,000 — \$1,000	\$1,610,000 — \$1,601,000
\$1,600,000 or more	0	nil	\$1,600,000

► **Division 293 tax**

The purpose of Div 293 tax which applies to certain superannuation contributions made by high income earners is to reduce the concessional tax treatment of those contributions.

**Rate of Div 293 tax**

Div 293 tax is charged at **15 per cent** of an individual's taxable contributions.

## High income threshold

Income year	Threshold amount
2017–18 onwards	\$250,000
2012–13 to 2016–17	\$300,000

An individual's income is added to certain superannuation contributions and compared to the high income threshold. The Div 293 tax, at the rate of 15 per cent, is payable on the excess, or on the superannuation contributions (whichever is less).

The tax is not payable in respect of excess concessional contributions.

### ► Excess concessional contributions charge

The excess concessional contributions (ECC) charge is applied to the additional income tax liability arising as a result of ECCs being included in the individual's income tax return. The ECC charge is imposed by way of compensating the revenue for the tax being collected later than normal income tax. The charge is payable for the year a person makes ECCs and applies from the 2013–14 income year to the 2020–21 income year.<sup>135</sup>

The ECC charge is calculated by applying the applicable rate to the additional tax liability for the ECC charge period which starts from the start of the income year in which the ECCs were made and ends on the day before the tax is due to be paid under the individual's first tax assessment for that year. The ECC charge rates are as follows:

Quarter	Annual rate	Daily rate
July – September 2024	7.36%	0.020109289617486%
April – June 2024	7.34%	0.020054644808743%
January – March 2024	7.38%	0.020163934426230%
October – December 2023	7.15%	0.019589041095890%
July – September 2023	6.90%	0.018904109589041%
April – June 2023	6.46%	0.017698630136986%
January – March 2023	6.06%	0.016602739726027%
October – December 2022	5.31%	0.014547945205480%
July to September 2022	4.00%	0.010958904109589%
April to June 2022	3.07%	0.008410958904110%
January to March 2022	3.04%	0.008328767123288%

<sup>135</sup> The excess concessional contributions charge ceased from 1 July 2021. The *Superannuation (Excess Concessional Contributions Charge) Act 2013* was repealed by the *Treasury Laws Amendment (More Flexible Superannuation) Act 2020* which received Royal Assent on the 22 June 2021 as Act No. 45 of 2021.

Quarter	Annual rate	Daily rate
October to December 2021	3.01%	0.008246575342466%
July to September 2021	3.04%	0.008328767123288%
April to June 2021	3.01%	0.008246575342466%
January to March 2021	3.02%	0.008273972602739%
October to December 2020	3.10%	0.008469945355191%
July to September 2020	3.10%	0.008469945355191%

### ▶ Associated earnings rates

Individuals who choose to release non-concessional superannuation contributions made from 1 July 2013 which are in excess of the non-concessional contributions (NCC) cap for 2013–14 and later income years must also include an associated earnings amount in their assessable income.

The associated earnings amount is calculated to approximate the amount earned from the excess NCCs while they were held in the superannuation fund. The applicable rates are as follows:

Income year	Annual rate	Associated earnings rate / daily rate
2023–24	11.19%	0.03057377%
2022–23	9.46%	0.02591781%
2021–22	7.04%	0.01928767%
2020–21	7.06%	0.01934247%
2019–20	8.08%	0.02207650%

### ▶ Government co-contribution

Income year	Co-contribution rate and maximum amount	Full co-contribution	Phasing out
2024–25	50% (\$0.50 for \$1) Max. = \$500	Income threshold increased to \$45,400	3.333 cents per dollar Assessable income + reportable fringe benefits + reportable employer superannuation contributions \$45,400 – \$60,400

Income year	Co-contribution rate and maximum amount	Full co-contribution	Phasing out
2023–24	50% (\$0.50 for \$1) Max. = \$500	Income threshold increased to \$43,445	3.333 cents per dollar Assessable income + reportable fringe benefits + reportable employer superannuation contributions \$43,445 – \$58,445
2022–23	50% (\$0.50 for \$1) Max. = \$500	Income threshold increased to \$42,016	3.333 cents per dollar Assessable income + reportable fringe benefits + reportable employer superannuation contributions \$42,016 – \$57,016
2021–22	50% (\$0.50 for \$1) Max. = \$500	Income threshold increased to \$41,112	3.333 cents per dollar Assessable income + reportable fringe benefits + reportable employer superannuation contributions \$41,112 – \$56,112
2020–21	50% (\$0.50 for \$1) Max. = \$500	Income threshold increased to \$39,837	3.333 cents per dollar Assessable income + reportable fringe benefits + reportable employer superannuation contributions \$39,837 – \$54,837

### ► Superannuation contributions splitting

Superannuation contributions measures<sup>136</sup> commenced on 1 January 2006 and allow members of a superannuation fund to split their contributions with their spouse. The exact details of how the contributions-splitting regime operates are contained in regulations.

<sup>136</sup> The *Tax Laws Amendment (Superannuation Contributions Splitting) Act 2005* received Royal Assent on 14 December 2005 as Act No. 148 of 2005.

## Contributions made on or after 1 July 2007

Type of contributions	Maximum proportion of contribution which may be split with spouse
Taxed splittable contributions	The lesser of <ul style="list-style-type: none"> <li>▪ 85% of the concessional contributions</li> <li>▪ the concessional cap for that year</li> </ul>
Untaxed splittable employer contributions	100% of the concessional contributions cap for that income year

## Benefits and payments

### ► Minimum annual payments for superannuation income streams

A minimum amount is required to be paid each year for pensions or annuities started on or after 1 July 2007 (there is no maximum amount).

Age	2011–12 to 2012–13 income years (25% reduction)	2019–20 to 2022–23 income years (50% reduction) <sup>137</sup>	2023–24 income years onwards
Under 65 years	3.00%	2.0%	4%
65–74 years	3.75%	2.5%	5%
75–79 years	4.50%	3.0%	6%
80–84 years	5.25%	3.5%	7%
85–89 years	6.75%	4.5%	9%
90–94 years	8.25%	5.5%	11%
95 years or more	10.50%	7.0%	14%



### Note

The usual minimum percentage withdrawal operated from 1 July 2013 to 30 June 2019. From 1 July 2023, the 50 per cent reduction will not apply to calculate the minimum annual payment

<sup>137</sup> The temporary 50% reduction for the 2019–20 income years was enacted pursuant to the *Coronavirus Economic Response Package Omnibus Bill 2020* which received Royal Assent on 24 March 2020 as Act No. 22 of 2020. This was subsequently extended to the 2022–23 income year by the *Superannuation Legislation Amendment (Superannuation Drawdown) Regulations 2022* which were registered on 1 April 2022.

## ► Preservation age

Date of birth	Preservation age
Before 1 July 1960	55
1 July 1960 – 30 June 1961	56
1 July 1961 – 30 June 1962	57
1 July 1962 – 30 June 1963	58
1 July 1963 – 30 June 1964	59
On or after 1 July 1964	60

## ► Employment termination payments

### ETP cap – Life benefit termination payments

Income year	ETP cap amount
2024–25	\$245,000
2023–24	\$235,000
2022–23	\$230,000
2021–22	\$225,000
2020–21	\$215,000

### Summary of treatment of ETPs

The effective rates of tax<sup>138</sup> applicable *from 1 July 2014* to the components of an ETP for the purposes of Div 82 of the *ITAA 1997* are set out in the following tables:

Recipient's age	Tax free component	Taxable component <sup>139</sup>
Reached preservation age	0%	
<ul style="list-style-type: none"> <li>■ up to the ETP cap amount</li> <li>■ above the ETP cap amount</li> </ul>		17% <sup>139</sup> 47% <sup>140</sup>

<sup>138</sup> Where a tax rate greater than zero per cent applies, the Medicare levy is also payable.

<sup>139</sup> The rates for the taxable component include the Medicare levy.

Recipient's age	Tax free component	Taxable component <sup>139</sup>
Below preservation age <ul style="list-style-type: none"> <li>up to the ETP cap amount</li> <li>above the ETP cap amount</li> </ul>	0%	32% 47% <sup>140</sup>
Payment received by death benefit dependant <ul style="list-style-type: none"> <li>up to the ETP cap amount</li> <li>above the ETP cap amount</li> </ul>	0%	0% 47% <sup>140</sup>
Payment received by non-dependant <ul style="list-style-type: none"> <li>up to the ETP cap amount</li> <li>above the ETP cap amount</li> </ul>	0%	32% 47% <sup>140</sup>

### ► Genuine redundancy payments

The tax-free amounts of a genuine redundancy payment (formally referred to as a 'bona fide redundancy payment') or of an approved early retirement scheme payment are:

Income year	Tax-free amount
2024–25	\$12,524+ \$5,264 for each completed year of service
2023–24	\$11,985+ \$5,994 for each completed year of service
2022–23	\$11,591 + \$5,797 for each completed year of service
2021–22	\$11,341 + \$5,672 for each completed year of service
2020–21	\$10,989 + \$5,496 for each completed year of service



#### Note

Subdivision 83-C of the *ITAA 1997* has been amended to extend concessional taxation treatment for genuine redundancy payments and early retirement scheme payments to include payments made to individuals who are 65 years or older if they are dismissed or retire before they reach pension age.<sup>141</sup> This change applies to payments received by employees who are dismissed or retire on or after 1 July 2019.

<sup>140</sup> The rate applicable for income years from 1 July 2014 to 30 June 2017 included the 2 per cent Medicare levy and the 2 per cent Budget Repair Levy and was therefore 49 per cent.

<sup>141</sup> The *Treasury Laws Amendment (2019 Measures No. 2) Act 2019* which received Royal Assent on 28 October 2019 amended, among other things, the definitions of 'genuine redundancy payment' and 'early retirement scheme payment' by replacing the references to 'turning 65' with 'pension age'.

## ► Unused leave payments

### Annual leave

(Subdiv 83-A of the *ITAA 1997*<sup>142</sup>)

Type of payment	% that is assessable	Tax treatment
For that part of an unused annual leave payment that is made in connection with, or consists of a payment in relation to: <ul style="list-style-type: none"> <li>▪ a genuine redundancy payment</li> <li>▪ early retirement scheme payment</li> <li>▪ the individual's invalidity, or</li> <li>▪ pre-18 August 1993 employment ...</li> </ul>	100%	... the person is entitled to an offset to ensure that the maximum rate of tax payable does not exceed <b>30%</b> (plus Medicare levy).
For the remainder of the payment ...	100%	... the amount is subject to tax at marginal tax rates.

### Long service leave

(Subdiv 83-B of the *ITAA 1997*<sup>143</sup>)

Accrual period	% that is assessable	Tax treatment
For that part of an unused long service leave payment that is attributable to pre-16 August 1978 employment ...	5% <sup>144</sup>	... the amount is subject to tax at marginal tax rates.
For that part of an unused long service leave payment that is made in connection with, or consists of a payment in relation to: <ul style="list-style-type: none"> <li>▪ a genuine redundancy payment</li> <li>▪ early retirement scheme payment</li> <li>▪ the individual's invalidity, or</li> <li>▪ pre-18 August 1993 employment ...</li> </ul>	100%	... the person is entitled to an offset to ensure that the maximum rate of tax payable does not exceed <b>30%</b> (plus Medicare levy).
For the remainder of the payment ...	100%	... the amount is subject to tax at marginal tax rates.

<sup>142</sup> For payments made before 1 July 2007, refer to s. 26AC of the *ITAA 1936*.

<sup>143</sup> For payments made before 1 July 2007, refer to s. 26AD of the *ITAA 1936*.

<sup>144</sup> The remainder of this part is neither assessable income nor exempt income.



## Safe harbour interest rates for LRBAs

Safe harbour interest rates in respect of limited recourse borrowing arrangements (LRBAs) are as follows:<sup>145</sup>

Income year	Safe harbour interest rate	
	Real property	Listed shares or units
2024–25	9.35%	11.35%
2023–24	8.85%	10.85%
2022–23	5.35%	7.35%
2021–22	5.10%	7.10%
2020–21	5.10%	7.10%

## First Home Super Saver Scheme

Under the First Home Super Saver Scheme (FHSSS), individuals saving for their first home who make voluntary contributions into the superannuation system can withdraw those contributions and an amount of associated earnings for use in purchasing or constructing their first home. Concessional tax treatment within the superannuation system applies to amounts withdrawn.<sup>146</sup>

The FHSSS applies to voluntary contributions made on or after 1 July 2017. Such contributions can be withdrawn from 1 July 2018.

The maximum amount of contributions made in any one financial year that may be eligible to be released is **\$15,000**.

The total limit on the maximum amount of voluntary contributions made from 1 July 2017 which may be eligible to be released is **\$30,000**. This total limit on the maximum amount of contributions that may be released has been increased to **\$50,000** for requests made **on or after 1 July 2022**.<sup>147</sup>

The FHSSS released amount will be income in the hands of the individual, and released amounts sourced from an individual's FHSSS eligible concessional contributions will be taxed at their marginal rates, with a tax offset of **30 per cent**.

The Commissioner must withhold an amount from the taxable FHSSS released amounts, at the following rates:

- the amount of tax that the Commissioner estimates will be payable by the individual in relation to the individual's assessable FHSS released amount, or

<sup>145</sup> The interest rate is the Reserve Bank's Indicator Lending Rate for banks providing standard variable housing loans for investors. For the 2016–17 and later years, it is the rate for the month of May immediately prior to the start of the relevant financial year — see PCG 2016/5.

<sup>146</sup> The Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No.1) Act 2017 received Royal Assent on 13 December 2017 as Act No. 132 of 2017.

<sup>147</sup> On 11 May 2021, as part of the 2021–22 Federal Budget, the Government announced it will improve the operation of the FHSSS and increase the maximum releasable amount up to \$50,000. Amendments to give effect to this measure, which take effect from 1 July 2022, were enacted by the *Treasury Laws Amendment (Enhancing Superannuation Outcomes For Australians and Helping Australian Businesses Invest) Act 2022* which received Royal Assent, as Act No. 10 of 2022, on 22 February 2022.

- if the Commissioner is unable to make an estimate, **17 per cent** of the individual's assessable FHSS released amount.

If an individual does not enter into a contract for the purchase or construction of residential premises within the requisite period (generally 12 months) — or recontribute the required amount into superannuation within the same period — they will be liable to **FHSS tax** at the rate of **20 per cent** on the assessable component of the amounts released.<sup>148</sup> The Commissioner may extend the period for entering into a contract by up to 12 months, resulting in the taxpayer having up to 24 months from the day after a valid request for release to enter a contract to purchase a residential premises.<sup>149</sup>

## Downsizer contributions

Individuals may contribute up to **\$300,000 (\$600,000 for a couple)** of the sale proceeds from the sale of their main residence into superannuation, where the sale contract is entered into **on or after 1 July 2018** and certain age requirements have been met.<sup>150 151</sup> The dwelling must have been held by one or more of the individuals, their spouse, or their former spouse during the 10-year period preceding the disposal. The downsizer contribution will not be treated as a non-concessional contribution.<sup>152</sup>

Contracts for the sale of a main residence entered into...	Eligibility age
From 1 July 2018	65 years
From 1 July 2022	60 years
From 1 January 2023	55 years

<sup>148</sup> The *First Home Super Saver Tax Bill 2017* received Royal Assent on 13 December 2017 as Act No. 133 of 2017.

<sup>149</sup> Addendum LCR 2018/5A2 was issued on 12 April 2023

<sup>150</sup> The *Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No.1) Act 2017* received Royal Assent on 13 December 2017 as Act No. 132 of 2017.

<sup>151</sup> The eligibility age for individuals making downsizer contributions was decreased from 65 to 60 years of age. Amendments to give effect to this reduction, which takes effect from 1 July 2022, were enacted by the *Treasury Laws Amendment (Enhancing Superannuation Outcomes For Australians and Helping Australian Businesses Invest) Act 2022* (which received Royal Assent as Act No. 10 of 2022 and the *Treasury Laws Amendment (Enhancing Superannuation Outcomes) Regulations 2022* which was registered on 3 March 2022. The *Treasury Laws Amendment (2022 Measures No 2) Bill 2022* received Royal Assent as Act No. 84 of 2022 on 12 December 2022, and the *Superannuation Legislation Amendment (Broadening Contribution Rules) Regulations 2022*, further reduced the eligibility age for downsizer contributions for individuals to 55 years for contracts for the sale of a main residence entered into on or after 1 January 2023.

<sup>152</sup> Section 292-90(2)(c)(iia) of the *ITAA 1997*.

# FBT data

## Gross-up factors

GST classification	for 2017–18 to 2021–25 FBT years
Type 1 — entitlement to input tax credits	2.0802
Type 2 — no entitlement to input tax credits	1.8868

## Car fringe benefits

### ► FBT statutory rates for valuing car fringe benefits

A single statutory rate of 20 per cent applies to all cars acquired under a contract entered into after 7:30 pm (AEST) on 10 May 2011, except where the employee, employer or associate had committed to the acquisition of the car prior to 7:30 pm (AEST) on 10 May 2011.<sup>153</sup>

## Annual FBT data

### ► FBT interest rate; car parking threshold; record-keeping threshold

FBT year	Benchmark interest rate for loan benefits	Car parking benefit threshold	Record keeping exemption threshold
2024–25	8.77%	\$10.77	\$10,334
2023–24	7.77%	\$10.40	\$9,786
2022–23	4.52%	\$9.72	\$9,181
2021–22	4.52%	\$9.25	\$8,923
2020–21	4.80%	\$9.15	\$8,853

### ► Zero emission vehicle — EV home charging rate per km

The Commissioner has developed an optional method for working out the cost of electricity when an electric vehicle (EV)<sup>154</sup> is charged at residential premises. As an alternative to working the actual cost of electricity when an EV is charged at an employee's home, the Commissioner's rate is multiplied by the total number of relevant kms travelled by the EV in the relevant income or FBT year. The rate applies for FBT years commencing 1 April 2022 and income years commencing 1 July 2022<sup>155</sup> and may be applied when working out the taxable value of:

<sup>153</sup> This single rate was phased-in between 10 May 2011 and 1 April 2014.

<sup>154</sup> Vehicles that are fuelled solely by electricity power. It excludes plug-in hybrid vehicles, electric bikes and electric scooters.

<sup>155</sup> PCG 2024/2.

- a residual fringe benefit
- a car expense payment fringe benefit
- a reimbursement of car expenses
- reportable fringe benefit amount

FBT year	Rate per km travelled
1 April 2022	4.20 cents

This rate can also be used for the purposes of working out:

- car expenses claimed using the logbook method under Div 28 of the *ITAA 1997*
- motor vehicle expenses claimed under s. 8-1 of the *ITAA 1997*.

### ► Cents per kilometre rates for vehicles other than cars

FBT year	Engine capacity		
	0–2,500 cc	Over 2,500 cc	Motor cycles
2024–25	66 cents	77 cents	19 cents
2023–24	62 cents	73 cents	18 cents
2022–23	58 cents	69 cents	17 cents
2021–22	56 cents	67 cents	17 cents
2020–21	56 cents	67 cents	17 cents

### ► Reasonable food component of LAFHA

The table below sets out the weekly reasonable food component of a living-away-from-home allowance for all employees from the 2020–21 FBT year.

Number of persons	2024–25	2023–24	2022–23	2021–22	2020–21
One adult <sup>156</sup>	\$331	\$316	\$289	\$283	\$276
Two adults	\$497	\$474	\$434	\$425	\$414
Three adults	\$663	\$632	\$579	\$567	\$552
One adult and one child	\$414	\$395	\$362	\$354	\$345
Two adults and one or two children	\$580 \$663	\$553 \$632	\$507 \$580	\$496 \$567	\$483 \$552

<sup>156</sup> 'Adults' for this purpose are persons aged 12 years or more.

Number of persons	2024–25	2023–24	2022–23	2021–22	2020–21
Two adults and three children	\$746	\$711	\$653	\$638	\$621
Three adults and one child	\$746	\$711	\$652	\$638	\$621
Three adults and two children	\$829	\$790	\$725	\$709	\$690
Four adults	\$829	\$790	\$724	\$709	\$690
	For larger family groupings, the ATO will accept a food component based on the above figures plus:				
For each additional adult ...	\$166	\$158	\$145	\$142	\$138
for each additional child ...	\$83	\$79	\$73	\$71	\$69

### ► Indexation factors for valuing non-remote housing

FBT year	NSW	VIC	QLD	SA	WA	TAS	NT	ACT
2024–25	1.073	1.050	1.085	1.063	1.084	1.022	1.055	1.038
2023–24	1.009	1.006	1.046	1.039	1.087	1.055	1.100	1.053
2022–23	0.980	0.990	1.019	1.020	1.044	1.037	1.030	1.024
2021–22	0.975	1.000	0.998	1.011	0.991	1.043	0.947	1.018
2020–21	1.000	1.017	1.002	1.010	0.969	1.056	0.948	1.029

# Tax administration

## GIC, SIC and penalties

### ► General interest charge

Quarter	GIC annual rate	GIC daily rate
September 2024	11.36%	0.03103825%
June 2024	11.34%	0.03098361%
March 2024	11.38%	0.03109290%
December 2023	11.15%	0.03054794%
September 2023	10.90%	0.02986301%
June 2023	10.46%	0.02865753%
March 2023	10.06%	0.02756164%
December 2022	9.31%	0.02550685%
September 2022	8.00%	0.02191781%
June 2022	7.07%	0.01936986%
March 2022	7.04%	0.01928767%
December 2021	7.01%	0.01920548%
September 2021	7.04%	0.01928767%
June 2021	7.01%	0.01920548%
March 2021	7.02%	0.01923288%
December 2020	7.10%	0.01939891%
September 2020	7.10%	0.01939891%

### ► Shortfall interest charge

The shortfall interest charge (SIC) was introduced on 29 June 2005 for amendments of income tax assessments for the 2004–05 and later income years. The SIC replaces the general interest charge (GIC) and applies to income tax shortfalls for the period before assessments are amended.

The SIC is imposed at a rate four percentage points lower than the GIC, i.e. at the base interest rate plus an uplift factor of three per cent.



## Note

The GIC:

- continues to apply to tax shortfalls in amended assessments for the 2003–04 and earlier income years regardless of when those amendments are made
- applies from the due date of the original assessment
- also applies to the original assessment and to any tax shortfalls (amended assessments) and associated SIC from their due date if they are not paid by that date.

Quarter	SIC annual rate	SIC daily rate
September 2024	7.36%	0.02010929%
June 2024	7.34%	0.02005464%
March 2024	7.38%	0.02016393%
December 2023	7.15%	0.01958904%
September 2023	6.90%	0.01890411%
June 2023	6.46%	0.01769863%
March 2023	6.06%	0.01660274
December 2022	5.31%	0.01454794%
September 2022	4.00%	0.01095890%
June 2022	3.07%	0.00841096%
March 2022	3.04%	0.00832877%
December 2021	3.01%	0.00824657%
September 2021	3.04%	0.00832877%
June 2021	3.01%	0.00824657%
March 2021	3.02%	0.00827397%
December 2020	3.10%	0.00846994%
September 2020	3.10%	0.00846994%

## ► Penalty unit amount

The value of a penalty unit for the purposes of a Commonwealth law or a Territory Ordinance is, unless the contrary intention appears, as set out in s. 4AA of the *Crimes Act 1914* (Cth).

The penalty unit was indexed on 1 July 2020 and will be indexed each third 1 July after 1 July 2020 using the formula in s. 4AA(4) of the *Crimes Act* and published by the Minister in a notifiable instrument.

The dollar amount that is increased as a result of indexation applies only to offences committed on or after the indexation day.

Year	Value of a penalty unit
On or after 1 July 2023	\$313 <sup>157</sup>
From 1 January 2023	\$275 <sup>158</sup>
From 1 July 2020	\$222 <sup>159</sup>
From 1 July 2017	\$210
From 31 July 2015	\$180

<sup>157</sup> Indexed on 1 July 2023 as required by s. 4AA(3) of the *Crimes Act 1914*

<sup>158</sup> On 12 December 2022, the *Crimes Amendment (Penalty Unit) Bill 2022* which received Royal Assent as Act No. 82 of 2022, increased the penalty unit from \$222 to \$275, indexed every three years to the CPI. The increase to the penalty unit value will apply only to offences committed on or after 1 January 2023.

<sup>159</sup> Applies to offences committed on or after 1 July 2020: s. 4AA(8) of the *Crimes Act 1914* (Cth).



## ► Late lodgment penalties

Penalties are imposed for failure to lodge or report by a particular date.

This includes income tax returns, activity statements, FBT returns, PAYG withholding annual reports, annual GST returns, annual GST information reports.

Size of entity	Maximum penalty
<b>Small</b> Neither medium nor large	<b>1 penalty unit</b> per 28-day period or part thereof for which a document is overdue up to a maximum of 5 penalty units:
<b>Medium</b> <ul style="list-style-type: none"> <li>■ Medium withholder (annual withholding more than \$25,000 but not more than \$1 m)</li> <li>■ Assessable income or current annual turnover of more than \$1 m and less than \$20 m</li> </ul>	<b>2 × base penalty</b> per 28-day period or part thereof which a document is overdue up to a maximum of 5 penalty units
<b>Large</b> <ul style="list-style-type: none"> <li>■ Large withholder (annual withholding more than \$1million)</li> <li>■ Assessable income or current annual turnover of \$20 million or more</li> </ul>	<b>5 × base penalty</b> per 28-day period or part thereof which a document is overdue up to a maximum of 5 penalty units
<b>Significant global entity</b> A global parent entity with global annual income of \$1 billion or more  A member of a consolidated group whose global parent entity has an annual global income of \$1 billion or more	<b>500 × base penalty<sup>160</sup></b> per 28-day period or part thereof which a document is overdue up to a maximum of 5 penalty units

<sup>160</sup> The *Treasury Laws Amendment (Combating Multinational Tax Avoidance) Bill 2017* — which received Royal Assent as Act No. 27 of 2017 on 4 April 2017 — increased the late lodgment penalty for an entity that is a significant global entity' to 500 times the base penalty amount, with effect from 1 July 2017. A 'significant global entity' is broadly, a global parent entity, or a member of the global parent's consolidated group for accounting purposes, where the global parent entity has annual global income of AU\$1 billion or more.

## ► Tax shortfall penalties

All sections referred to in the table below are in the *Taxation Administration Act 1953*.

Culpable behaviour	Base penalty %	Base penalty increased/decreased if ...		
		Disclosure made		Hindrance
		Before audit (80% reduction)	During audit (20% reduction)	
Intentional disregard (s. 284-90 Item 1)	75 <sup>161</sup>	15	60	90
Recklessness (s. 284-90 Item 2)	50	10	40	60
Lack of reasonable care (s. 284-90 Item 3)	25	5	20	30
Not reasonably arguable (s. 284-90 Item 4)	25	5	20	30
General tax avoidance (s. 284-160)	50 (25)*	10 (5)*	40 (20)*	60 (30)*
Tax avoidance by significant global entities <sup>162</sup>	100 (25)*	20 (5)*	80 (20)*	120 (30)*
Profit shifting — no dominant tax avoidance purpose (s. 284-160)	25 (10)*	5 (2)*	20 (8)*	30 (12)*
Profit shifting by significant global entities <sup>162</sup>	50 (10)*	10 (2)*	40 (8)*	60 (12)*

\* The rates of penalty in brackets apply if the taxpayer has a reasonably arguable position.

<sup>161</sup> This percentage is doubled for an entity that is a 'significant global entity' from 1 July 2017: *Treasury Laws Amendment (Combating Multinational Tax Avoidance) Act 2017*.

<sup>162</sup> On 11 December 2015, the *Tax Laws Amendment (Combating Multinational Tax Avoidance) Act 2015* received Royal Assent as Act No. 170 of 2015. The Act doubled the previous administrative penalties for schemes if the entity is a 'significant global entity'.

# Foreign investment

## Vacancy fee for foreign owners

Foreign owners of residential real estate that is not occupied or genuinely available on the rental market for at least 183 days in a 12-month period (the vacancy year<sup>163</sup>) are liable to pay an annual vacancy fee.<sup>164</sup>

With effect from 9 April 2024:

- foreign investment fees for the purchase of established homes will be tripled
- vacancy fee will be doubled for all foreign-owned dwellings purchased since 9 May 2017 and will take effect for all vacancy years starting on or after 7.30 pm on 9 April 2024.<sup>165</sup>

The vacancy fee applies to a 'foreign person' who lodges a notice or application with the FIRB to acquire a residential dwelling or residential land from 7.30 pm AEST on 9 May 2017.<sup>166</sup>

### Meaning of foreign person

Broadly, a 'foreign person' means:<sup>167</sup>

- an individual not ordinarily resident in Australia
- a corporation in which a substantial interest is held by one or more foreign persons (except trustees and persons prescribed by regulation)
- a trustee of a trust in which a substantial interest is held by one or more foreign persons (except trustees and persons prescribed by regulation)
- a foreign government
- a person prescribed by regulation.

### When a dwelling is considered to be occupied

A dwelling is considered to be occupied on a day if:

- the person, or a relative of the person, genuinely occupies the dwelling as a residence on that day (with or without other persons)
- it is genuinely occupied on that day as a residence under a lease or licence with a term of 30 days or more, or
- its availability is genuine — i.e. it is made available on the rental market, advertised publicly and available at market rent — on that day for occupation as a residence under a lease or licence with a term of 30 days or more.

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<sup>163</sup> The vacancy year commences on the owner's initial right to occupy the dwelling.

<sup>164</sup> The *Treasury Laws Amendment (Housing Tax Integrity) Act 2017* which received Royal Assent as Act No. 126 of 2017 on 30 November 2017 together with the *Foreign Acquisitions and Takeovers Fees Imposition Amendment (Vacancy Fees) Act 2017*, Act No. 127 of 2017 amended the *Foreign Acquisitions and Takeovers Act 1975* (FAT Act) to implement the vacancy fee. Note that the States and Territories may impose an absentee owner surcharge on land tax. The surcharge is an additional amount payable over the general and trust surcharge rates of land tax.

<sup>165</sup> On 8 April 2024 the *Foreign Acquisitions and Takeovers Fees Imposition Amendment Bill 2024* and the *Treasury Laws Amendment (Foreign Investment) Bill 2024* and received Royal Asset as Act No. 17 and 18 of 2024

<sup>166</sup> Section 115B(1) of the *FAT Act*.

<sup>167</sup> The definition of a 'foreign person' is in s. 4 of the *FAT Act*.

## Assessment of liability to vacancy fee

Liability is assessed annually on the anniversary of the date of settlement. The foreign person must lodge a vacancy fee return with the Commissioner of Taxation within 30 days after the end of each vacancy year during which the person may be liable for a vacancy fee for the dwelling. The Commissioner must give a notice to a foreign person who is liable to pay the vacancy fee. The due date for payment is disclosed on the notice and is at least 21 days after the notice is given.<sup>168</sup>

### ► FIRB application fees for the 2023–24 income year<sup>169</sup>

Fees for foreign investment applications and notices are indexed each financial year from the averages of the Australian Bureau of Statistics CPI. New fees apply from 1 July each year and are calculated using the appropriate indexation factor.

A FIRB application fee will also be payable for certain commercial actions which are also listed in the table below.

Kind of action		Applicable fee for a single action <sup>170</sup>
Land	Residential land – see table below	Fee tiers increase every \$1 million of consideration Fees start at \$14,100 for acquisitions of \$1 million or less, <sup>171</sup> rising to a maximum of \$1,119,100 for acquisitions of more than \$40 million
	Agricultural land	Fee tiers increase every \$2 million of consideration Fees start at \$14,100 for acquisitions of \$2 million or less, <sup>171</sup> rising to a maximum of \$1,119,100 for acquisitions of more than \$80 million
	Commercial land and tenements	Fee tiers increase every \$50 million of consideration Fees start at \$14,100 for acquisitions of \$50 million or less, <sup>171</sup> rising to a maximum of \$1,119,100 for acquisitions of more than \$2 billion
Starting an Australian business (including starting a national security business)		\$4,200 flat fee
Entering agreements and altering documents		\$28,200 flat fee
Internal reorganisations		\$28,200 flat fee

<sup>168</sup> Sections 115E and 115F of the *FAT Act*.

<sup>169</sup> Table of fees sourced from the FIRB's fee schedule in Guidance Note 10 Version 4 (6 June 2024)

<sup>170</sup> Where an action is a reviewable national security action, fees are calculated at 25 per cent of the fee for an equivalent notifiable action.

<sup>171</sup> Under s. 53 of the *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020*, a lower fee of \$4,200 will apply where the consideration value of an action is less than \$75,000.

**Application fees for acquisitions in new or near new residential dwellings or vacant residential land from 9 April 2024 to 30 June 2024**

Amount	Fee per action
Less than \$75,000	\$12,600
\$1 million or less	\$42,300
\$2 million or less	\$84,600
\$3 million or less	\$169,200
\$4 million or less	\$253,800
\$5 million or less	\$338,400
More than \$5 million	Refer to: <a href="https://foreign.investment.gov.au/guidance/general">foreign.investment.gov.au/guidance/general</a>

► **FIRB application fees for the 2022–23 income year**

Kind of action		Applicable fee <sup>172</sup>
Land	Residential land	Fee tiers increase every \$1 million of consideration Fees start at \$13,200 for acquisitions of \$1 million or less, <sup>173</sup> rising to a maximum of \$1,045,000 for acquisitions of more than \$40 million
	Agricultural land	Fee tiers increase every \$2 million of consideration Fees start at \$13,200 for acquisitions of \$2 million or less, <sup>173</sup> rising to a maximum of \$1,045,000 for acquisitions of more than \$80 million
	Commercial land and tenements	Fee tiers increase every \$50 million of consideration Fees start at \$13,200 for acquisitions of \$50 million or less, <sup>173</sup> rising to a maximum of \$1,045,000 for acquisitions of more than \$2 billion
Starting an Australian business (including starting a national security business)		\$4,000 flat fee
Entering agreements and altering documents		\$26,400 flat fee
Internal reorganisations		\$26,400 flat fee

<sup>172</sup> Where an action is a reviewable national security action, fees are calculated at 25 per cent of the fee for an equivalent notifiable action.

<sup>173</sup> Under s. 53 of the *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020*, a lower fee of \$4,000 will apply where the consideration value of an action is less than \$75,000.

## ► FIRB application fees for the 2021–22 income year

Kind of action		Applicable fee <sup>174</sup>
Land	Residential land	Fee tiers increase every \$1 million of consideration Fees start at \$6,350 for acquisitions of \$1 million or less, <sup>175</sup> rising to a maximum of \$503,000 for acquisitions of more than \$40 million
	Agricultural land	Fee tiers increase every \$2 million of consideration Fees start at \$6,350 for acquisitions of \$2 million or less, <sup>175</sup> rising to a maximum of \$503,000 for acquisitions of more than \$80 million
	Commercial land and tenements	Fee tiers increase every \$50 million of consideration Fees start at \$6,350 for acquisitions of \$50 million or less, <sup>175</sup> rising to a maximum of \$503,000 for acquisitions of more than \$2 billion
Starting an Australian business (including starting a national security business)		\$2,000 flat fee
Entering agreements and altering documents		\$12,700 flat fee
Internal reorganisations		\$12,700 flat fee

## ► FIRB application fees for the 2020–21 income year

### From 1 January 2021 to 30 June 2021

From 1 January 2021, amendments to the *Foreign Acquisitions and Takeovers Fees Imposition Act 2015* and the introduction of the *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020* changed the way that fees are calculated for applications and notices.

Kind of action		Applicable fee
Land	Residential land	Fee tiers increase every \$1 million of consideration Fees start at \$6,350 for acquisitions of \$1 million or less, <sup>176</sup> rising to a maximum of \$500,000 for acquisitions of more than \$40 million
	Agricultural land	Fee tiers increase every \$2 million of consideration

<sup>174</sup> Where an action is a reviewable national security action, fees are calculated at 25 per cent of the fee for an equivalent notifiable action.

<sup>175</sup> Under s. 53 of the *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020*, a lower fee of \$2,000 will apply where the consideration value of an action is less than \$75,000.

<sup>176</sup> Under s. 53 of the *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020*, a lower fee of \$2,000 will apply where the consideration value of an action is less than \$75,000.

Kind of action		Applicable fee
		Fees start at \$6,350 for acquisitions of \$2 million or less, <sup>176</sup> rising to a maximum of \$500,000 for acquisitions of more than \$80 million
	Commercial land and tenements	Fee tiers increase every \$50 million of consideration Fees start at \$6,350 for acquisitions of \$50 million or less, <sup>176</sup> rising to a maximum of \$500,000 for acquisitions of more than \$2 billion
Starting an Australian business (including starting a national security business)		\$2,000 flat fee
Entering agreements and altering documents		\$12,700 flat fee
Internal reorganisations		\$12,700 flat fee

#### From 1 July 2020 to 1 January 2021

### Important

On 29 March 2020, the Treasurer announced that due to the impacts of the Coronavirus, all monetary thresholds were **temporarily reduced to \$0**, and that the FIRB would work with applicants to extend the timeframes for decision making by up to six months.<sup>177</sup> The temporary reduction took effect from 10.30 am AEDT on **29 March 2020**.

Acquisition cost	FIRB application fee payable
\$0 to \$1,000,000	\$5,800 (or \$1,000 where the fee would otherwise > 25% of cost)
\$1,000,001 to \$1,999,999	\$11,700
\$2,000,000 to \$2,999,999	\$23,500
\$3,000,000 to \$3,999,999	\$35,200
\$4,000,000 to \$4,999,999	\$47,000
\$5,000,000 to \$5,999,999	\$58,800
\$6,000,000 to \$6,999,999	\$70,600
\$7,000,000 to \$7,999,999	\$82,400

<sup>177</sup> Further information on these temporary changes can be found in 'Guidance Note 53: Temporary measures announced in response to coronavirus outbreak', available at: [https://firb.gov.au/sites/firb.gov.au/files/guidance-notes/GN\\_53\\_cv\\_1.pdf](https://firb.gov.au/sites/firb.gov.au/files/guidance-notes/GN_53_cv_1.pdf)

Acquisition cost	FIRB application fee payable
\$8,000,000 to \$8,999,999	\$94,300
\$9,000,000 to \$9,999,999	\$106,000
\$10,000,000 and over	ATO will provide a fee estimate

► **FIRB application fees for the 2019–20 income year**



**Important**

A temporary reduction of all monetary thresholds to \$0 took effect from 10.30 am AEDT on **29 March 2020** in response to impacts of the Coronavirus.<sup>178</sup>

Acquisition cost	FIRB application fee payable
\$0 to \$1,000,000	\$5,700 (or \$1,000 where the fee would otherwise > 25% of cost)
\$1,000,001 to \$1,999,999	\$11,500
\$2,000,000 to \$2,999,999	\$23,100
\$3,000,000 to \$3,999,999	\$34,600
\$4,000,000 to \$4,999,999	\$46,200
\$5,000,000 to \$5,999,999	\$57,700
\$6,000,000 to \$6,999,999	\$69,300
\$7,000,000 to \$7,999,999	\$80,900
\$8,000,000 to \$8,999,999	\$92,600
\$9,000,000 to \$9,999,999	\$104,100
\$10,000,000 and over	ATO will provide a fee estimate

<sup>178</sup> Further information on these temporary changes can be found in 'Guidance Note 53: Temporary measures announced in response to coronavirus outbreak', available at [https://firb.gov.au/sites/firb.gov.au/files/guidance-notes/GN\\_53\\_cv\\_1.pdf](https://firb.gov.au/sites/firb.gov.au/files/guidance-notes/GN_53_cv_1.pdf)



## Fuel tax credits

Fuel tax credits are paid to reduce or remove the incidence of fuel tax levied on taxable fuels. The amount to which an eligible claimant is entitled depends on the rate of excise or excise-equivalent customs duty, when the fuel is acquired and the activity in which the fuel is used. Fuel tax credits are usually claimed through a BAS. Fuel tax credit rates are indexed twice yearly in February and August.



### Important

From the BAS period ending 31 March 2016, an entity that claims less than \$10,000 in fuel tax credits in one year can choose simpler ways to keep records and calculate claims.

## Fuel tax credit rates for liquid fuels — business

### ► From 1 July 2024

Business use	Eligible liquid fuel	Rate for fuel acquired from...		
		1 Jul 2024 <sup>179</sup>		
In a heavy vehicle <sup>180</sup> for travelling on public roads (includes emergency vehicles)	Liquid fuels e.g. diesel or petrol	19.1 <sup>181</sup>		
	Blended fuels: B5, B20, E10	19.1 <sup>185</sup>		
	Blended fuel: E85	0		
	Liquefied petroleum gas (LPG) (duty paid)	0		
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	0 <sup>182</sup>		
	B100	0		

<sup>179</sup> From 1 November 2019, this rate includes fuel used to power passenger air-conditioning of buses and coaches.

<sup>180</sup> A heavy vehicle is a vehicle with a gross vehicle mass greater than 4.5 tonnes. Diesel vehicles acquired before 1 July 2006 can be equal to 4.5 tonnes.

<sup>181</sup> Fuel tax credit rates change for fuel used in a heavy vehicle for travelling on a public road due to changes in the road user charge. The heavy vehicle road user charge will increase by 6 percent over 3 years from 28.8 cents per litre for petrol and diesel in 2023–24, to 30.5 cents per litre in 2024–25 and to 32.4 cents per litre in 2025–26.

<sup>182</sup> The road user charge rate for gaseous fuels per kilo gram rate will increase from 38.5 cents per kilogram in 2023–24, to 40.8 cents per kilogram in 2024–25, to 43.2 cents per kilogram in 2025–26. Currently, the road user charge reduces fuel tax credits for gaseous fuels to nil.

Business use	Eligible liquid fuel	Rate for fuel acquired from...		
		1 Jul 2024 <sup>179</sup>		
All other business uses (including to power auxiliary equipment of a heavy vehicle)	Liquid fuels e.g. diesel or petrol	49.6		
	Blended fuels: B5, B20, E10	49.6		
	Blended fuel: E85	21.295		
	Liquefied petroleum gas (LPG) (duty paid)	16.2		
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	34.0		
	B100	14.9		

► **From 1 July 2023**

Business use	Eligible liquid fuel	Rate for fuel acquired from...		
		1 Jul 2023 <sup>183</sup>	1 Aug 2023	5 Feb 2024
In a heavy vehicle <sup>184</sup> for <b>travelling</b> on public roads (includes emergency vehicles)	Liquid fuels e.g. diesel or petrol	18.9 <sup>185</sup>	20.0	20.8
	Blended fuels: B5, B20, E10	18.9 <sup>185</sup>	20.0	20.8
	Blended fuel: E85	0	0	0
	Liquefied petroleum gas (LPG) (duty paid)	0	0	0

<sup>183</sup> From 1 November 2019, this rate includes fuel used to power passenger air-conditioning of buses and coaches.

<sup>184</sup> A heavy vehicle is a vehicle with a gross vehicle mass greater than 4.5 tonnes. Diesel vehicles acquired before 1 July 2006 can be equal to 4.5 tonnes.

<sup>185</sup> Fuel tax credit rates change for fuel used in a heavy vehicle for travelling on a public road due to changes in the road user charge. The heavy vehicle road user charge will increase by 6 percent over 3 years from 28.8 cents per litre for petrol and diesel in 2023–24, to 30.5 cents per litre in 2024–25 and to 32.4 cents per litre in 2025–26.

Business use	Eligible liquid fuel	Rate for fuel acquired from...		
		1 Jul 2023 <sup>183</sup>	1 Aug 2023	5 Feb 2024
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	0 <sup>186</sup>	0	0
	B100	0	0	0
All other business uses (including to power auxiliary equipment of a heavy vehicle)	Liquid fuels e.g. diesel or petrol	47.7	48.8	49.6
	Blended fuels: B5, B20, E10	47.7	48.8	49.6
	Blended fuel: E85	20.415	20.92	21.295
	Liquefied petroleum gas (LPG) (duty paid)	15.6	15.9	16.2
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	32.7	33.4	34
	B100	12.7	13.0	13.2

► **From 1 July 2022**

Business use	Eligible liquid fuel	Rate for fuel acquired from...			
		1 Jul 2022 <sup>187</sup>	1 Aug 2022	29 Sep 2022	1 Feb 2023
	Liquid fuels e.g. diesel or petrol	0	0	18.8	20.5
	Blended fuels: B5, B20, E10	0	0	18.8	20.5
	Blended fuel: E85	0	0	0	0
	Liquefied petroleum gas (LPG) (duty paid)	0	0	0	0

<sup>186</sup> The road user charge rate for gaseous fuels per kilo gram rate will increase from 38.5 cents per kilogram in 2023–24, to 40.8 cents per kilogram in 2024–25, to 43.2 cents per kilogram in 2025–26. Currently, the road user charge reduces fuel tax credits for gaseous fuels to nil.

<sup>187</sup> From 30 March 2022 until 28 September 2022, businesses using fuel in heavy vehicles for travelling on public roads will not be able to claim fuel tax credits as the road user charge (RUC) exceeds the excise duty paid. This is due to the halving of excise and excise equivalent customs duty rates for petrol, diesel, and all other petroleum-based products except aviation fuels. This temporary reduction is in place for 6 months, and applies from 30 March until 28 September 2022.

Business use	Eligible liquid fuel	Rate for fuel acquired from...			
		1 Jul 2022 <sup>187</sup>	1 Aug 2022	29 Sep 2022	1 Feb 2023
In a heavy vehicle <sup>188</sup> for travelling on public roads (includes emergency vehicles)	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	0	0	0	0
	B100	0	0	0	0
All other business uses (including to power auxiliary equipment of a heavy vehicle)	Liquid fuels e.g. diesel or petrol	22.1	23.0	46.0	47.7
	Blended fuels: B5, B20, E10	22.1	23.0	46.0	47.7
	Blended fuel: E85	9.435	9.825	19.735	20.415
	Liquefied petroleum gas (LPG) (duty paid)	7.2	7.5	15.0	15.6
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	15.2	15.8	31.5	32.7
	B100	5.2	5.4	10.7	11.1

► **From 1 July 2021**

Business use	Eligible liquid fuel	Rate for fuel acquired from...			
		1 Jul 2021	2 Aug 2021	1 Feb 2022	30 Mar 2022
In a heavy vehicle <sup>189</sup> for travelling on public roads (includes emergency vehicles)	Liquid fuels e.g. diesel or petrol	16.3	16.9	17.8	0
	Blended fuels: B5, B20, E10	16.3	16.9	17.8	0
	Blended fuel: E85	0	0	0	0
	Liquefied petroleum gas (LPG) (duty paid)	0	0	0	0

<sup>188</sup> A heavy vehicle is a vehicle with a gross vehicle mass greater than 4.5 tonnes. Diesel vehicles acquired before 1 July 2006 can be equal to 4.5 tonnes.

<sup>189</sup> A heavy vehicle is a vehicle with a gross vehicle mass greater than 4.5 tonnes. Diesel vehicles acquired before 1 July 2006 can be equal to 4.5 tonnes.

Business use	Eligible liquid fuel	Rate for fuel acquired from...			
		1 Jul 2021	2 Aug 2021	1 Feb 2022	30 Mar 2022
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	0	0	0	0
	B100	0	0	0	0
All other business uses (including to power auxiliary equipment of a heavy vehicle)	Liquid fuels e.g. diesel or petrol	42.7	43.3	44.2	22.1
	Blended fuels: B5, B20, E10	42.7	43.3	44.2	22.1
	Blended fuel: E85	18.305	18.565	18.955	9.435
	Liquefied petroleum gas (LPG) (duty paid)	13.9	14.1	14.4	7.2
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	29.3	29.7	30.3	15.2
	B100	8.5	8.7	8.8	4.4

► **From 1 July 2020**

Business use	Eligible liquid fuel	Rate for fuel acquired from...	
		1 Jul 2020	1 Feb 2021
In a heavy vehicle <sup>190</sup> for <b>travelling</b> on public roads (includes emergency vehicles)	Liquid fuels e.g. diesel or petrol	16.5	16.9
	Blended fuels: B5, B20, E10	16.5	16.9
	Blended fuel: E85	0.0	0.0
	Liquefied petroleum gas (LPG) (duty paid)	0.0	0.0
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	0.0	0.0
	B100	0.0	0.0

<sup>190</sup> A heavy vehicle is a vehicle with a gross vehicle mass greater than 4.5 tonnes. Diesel vehicles acquired before 1 July 2006 can be equal to 4.5 tonnes.

Business use	Eligible liquid fuel	Rate for fuel acquired from...	
		1 Jul 2020	1 Feb 2021
All other business uses (including to power auxiliary equipment of a heavy vehicle)	Liquid fuels e.g. diesel or petrol	42.3	42.7
	Blended fuels: B5, B20, E10	42.3	42.7
	Blended fuel: E85	18.16	18.305
	Liquefied petroleum gas (LPG) (duty paid)	13.8	13.9
	Liquefied natural gas (LNG) or compressed natural gas (CNG) (duty paid)	29.0	29.3
	B100	7.1	7.1

## State taxes

### Payroll tax relief for wages subsidised under Jobkeeper scheme

The States and Territories introduced payroll tax relief for payments to employees that were subsidised by amounts received under the Jobkeeper Scheme, but the extent of the relief differed between the States and Territories, as shown in the following table:

State / Territory	Payroll tax treatment of payments subsidised by Jobkeeper
Australian Capital Territory	The portion of wages that are subsidised by payments under the Jobkeeper Scheme are exempt from ACT payroll tax. <sup>191</sup>
New South Wales	Wages paid to meet the requirements of the Jobkeeper Scheme are exempt from NSW payroll tax to the extent they <b>exceed</b> the employee's earned wage. <sup>192</sup>
Northern Territory	Employers receiving Jobkeeper payments for employees working in the NT will not be required to pay NT payroll tax on those payments. <sup>193</sup> Employers should declare Jobkeeper payments received in their returns and the amounts will be deducted from gross wages.

<sup>191</sup> Section 66BA and Part 2.7A of Schedule 2 to the *Payroll Tax Act 2011* (ACT).

<sup>192</sup> Section 66D of the *Payroll Tax Act 2007* (NSW).

<sup>193</sup> Please refer to guidance on the Northern Territory Revenue Office website: <https://treasury.nt.gov.au/dtf/territory-revenue-office/payroll-tax/payroll-tax-relief#q6>

State / Territory	Payroll tax treatment of payments subsidised by Jobkeeper
Queensland	Administrative arrangements have been put in place to exempt payments received under the Jobkeeper Scheme from Queensland payroll tax. <sup>194</sup> The amount of an employee's wage that is subsidised by the Jobkeeper payment is excluded from wages for payroll tax purposes.
South Australia	South Australian businesses in receipt of the Jobkeeper payment are exempt from SA payroll tax on the portion of payments to employees that are subsidised by the Jobkeeper payment. <sup>195</sup>
Tasmania	A waiver from Tasmanian payroll tax applies to employee wages that are subsidised by payments under the Jobkeeper Scheme. <sup>196</sup> Applies to Australia-wide wages.
Victoria	A payroll tax exemption applies for payments to stood down employees, and top-up amounts paid where the employee usually earns less than \$1,500 for the fortnight. <sup>197</sup>

## Payroll tax thresholds

### ► 2024–25 payroll tax year

State or Territory	Threshold	Rate of tax
Australian Capital Territory	\$2,000,000–\$50,000,000 \$50,000,001–\$100,000,000 \$100,000,001 and above	6.85% 7.10% 7.35%
New South Wales	\$1,200,000	5.45%
Northern Territory	\$1,500,000	5.50%
Queensland	\$1,300,000–\$6,500,000 \$6,500,001 and above	4.75% <sup>198</sup> 4.95% <sup>199</sup>
South Australia	\$1,500,001–\$1,700,000 \$1,700,001 and above	0%–4.95% 4.95%
Tasmania	\$1,250,001–\$2,000,000 \$2,000,001 and above	4% 6.10%

<sup>194</sup> Please refer to guidance on the Business Queensland website: [www.business.qld.gov.au/running-business/employing/payroll-tax/exemptions/jobkeeper](http://www.business.qld.gov.au/running-business/employing/payroll-tax/exemptions/jobkeeper)

<sup>195</sup> Section 17A of the *Payroll Tax Act 2009* (SA).

<sup>196</sup> Tasmanian Government Gazette, Vol. CCCXXIV No. 21 982, 1 May 2020.

<sup>197</sup> Refer to item 12, Wages exempt from payroll tax.

<sup>198</sup> Regional employers may be entitled to a 1% discount on the rate until 30 June 2030.

<sup>199</sup> A mental health levy applies to employers and groups of employers who pay more than \$10 million in annual Australian taxable wages.

State or Territory	Threshold	Rate of tax
<b>Victoria</b>		
Payroll tax <sup>200</sup>	\$900,000 <sup>201</sup>	4.85%
Temporary payroll tax surcharge <sup>202</sup>	\$10,000,000 \$100 million	0.2% 0.5%
Western Australia <sup>203</sup>	\$1,000,000 but < \$7.5 million	5.5%

► **2023–24 payroll tax year**

State or Territory	Threshold	Rate of tax
Australian Capital Territory	\$2,000,000	6.85%
New South Wales	\$1,200,000	5.45%
Northern Territory	\$1,500,000	5.50%
Queensland	\$1,300,000–\$6,500,000 \$6,500,001 and above	4.75% <sup>204</sup> 4.95%
South Australia	\$1,500,001–\$1,700,000 \$1,700,001 and above	0%–4.95% 4.95%
Tasmania	\$1,250,001–\$2,000,000 \$2,000,001 and above	4% 6.10%

<sup>200</sup> From 1 July 2024, employers and groups with total annual taxable Australian wages between \$3,000,000 and \$5,000,000 are eligible for a reduced deduction, where the deduction is subject to a degree of phasing out.

<sup>201</sup> The *State Taxation Acts Amendment Bill 2023* which received Assent on 27 June 2023 as Act No. 18 of 2023 amended the *Payroll Tax Act 2007* to increase the payroll threshold amount to \$900,000 from 1 July 2024 and to \$1,000,000 from 1 July 2025.

<sup>202</sup> The *State Taxation Acts Amendment Bill 2023* which received Assent on 27 June 2023 as Act No. 18 of 2023 amended the *Payroll Tax Act 2007* to introduce the COVID-19 debt temporary payroll tax surcharge, which will apply from 1 July 2023 to 30 June 2033.

<sup>203</sup> The progressive payroll tax scale that was implemented in the 2017–2018 Budget from 1 July 2018 to 30 June 2023 ceases. A diminishing threshold will apply for employers or groups of employers with annual taxable wages in Australia between \$1 million and \$7.5 million

<sup>204</sup> Regional employers may be entitled to a 1% discount on the rate, it was announced in the Queensland 2023-24 Budget that this discount was being extended until 30 June 2030.



State or Territory	Threshold	Rate of tax
<b>Victoria</b>		
Payroll tax	\$700,000 <sup>205</sup>	4.85%
Temporary payroll tax surcharge <sup>206</sup>	\$10,000,000 \$100 million	0.2% 0.5%
<b>Western Australia<sup>207</sup></b>	\$1,000,000 but < \$7.5 million \$7.5 million or more	5.5% 5.5%

► **2022–23 payroll tax year**

State or Territory	Threshold	Rate of tax
Australian Capital Territory	\$2,000,000	6.85%
New South Wales	\$1,200,000	5.45%
Northern Territory	\$1,500,000	5.50%
Queensland	\$1,300,000–\$6,500,000 \$6,500,001 and above	4.75% <sup>208</sup> 4.95%
South Australia	\$1,500,001–\$1,700,000 \$1,700,001 and above	0%–4.95% 4.95%
Tasmania	\$1,250,000–\$2,000,000 \$2,000,001 and above	4% 6.10%
Victoria	\$700,000	4.85% / 1.2125% <sup>209</sup>
Western Australia	\$1,000,000 but < \$7.5 million \$7.5 million < \$100 million \$100 million < \$1.5 billion More than \$1.5 billion	Tiered rates apply:  5.5%  6% on wages above \$100 million 6.5% on wages above \$1 billion

<sup>205</sup> The *State Taxation Acts Amendment Bill 2023* which received Assent on 27 June 2023 as Act No. 18 of 2023 amended the *Payroll Tax Act 2007* to increase the payroll threshold amount to \$900,000 from 1 July 2024 and \$1,000,000 from 1 July 2025.

<sup>206</sup> The *State Taxation Acts Amendment Bill 2023* which received Assent on 27 June 2023 as Act No. 18 of 2023, amended the *Payroll Tax Act 2007* to introduce the COVID-19 debt temporary payroll tax surcharge, which will apply from 1 July 2023 to 30 June 2023.

<sup>207</sup> The progressive payroll tax scale that was implemented in the 2017–2018 Budget from 1 July 2018 to 30 June 2023 ceases. A diminishing threshold will apply for employers or groups of employers with annual taxable wages in Australia between \$1 million and \$7.5 million

<sup>208</sup> From 1 July 2019 to 30 June 2023, regional employers may be entitled to a 1% discount on the rate.

<sup>209</sup> The reduced rate of 1.2125% applies for wages paid by 'regional employers' on or after 1 July 2021.

► 2021–22 payroll tax year

State or Territory	Threshold	Rate of tax
Australian Capital Territory	\$2,000,000	6.85%
New South Wales	\$1,200,000	4.85%
Northern Territory	\$1,500,000	5.50%
Queensland	\$1,300,000–\$6,500,000 \$6,500,001 and above	4.75% <sup>210</sup> 4.95%
South Australia	\$1,500,001–\$1,700,000 \$1,700,001 and above	0%–4.95% 4.95%
Tasmania <sup>211</sup>	\$1,250,000–\$2,000,000 \$2,000,001 and above	4% 6.10%
Victoria	\$700,000	4.85% / 1.2125% <sup>212</sup>
Western Australia	\$1,000,000	Tiered rate from 5.5% increasing to 6.5% for wages above \$1.5 billion

<sup>210</sup> From 1 July 2019 to 30 June 2023, regional employers may be entitled to a 1% discount on the rate.

<sup>211</sup> A three-year payroll tax exemption is available for wages paid by a business to its employees in regional Tasmania, where an interstate business relocates to Tasmania and establishes its operations in a regional area between 1 July 2018 and 30 June 2021, and certain conditions are met.

<sup>212</sup> The reduced rate of 1.2125% applies for wages paid by 'regional employers' on or after 1 July 2021.

► 2020–21 payroll tax year

State or Territory	Threshold	Rate of tax
Australian Capital Territory	\$2,000,000	6.85%
New South Wales	\$1,200,000 <sup>213</sup>	4.85%
Northern Territory	\$1,500,000 <sup>214</sup>	5.50%
Queensland	\$1,300,000–\$6,500,000 \$6,500,001 and above	4.75% <sup>215</sup> 4.95%
South Australia	\$1,500,001–\$1,700,000 \$1,700,001 and above	0%–4.95% 4.95%
Tasmania <sup>216</sup>	\$1,250,000–\$2,000,000 \$2,000,001 and above	4% 6.10%
Victoria	\$650,000	4.85% / 2.02% <sup>217</sup>
Western Australia <sup>218</sup>	Annual threshold applicable for this period:  1 July 2020 – 31 December 2020 \$950,000 — i.e. \$475,000 for this period  1 January 2021 — 30 June 2021 \$1,000,000 — i.e. \$500,000 for this period	Tiered rate from 5.50% <sup>219</sup> increasing to 6.5% for wages above \$1.5 billion

<sup>213</sup> The *Treasury Legislation Amendment (COVID-19) Act 2020* (NSW) increased the NSW payroll threshold for the 2020–21 year from \$900,000 to \$1 million. This was subsequently increased again by the *Payroll Tax Amendment Bill 2020* (NSW) which increased the threshold for the 2020–21 year from \$1 million to \$1,200,000, and reduced the rate of tax from 5.45% to 4.85%.

<sup>214</sup> Payroll tax waivers are available for the March 2020 to April 2021 return periods for employers with: (a) confirmed listing on the DITT Business Hardship Register; and (b) total Australian taxable wages for 2019–20 of under \$7.5 million: <https://treasury.nt.gov.au/dtf/territory-revenue-office/payroll-tax/payroll-tax-relief#q3>

<sup>215</sup> From 1 July 2019 to 30 June 2023, regional employers may be entitled to a 1% discount on the rate.

<sup>216</sup> A three-year payroll tax exemption is available for wages paid by a business to its employees in regional Tasmania, where an interstate business relocates to Tasmania and establishes its operations in a regional area between 1 July 2018 and 30 June 2021, and certain conditions are met.

<sup>217</sup> The reduced rate of 2.02% applies for wages paid by ‘regional employers’ on or after 1 July 2020. The rate further reduces to 1.62% from 1 July 2021 and to 1.2125% from 1 July 2022.

<sup>218</sup> The *Payroll Tax Relief (COVID-19 Response) Act 2020* (WA) exempts from WA payroll tax: (a) payments made to employees under the Federal Government’s Jobkeeper scheme — for wages paid in the period 30 March 2020 to 27 September 2020; (b) wages paid in the period 1 March 2020 to 30 June 2020 by employers or groups with Australian taxable wages of less than \$7.5 million in the 2019–20 financial year; and (c) wages prescribed as exempt for the purposes of alleviating the economic effects of COVID-19 — for such period as is prescribed.

<sup>219</sup> A tier-4 rate applies for annual wages of > \$100 million; a tier-5 rate applies for annual wages of > \$1.5 billion: [www.wa.gov.au/organisation/departments-of-finance/about-payroll-tax#rates-and-thresholds](http://www.wa.gov.au/organisation/departments-of-finance/about-payroll-tax#rates-and-thresholds)

## Mental health and wellbeing surcharge

The mental health and wellbeing surcharge aims to provide a stable and dedicated form of additional funding for the mental health system. It is a payroll tax surcharge on wages paid in a State by businesses with national payrolls over \$10 million.

### ► 2023–24 and 2024–25 payroll tax year

State or Territory	Australian taxable wages (Annual threshold)	Levy rate (applied to State taxable wages exceeding the thresholds)
Queensland	More than \$10 million (primary threshold) More than \$100 million (additional threshold)	0.25% (primary rate) 0.25% (primary rate) + 0.5% (additional rate)
Victoria	More than \$10 million More than \$100 million	0.5% 0.5% + 0.5% excess over \$100m

### ► 2022–23 payroll tax year

Queensland implemented a mental health levy on 1 January 2023.<sup>220</sup> For the 2022–23 financial year the thresholds were adjusted to accommodate the levy commencing during the financial year.

State or Territory	Australian taxable wages (Threshold)	Levy rate (applied to State taxable wages exceeding the thresholds)
Queensland	More than \$5 million (primary threshold) More than \$50 million (additional threshold)	0.25% (primary rate) 0.25% (primary rate) + 0.5% (additional rate)
Victoria	More than \$10 million More than \$100 million	0.5% 0.5% + 0.5% excess over \$100m

<sup>220</sup> *Revenue Legislation Amendment Bill 2022* received Royal Assent on 30 June 2022 as Act No. 14 of 2022, amended the *Payroll Tax Act 1971* to insert the mental health levy to commence from 1 January 2023.

## ► 2021–22 payroll tax year

Victoria implemented the mental health and wellbeing surcharge<sup>221</sup> which is payable from 1 January 2022 on Victorian taxable wages paid or payable from 1 January 2022 by an employer or a group of employers. For the 2021–22 financial year the thresholds were adjusted to accommodate the surcharge commencing during the financial year.

State or Territory	Australian taxable wages (Threshold)	Levy rate (applied to Vic taxable wages exceeding the thresholds)
Victoria	More than \$5 million	0.5%
	More than \$50 million	0.5% + 0.5% excess over \$50 m

## Land tax



### Note

The Northern Territory does not impose land tax.

## ► 2025 land tax year

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>ACT</b> Assessed quarterly: 1 July, 1 October, 1 January and 1 April From 1 July 2024, fixed rate charge is \$1,612	Residential property	Fixed charge of \$1,612 + valuation charge
	0 – \$150,000	0.54% of AUV of property
	\$150,001 – \$275,000	\$810 + 0.64% of AUV <sup>222</sup> in excess of \$150,000
	\$275,001 – \$1,000,000	\$1,610 + 1.24% of AUV in excess of \$275,000
	\$1,000,000 – \$2,000,000	\$10,600 + 1.25% of AUV in excess of \$1,000,000
<b>NSW</b> Assessed midnight on 31 December	≥ \$2,000,001	\$23,100 + 1.26% of AUV in excess of \$2,000,000
	Commercial property <sup>223</sup>	\$0
	0 – \$1,075,000	0.0%
	\$1,075,000 – \$6,571,000	\$100 + 1.6% of excess over \$1,075,000
	≥ \$6,571,000	\$88,036 plus 2% on excess over \$6,571,000
	Special trusts and non-concessional companies	
	\$0 ≥ \$6,571,000	1.6%
	≥ \$6,571,000	2%


<sup>221</sup> The *State Taxation and Mental Health Acts Amendment Act 2021 No. 22 of 2021* which received Assent on 16 June 2021 as Act No. 22 of 2021 amended the *Payroll Tax Act 2007* to insert the Mental health and wellbeing surcharge from 1 January 2022.

<sup>222</sup> AUV means average unimproved value over up to five years.

<sup>223</sup> Commercial properties have not been subject to land tax in ACT since 1 July 2012.

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>QLD</b> Assessed midnight on 30 June  A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>224</sup>	<b>Individuals</b>	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥\$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000
	<b>Companies, trustees, absentees</b>	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
	\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000
	\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000
	≥\$10,000,000	\$187,500 + 2.75% of excess over \$10,000,000
	<b>SA</b> Assessed midnight on 30 June	<b>General</b>
0 – \$732,000		Nil
\$ 732,001 – \$1,176,000		0.5% of excess over \$732,000
\$1,176,001 – \$1,711,000		\$2,220 + 1% of excess over \$1,176,000
\$1,711,001 – \$2,738,000		\$7,570 + 2.0% of excess over \$1,711,000
≥ \$2,738,000		\$28,110 + 2.4% of excess over \$2,738,000
<b>Trustees</b>		
0 – \$25,000		Nil
\$25,001 – \$732,000		\$125 + 0.5% of excess over \$25,000
\$732,001 – \$1,176,000		\$3,660 + 1.0% of excess over \$732,000
\$1,176,001 – \$1,711,000		\$8,100 + 1.50% of excess over \$1,176,000
\$1,711,001 – \$2,738,000		\$16,125 + 2.40% of excess over \$1,711,000
≥\$2,738,001		\$40,773 + 2.40% of excess over \$2,738, 000
<b>TAS</b> Assessed on 1 July		< \$125,000
	\$125,000 – \$499,999	\$50 + 0.45% excess over \$125,000
	≥ \$500,000	\$1,737.50+ 1.5% excess over \$500,000

<sup>224</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
VIC <sup>225 226</sup>	0 – <\$50,000	Nil
	\$50,000 – \$99,999	\$500
	\$100,000 – \$299,999	\$975
	\$300,000 – \$599,999	\$1,350 + 0.3% of excess over \$300,000
	\$600,000 – \$999,999	\$2,250 + 0.6% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$4,650 + 0.9% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999 ≥ \$3,000,000	\$11,850 + 1.65% of excess over \$1,800,000 \$31,650 + 2.65% of excess over \$3,000,000
Absentee owner surcharge <sup>227</sup>	0 – <\$50,000	Nil
	\$50,000 – \$99,999	\$2,500 + 4% of excess over \$50,000
	\$100,000 – \$299,999	\$4,975 + 4% of excess over \$100,000
	\$300,000 – \$599,999	\$13,350 + 4.3% of excess over \$300,000
	\$600,000 – \$999,999	\$26,250 + 4.6% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$44,650 + 4.9% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999 ≥ \$3,000,000	\$83,850 + 5.65% of excess over \$1,800,000 \$151,650 + 6.65% of excess over \$3,000,000
 <b>Trusts</b> A special land tax scale applies to trusts with property holdings of \$25,000 or more	<b>Trustees</b>	
	0 < \$25,000	Nil
	\$25,000 to < \$50,000	\$82 + 0.375% of excess over \$25,000
	\$50,000 to < \$100,000	\$676 + 0.375% of excess over \$50,000
	\$100,000 to < \$250,000	\$1,338 + 0.375% of excess over \$100,000
	\$250,000 to < \$600,000	\$1,901 + 0.675% of excess over \$250,000
	\$600,000 to < \$1,000,000	\$4,263 + 0.975% of excess over \$600,000
	\$1,000,000 to < \$1,800,000	\$8,163+ 1.275% of excess over \$1,000,000
	\$1,800,000 to < \$3,000,000	\$18,363 + 1.1072% of excess over \$1,800,000
\$3,000,000 and over	\$31,650 + 2.65% of excess over \$3,000,000	

<sup>225</sup> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009.

<sup>226</sup> *Land Tax Act 2005* was amended to introduce the COVID–19 debt temporary land tax surcharge to apply for a period of 10 years, commencing in the 2024 land tax year.

<sup>227</sup> The *State Taxation Acts Amendment Bill 2023* which received Assent on 27 June 2023 as Act No. 18 of 2023, amended the *Land Tax Act 2005* to increase the land tax surcharge for absentee owners from 2% to 4% and to decrease the tax-free threshold for land held by an absentee owner to \$50,000.

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>Trusts surcharge rates with absentee owner surcharge<sup>228</sup></b>	0 – \$25,000	Nil
	\$25,000 to \$50,000	\$1,082 + 4.375% of excess over \$25,000  The remaining trust surcharge rates above are increased by 4 percentage points where there is an absentee owner
<b>WA</b>  Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
	> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000

### ► 2024 land tax year

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>ACT</b>  Assessed quarterly: 1 July, 1 October, 1 January and 1 April  From 1 July 2023, fixed rate charge is \$1,535	Residential property	Fixed charge of \$1,535 + valuation charge
	0 – \$150,000	0.54% of AUV of property
	\$150,001 – \$275,000	\$810 + 0.64% of AUV <sup>229</sup> in excess of \$150,000
	\$275,001 – \$2,000,000	\$1,610 + 1.12% of AUV in excess of \$275,000
	≥ \$2,000,001	\$20,930 + 1.14% of AUV in excess of \$2,000,000
<b>NSW</b>  Assessed midnight on 31 December	Commercial property <sup>230</sup>	\$0
	0 – \$1,075,000	0.0%
	\$1,075,000 – \$6,571,000	\$100 + 1.6% of excess over \$1,075,000
	≥ \$6,571,000	\$88,036 plus 2% on excess over \$6,571,000
	Special trusts and non-concessional companies	
	\$0 ≥ \$6,571,000	1.6%
≥ \$6,571,000	2%	


<sup>229</sup> AUV means average unimproved value.

<sup>230</sup> Commercial properties have not been subject to land tax in ACT since 1 July 2012.



State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>QLD</b> Assessed midnight on 30 June  A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>231</sup>	Individuals	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥\$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000
	Companies, trustees, absentees	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000	
\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000	
≥\$10,000,000	\$187,500 + 2.75% of excess over \$10,000,000	
<b>SA</b> Assessed midnight on 30 June	General	
	0 – \$668,000	Nil
	\$ 668,001 – \$1,073,000	0.5% of excess over \$668,000
	\$1,073,001 – \$1,561,000	\$2,025 + 1% of excess over \$1,073,000
	\$1,561,001 – \$2,500,000	\$6,905 + 2.0% of excess over \$1,561,000
	≥ \$2,500,000	\$25,685 + 2.4% of excess over \$2,500,000
	Trustees	
	0 – \$25,000	Nil
	\$25,001 – \$668,000	\$125 + 0.5% of excess over \$25,000
	\$668,001 – \$1,073,000	\$3,340 + 1.0% of excess over \$668,000
\$1,073,001 – \$1,561,000	\$7,390 + 1.50% of excess over \$1,073,000	
\$1,561,001 – \$2,000,000	\$14,710 + 2.40% of excess over \$1,56,000	
≥\$2,500,001	\$37,246 + 2.40% of excess over \$2,500, 000	
<b>TAS</b> Assessed on 1 July	< \$100,000	Nil
	\$100,000 – \$499,999	\$50 + 0.45% excess over \$100,000
	≥ \$500,000	\$1,850 + 1.5% excess over \$500,000

<sup>231</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>VIC</b> <sup>232 233</sup>   <b>Trusts</b> A special land tax scale applies to trusts with property holdings of \$25,000 or more	0 – <\$50,000	Nil
	\$50,000 – \$99,999	\$500
	\$100,000 – \$299,999	\$975
	\$300,000 – \$599,999	\$1,350 + 0.3% of excess over \$300,000
	\$600,000 – \$999,999	\$2,250 + 0.6% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$4,650 + 0.9% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$11,850 + 1.65% of excess over \$1,800,000
	≥ \$3,000,000	\$31,650 + 2.65% of excess over \$3,000,000
	Trustees	
	0 < \$25,000	Nil
	\$25,000 to < \$50,000	\$82 + 0.375% of excess over \$25,000
	\$50,000 to < \$100,000	\$676 + 0.375% of excess over \$50,000
	\$100,000 to < \$250,000	\$1,338 + 0.375% of excess over \$100,000
	\$250,000 to < \$600,000	\$1,901 + 0.675% of excess over \$250,000
	\$600,000 to < \$1,000,000	\$4,263 + 0.975% of excess over \$600,000
\$1,000,000 to < \$1,800,000	\$8,163+ 1.275% of excess over \$1,000,000	
\$1,800,000 to < \$3,000,000	\$18,363 + 1.1072% of excess over \$1,800,000	
\$3,000,000 and over	\$31,650 + 2.65% of excess over \$3,000,000	
Absentee owner surcharge <sup>234</sup>	0 – \$50,000	Nil
	\$50,000	4%
<b>WA</b> Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000	

<sup>232</sup> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009.

<sup>233</sup> *Land Tax Act 2005* was amended to introduce the COVID–19 debt temporary land tax surcharge to apply for a period of 10 years, commencing in the 2024 land tax year.

<sup>234</sup> The *State Taxation Acts Amendment Bill 2023* which received Royal Assent on 27 June 2023 as Act No. 18 of 2023, amends the *Land Tax Act 2005* to increase the land tax surcharge for absentee owners from 2% to 4% and to decrease the tax-free threshold for land held by an absentee owner to \$50,000.

► **2023 land tax year**

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>ACT</b> Assessed quarterly: 1 July, 1 October, 1 January and 1 April  Land tax for the 2022–23 year is based on a fixed charge of \$1,392 + valuation charge	Residential property	
	0 – \$150,000	0.54%
	\$150,001 – \$275,000	\$810 + 0.64% of AUV in excess of \$150,000
	\$275,001 – \$2,000,000	\$1,610 + 1.12% of AUV in excess of \$275,000
	≥ \$2,000,001	\$20,930 + 1.14% of AUV in excess of \$2,000,000
	Commercial property <sup>235</sup>	\$0
<b>NSW</b> Assessed midnight on 31 December	0 – \$969,000	0.0%
	\$969,000 – \$5,925,000	\$100 + 1.6% of excess over \$969,000
	≥ \$5,925,000	\$ 79,396 plus 2% on excess over \$5,925,000
	Special trusts and non-concessional companies	
	0 – \$5,925,000	1.6%
	≥ \$5,925,000	2%
<b>QLD</b> Assessed midnight on 30 June  A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>236</sup>	Individuals	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥ \$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000
	Companies, trustees, absentees	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000	
\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000	
≥ \$10,000,000	\$187,500 + 2.75% of excess over \$10,000,000	

<sup>235</sup> Commercial properties have not been subject to land tax in ACT since 1 July 2012.

<sup>236</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>SA</b> Assessed midnight on 30 June	General	
	0 – \$534,000	Nil
	\$534,001 – \$858,000	0.5% of excess over \$534,000
	\$858,001 – \$1,249,000	\$1,620 + 1% of excess over \$858,000
	\$1,249,001 – \$2,000,000	\$5,530 + 2.0% of excess over \$1,249,000
	≥ \$2,000,000	\$20,550 + 2.4% of excess over \$2,000,000
	Trustees	
	0 – \$25,000	Nil
	\$25,001 – \$534,000	\$125 + 0.5% of excess over \$25,000
	\$534,001 – \$858,000	\$2,670 + 1.0% of excess over \$534,000
	\$858,001 – \$1,249,000	\$5,910 + 1.50% of excess over \$858,000
\$1,249,001 – \$2,000,000	\$11,775 + 2.40% of excess over \$1,249,000	
≥\$2,000,001	\$29,799 + 2.40% of excess over \$2,000, 000	
<b>TAS</b> Assessed on 1 July	< \$100,000	Nil
	\$100,000 – \$499,999	\$50 + 0.45% excess over \$100,000
	≥ \$500,000	\$1,850 + 1.5% excess over \$500,000
<b>VIC</b> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009.	0 – \$300,000	Nil
	\$300,000 – \$599,999	\$375 + 0.2% of excess over \$300,000
	\$600,000 – \$999,999	\$975 + 0.5% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$2,975 + 0.8% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$9,375 + 1.55% of excess over \$1,800,000
	≥ \$3,000,000	\$27,975 + 2.55% of excess over \$3,000,000
	Trustees	
	\$25,000 to < \$250,000	\$82 + 0.375% of excess over \$25,000
	\$250,000 to < \$600,000	\$926 + 0.575% of excess over \$250,000
	\$600,000 to < \$1,000,000	\$2,938 + 0.875% of excess over \$600,000
	\$1,000,000 to < \$1,800,000	\$6,438+ 1.175% of excess over \$1,000,000
\$1,800,000 to < \$3,000,000	\$15,838 + 1.0114% of excess over \$1,800,000	
\$3,000,000 and over	\$27,975 + 2.55% of excess over \$3,000,000	



### Trusts

A special land tax scale applies to trusts with property holdings of more than \$24,999

A surcharge of at least 2.2% applies to Victorian land valued at \$300,000 or above that is owned by an absentee owner

State/ Territory	Threshold	Rate of tax on average unimproved value (AUV)
<b>WA</b> Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
	> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000

### ► 2022 land tax year


State/ Territory	Threshold	Rate of tax
<b>ACT</b> Assessed quarterly: 1 July, 1 October, 1 January and 1 April  Land tax for the 2021–22 year is based on a fixed charge of \$1,392 + valuation charge	Residential property	
	0 – \$150,000	0.54%
	\$150,001 – \$275,000	\$810 + 0.64% of excess over \$150,000
	\$275,001 – \$2,000,000	\$1,610 + 1.12% of excess over \$275,000
	≥ \$2,000,001	\$20,930 + 1.14% of excess over \$2,000,000
	Commercial property <sup>237</sup>	\$0
<b>NSW</b> Assessed midnight on 31 December	0 – \$821,999	0.0%
	\$822,000– \$5,025,999	\$100 + 1.6% of excess over \$822,000
	≥ \$5,026,000	\$67,364 plus 2% on excess over \$5,026,000
	Special trusts and non-concessional companies	
	0 – \$5,025,999	1.6%
	≥ \$5,026,000	2%
<b>QLD</b> Assessed midnight on 30 June	Individuals	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥ \$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000

<sup>237</sup> Commercial properties have not been subject to land tax in ACT since 1 July 2012.

State/ Territory	Threshold	Rate of tax
A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>238</sup>	Companies, trustees, absentees	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
	\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000
	\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000
	≥\$10,000,000	\$187,500 + 2.75% of excess over \$10,000,000
<b>SA</b> Assessed midnight on 30 June	General	
	0 – \$482,000	Nil
	\$482,001 – \$774,000	0.5% of excess over \$482,000
	\$774,001 – \$1,126,000	\$1,460 + 1.25% of excess over \$774,000
	\$1,126,001 – \$1,350,000 <sup>239</sup>	\$5,860 + 2.0% of excess over \$1,126,000
	≥ \$1,350,000	\$10,340 + 2.4% of excess over \$1,350,000
	Trustees	
	0 – \$25,000	Nil
	\$25,001 – \$482,000	\$125 + 0.5% of excess over \$25,000
	\$482,001 – \$774,000	\$2,410 + 1.0% of excess over \$482,000
	\$774,001 – \$1,126,000	\$5,330 + 1.75% of excess over \$774,000
\$1,126,001 – \$1,350,000	\$11,490 + 2.40% of excess over \$1,126,000	
≥\$1,350,001	\$16,866 + 2.40% of excess over \$1, 350, 000	
<b>TAS</b> Assessed on 1 July	< \$50,000	Nil
	\$50,000 – \$399,999	\$50 + 0.55% excess over \$25,000
	≥ \$400,000	\$1,837.50 + 1.5% excess over \$350,000


<sup>238</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

<sup>239</sup> From 1 July 2020, a new marginal tax rate of 2.9 per cent applies for land valued between the top threshold and \$5 million: *Statutes Amendment and Repeal (Budget Measures) Act 2018* which received Royal Assent as Act No. 35 of 2018.

State/ Territory	Threshold	Rate of tax
<b>VIC</b> <sup>240</sup> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009.	0 – \$249,999	Nil
	\$250,000 – \$599,999	\$275 + 0.2% of excess over \$250,000
	\$600,000 – \$999,999	\$975 + 0.5% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$2,975 + 0.8% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$9,375 + 1.3% of excess over \$1,800,000
	≥ \$3,000,000	\$24,975 + 2.25% of excess over \$3,000,000
 <b>Note</b> A special land tax scale applies to trusts with property holdings of more than \$24,999  A 2 per cent surcharge applies to Victorian land valued at \$250,000 or above that is owned by an absentee owner	Trustees	
	0 – \$299,999	Nil
	\$300,000 – \$599,999	\$375 + 0.2% of excess over \$300,000
	\$600,000 – \$999,999	\$975 + 0.5% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$2,975 + 0.8% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$9,375 + 1.55% of excess over \$1,800,000
≥ \$3,000,000	\$27,975 + 2.55% of excess over \$3,000,000	
<b>WA</b> Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
	> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000

<sup>240</sup> From 1 January 2020, a 2 per cent absentee owner surcharge (previously 1.5 per cent from 1 January 2017, and 0.5 per cent for the 2016 land tax year) on land tax applies to Victorian land owned by an absentee owner. From 1 January 2018, a vacant residential land tax of 1 per cent of the capital improved value of residential property is payable if the property in the inner or middle ring of Melbourne is left vacant for more than six months in a calendar year. Due to the Coronavirus, the Victorian government is offering a full waiver of 2021 vacant residential land tax liabilities that would ordinarily apply to residential properties in Melbourne’s inner and middle suburbs that were vacant for more than six months in 2020.

► **2021 land tax year**

State/ Territory	Threshold	Rate of tax
<b>ACT</b> Assessed quarterly: 1 July, 1 October, 1 January and 1 April  Land tax for the 2020–21 year is based on a fixed charge of \$1,326 + valuation charge	Residential property	
	0 – \$150,000	0.52%
	\$150,001 – \$275,000	\$780 + 0.62% of excess over \$150,000
	\$275,001 – \$2,000,000	\$1,555 plus 1.10% of excess over \$275,000
	≥ \$2,000,000	\$20,530 plus 1.12% of excess over \$2,000,000
	Commercial property <sup>241</sup>	0%
<b>NSW</b> Assessed midnight on 31 December   <b>Note</b> Foreign persons who own residential land in NSW must pay a surcharge of 2.0 per cent <sup>242, 243</sup>	0 – \$754,999	0.0%
	\$755,000– \$4,615,999	\$100 + 1.6% of excess over \$755,000
	≥ \$4,616,000	\$61,876 plus 2% on excess over \$4,616,000
	Special trusts and non concessional companies	
	0 – \$4,615,999	1.6%
≥ \$4,616,000	2%	

<sup>241</sup> Commercial properties have not been subject to land tax since 1 July 2012.

<sup>242</sup> Section 5A(2) of the *Land Tax Act 1956* (NSW). The surcharge rate from the 2017 land tax year was 0.75 per cent. The two per cent rate applied to the taxable value of land from the 2018 land tax year onwards.


<sup>243</sup> Refunds and exemption from surcharge land tax payable on residential land owned by a foreign person that is an Australian corporation apply where: (a) a new home is constructed and sold without the home having been used or occupied before sale; or (b) the land is subdivided and sold for the purposes of new home construction.



State/ Territory	Threshold	Rate of tax
<b>QLD</b> Assessed midnight on 30 June  A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>244</sup>	Individuals	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥\$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000
	Companies, trustees, absentees	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000	
\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000	
≥\$10,000,000	\$187,500 + 2.75% of excess over \$10,000,000	
<b>SA</b> Assessed midnight on 30 June	General	
	0 – \$450,000	Nil
	\$450,001 – \$723,000	0.5% of excess over \$450,000
	\$723,001 – \$1,042,000	\$1,365 + 1.25% of excess over \$723,000
	\$1,052,001 – \$1,350,000 <sup>245</sup>	\$5,477.50 + 2.0% of excess over \$1,052,000
	≥ \$1,350,000	\$11,437.50 + 2.4% of excess over \$1,350,000
	Trustees	
	0 – \$25,000	Nil
\$25,001 – \$450,000	\$125 + 50c for every \$100 over \$25,000	
\$450,001 – \$723,000	\$2,250 + \$1 for every \$100 above \$450,000	


<sup>244</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

<sup>245</sup> From 1 July 2020, a new marginal tax rate of 2.9 per cent applies for land valued between the top threshold and \$5 million: *Statutes Amendment and Repeal (Budget Measures) Act 2018* which received Royal Assent as Act No. 35 of 2018.

State/ Territory	Threshold	Rate of tax
	\$723,001 — \$1,052,000	\$4,980 + \$1.75 for every \$100 above \$723,000
	\$1,052,001 — \$1,350,000	\$10,737.50 + \$2.40 for every \$100 above \$1,052,000
	≥\$1,350,001	\$17,889.50 plus \$2.40 for every \$100 or part of \$100 above \$1,350,000
<b>TAS</b> Assessed on 1 July	< \$25,000	Nil
	\$25,000 – \$349,999	\$50 + 0.55% excess over \$25,000
	≥ \$350,000	\$1,837.50 + 1.5% excess over \$350,000
<b>VIC</b> <sup>246</sup> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009.	0 – \$249,999	Nil
	\$250,000 – \$599,999	\$275 + 0.2% of excess over \$250,000
	\$600,000 – \$999,999	\$975 + 0.5% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$2,975 + 0.8% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$9,375 + 1.3% of excess over \$1,800,000
	≥ \$3,000,000	\$24,975 + 2.25% of excess over \$3,000,000
 <b>Note</b> A special land tax scale applies to trusts with property holdings of more than \$24,999 A 2 per cent surcharge applies to Victorian land valued at \$250,000 or above that is owned by an absentee owner		
<b>WA</b> Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
	> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000

<sup>246</sup> From 1 January 2020, a 2 per cent absentee owner surcharge (previously 1.5 per cent from 1 January 2017, and 0.5 per cent for the 2016 land tax year) on land tax applies to Victorian land owned by an absentee owner. From 1 January 2018, a vacant residential land tax of 1 per cent of the capital improved value of residential property is payable if the property in the inner or middle ring of Melbourne is left vacant for more than six months in a calendar year. Due to the Coronavirus, the Victorian government is offering a full waiver of 2021 vacant residential land tax liabilities that would ordinarily apply to residential properties in Melbourne's inner and middle suburbs that were vacant for more than six months in 2020.

► **2020 land tax year**

State/ Territory	Threshold	Rate of tax
<b>ACT</b> Assessed quarterly: 1 July, 1 October, 1 January and 1 April  Land tax for the 2019–20 year is based on a fixed charge of \$1,263 + valuation charge	Residential property	
	0 – \$150,000	0.50%
	\$150,001 – \$275,000	\$750 + 0.60% of excess over \$150,000
	\$275,001 – \$2,000,000	\$1,500 plus 1.08% of excess over \$275,000
	≥ \$2,000,000	\$20,130 plus 1.10% of excess over \$2,000,000
	Commercial property <sup>247</sup>	0%
<b>NSW</b> Assessed midnight on 31 December   <b>Note</b> Foreign persons who own residential land in NSW must pay a surcharge of 2.0 per cent <sup>248, 249</sup>	0 – \$733,999	0.0%
	\$734,000 – \$4,447,999	\$100 + 1.6% of excess over \$734,000
	≥ \$4,448,000	\$59,524 plus 2% on excess over \$4,448,000
	Special trusts and non-concessional companies	
	0 – \$4,447,999	1.6%
≥ \$4,448,000	2%	

<sup>247</sup> Commercial properties have not been subject to land tax since 1 July 2012.

<sup>248</sup> Section 5A(2) of the *Land Tax Act 1956* (NSW).


<sup>249</sup> Refunds and exemption from surcharge land tax payable on residential land owned by a foreign person that is an Australian corporation apply where: (a) a new home is constructed and sold without the home having been used or occupied before sale; or (b) the land is subdivided and sold for the purposes of new home construction.

State/ Territory	Threshold	Rate of tax
<b>QLD</b> Assessed midnight on 30 June  A surcharge of 2% applies to absentee owners, foreign companies and trustees of foreign trusts <sup>250</sup>	Individuals	
	0 – \$599,999	Nil
	\$600,000 – \$999,999	\$500 + 1.0% of excess over \$600,000
	\$1,000,000 – \$2,999,999	\$4,500 + 1.65% of excess over \$1,000,000
	\$3,000,000 – \$4,999,999	\$37,500 + 1.25% of excess over \$3,000,000
	\$5,000,000 – \$9,999,999	\$62,500 + 1.75% of excess over \$5,000,000
	≥\$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000
	Companies, trustees, absentees	
	0 – \$349,999	Nil
	\$350,000 – \$2,249,999	\$1,450 + 1.7% of excess over \$350,000
\$2,250,000 – \$4,999,999	\$33,750 + 1.5% of excess over \$2,250,000	
\$5,000,000 – \$9,999,999	\$75,000 + 2.25% of excess over \$5,000,000	
≥\$10,000,000	\$150,000 + 2.25% of excess over \$10,000,000	
<b>SA</b> Assessed midnight on 30 June <sup>251</sup>	0 – \$391,000 <sup>252</sup>	Nil
	\$391,001 – \$716,000	0.5% of excess over \$391,000
	\$716,001 – \$1,042,000	\$1,625 + 1.65% of excess over \$716,000
	\$1,042,001 – \$1,302,000	\$7,004 + 2.4% of excess over \$1,042,000
	> \$1,302,000	\$13,244 + 3.7% of excess over \$1,302,000
<b>TAS</b> Assessed on 1 July	< \$25,000	Nil
	\$25,000 – \$349,999	\$50 + 0.55% excess over \$25,000
	≥ \$350,000	\$1,837.50 + 1.5% excess over \$350,000

<sup>250</sup> If an individual is considered an absentee at 30 June, a surcharge will apply to the taxable value of their land, calculated as (Taxable value - \$350,000) × 2%.

<sup>251</sup> In response to the Coronavirus pandemic, businesses and individuals paying land tax on a **quarterly basis** in 2019–20 will be able to **defer** payment of their third and fourth quarter instalments for up to six months. Affected businesses and individuals will be sent their land tax notices of assessment as usual, with information provided on how the deferral will be administered (i.e. there is no requirement to apply for the deferral).

<sup>252</sup> The tax-free threshold will increase to \$450,000 from 1 July 2020.

State/ Territory	Threshold	Rate of tax
<b>VIC</b> <sup>253</sup> Assessed at midnight on 31 December; the general thresholds and rates have been unchanged since 2009. <sup>254</sup>	0 – \$249,999	Nil
	\$250,000 – \$599,999	\$275 + 0.2% of excess over \$250,000
	\$600,000 – \$999,999	\$975 + 0.5% of excess over \$600,000
	\$1,000,000 – \$1,799,999	\$2,975 + 0.8% of excess over \$1,000,000
	\$1,800,000 – \$2,999,999	\$9,375 + 1.3% of excess over \$1,800,000
	≥ \$3,000,000	\$24,975 + 2.25% of excess over \$3,000,000
 <b>Note</b> A special land tax scale applies to trusts with property holdings of more than \$24,999 A 2 per cent surcharge applies to Victorian land valued at \$250,000 or above that is owned by an absentee owner		
<b>WA</b> Assessed midnight on 30 June	0 – \$300,000	Nil
	\$300,001 – \$420,000	\$300
	\$420,001 – \$1,000,000	\$300 + 0.25% of excess over \$420,000
	\$1,000,001 – \$1,800,000	\$1,750 + 0.90% of excess over \$1,000,000
	\$1,800,001 – \$5,000,000	\$8,950 + 1.80% of excess over \$1,800,000
	\$5,000,001 – \$11,000,000	\$66,550 + 2% of excess over \$5,000,000
	> \$11,000,000	\$186,550 + 2.67% of excess over \$11,000,000

<sup>253</sup> From 1 January 2020, a 2 per cent absentee owner surcharge (previously 1.5 per cent from 1 January 2017, and 0.5 per cent for the 2016 land tax year) on land tax applies to Victorian land owned by an absentee owner. From 1 January 2018, a vacant residential land tax of 1 per cent of the capital improved value of residential property is payable if the property in the inner or middle ring of Melbourne is left vacant for more than six months in a calendar year.

<sup>254</sup> As a result of the Coronavirus pandemic, land owners that have at least one non-residential property and total taxable landholdings below \$1 million have the option of deferring their 2020 Victorian land tax payment until **after 31 December 2020**. The State Revenue Office will contact all taxpayers who are eligible for this deferral.

## Windfall gains tax – Victoria

The windfall gains tax (WGT) applies to uplifts in land value resulting from amendments to planning schemes within the meaning of the *Planning and Environment Act 1987* (Vic) that take effect on or after 1 July 2023. The WGT is payable by the owner of the land when the liable rezoning (WGT event) occurs.

### ► 2023–24

Taxable value uplift <sup>255</sup>	Rate of WGT
Not more than \$100,000	Nil
More than \$100,000 but less than \$500,000	62.5 per cent of that part of the taxable value uplift that exceeds \$100,000 <sup>256</sup>
\$500,000 or more	50 per cent of the taxable value uplift

## Websites

### Federal websites

	Office	Website
ATO	Australian Taxation Office ATO Legal database	<a href="http://ato.gov.au">ato.gov.au</a> <a href="http://ato.gov.au/law">ato.gov.au/law</a>
Federal Government	Treasury Treasury Portfolio Ministers Parliament House	<a href="http://treasury.gov.au">treasury.gov.au</a> <a href="http://ministers.treasury.gov.au">ministers.treasury.gov.au</a> <a href="http://aph.gov.au">aph.gov.au</a>
ComLaw	Commonwealth Law, incorporating the Federal Register of Legislative Instruments (FRLI).	<a href="http://comlaw.gov.au">comlaw.gov.au</a>
Case law	Australian Legal Information Institute	<a href="http://austlii.edu.au">austlii.edu.au</a>
Superannuation	Australian Prudential & Regulation Authority (APRA) ATO	<a href="http://apra.gov.au">apra.gov.au</a> <a href="http://ato.gov.au/super">ato.gov.au/super</a>
Centrelink	Centrelink	<a href="http://servicesaustralia.gov.au/">servicesaustralia.gov.au/</a>
ASIC	Australian Securities and Investments Commission	<a href="http://asic.gov.au">asic.gov.au</a>

<sup>255</sup> The taxable value uplift of land is the value uplift of the land less any deductions prescribed by the regulations.

<sup>256</sup> Because of the tax-free threshold that applies under this rate, the effective tax rate is less than 50 per cent.

Office		Website
ASX	Australian Stock Exchange	<a href="http://asx.com.au">asx.com.au</a>
Social Security Law	Social Security, Family Assistance and Paid Parental Leave	<a href="http://dss.gov.au/">dss.gov.au/</a>

## State websites

Office		Website
Australian Capital Territory	ACT Government	<a href="http://act.gov.au">act.gov.au</a>
	ACT Revenue Office	<a href="http://revenue.act.gov.au">revenue.act.gov.au</a>
New South Wales	State Government	<a href="http://nsw.gov.au">nsw.gov.au</a>
	Revenue NSW	<a href="http://revenue.nsw.gov.au">revenue.nsw.gov.au</a>
Northern Territory	Northern Territory Government	<a href="http://nt.gov.au">nt.gov.au</a>
	Northern Territory Revenue	<a href="http://treasury.nt.gov.au">treasury.nt.gov.au</a>
Queensland	State Government Office of State Revenue	<a href="http://qld.gov.au">qld.gov.au</a> <a href="http://treasury.qld.gov.au/budget-and-financial-management/revenue-and-taxation/">treasury.qld.gov.au/budget-and-financial-management/revenue-and-taxation/</a>
South Australia	State Government	<a href="http://sa.gov.au">sa.gov.au</a>
	Revenue SA	<a href="http://revenuesa.sa.gov.au">revenuesa.sa.gov.au</a>
Tasmania	State Government	<a href="http://tas.gov.au">tas.gov.au</a>
	State Revenue Office	<a href="http://sro.tas.gov.au/">sro.tas.gov.au/</a>
Victoria	State Government	<a href="http://vic.gov.au">vic.gov.au</a>
	State Revenue Office	<a href="http://sro.vic.gov.au">sro.vic.gov.au</a>
Western Australia	Government	<a href="http://wa.gov.au">wa.gov.au</a>
	Office of State Revenue	<a href="http://finance.wa.gov.au">finance.wa.gov.au</a>

