

SOCIAL SERVICES TAX ACT.

Act No. 12, 1939.

An Act to impose a Social Services Tax; to declare the rates and amounts at which such tax is to be charged, levied, collected, and paid; and for purposes connected therewith.
[Assented to, 29th September, 1939.]

BE

No. 12, 1939.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.**PRELIMINARY.**

Short title
and com-
mencement.

1. (1) This Act may be cited as the "Social Services Tax Act, 1939."

Division
into Parts.

(2) This Act shall commence upon the date of commencement of the Social Services Tax (Management) Act, 1939.

2. This Act is divided into Parts as follows:—

PART I.—PRELIMINARY—ss. 1, 2.

**PART II.—SOCIAL SERVICES TAX UPON NET ASSESS-
ABLE INCOME—ss. 3-10.**

**PART III.—SOCIAL SERVICES TAX UPON INCOME FROM
EMPLOYMENT—ss. 11-13.**

SCHEDULES.

PART II.

Construction
of Part.

SOCIAL SERVICES TAX UPON NET ASSESSABLE INCOME.

Levy of
Social
Services
Tax upon
net assess-
able
income.

3. This Part of this Act shall be construed with the Social Services Tax (Management) Act, 1939.

Rates of
Social
Services
Tax on
incomes of
persons
other than
companies.

4. There shall be charged, levied, collected and paid for the use of His Majesty and for the credit of the Social Services Fund, under the provisions of the Social Services Tax (Management) Act, 1939, and the regulations thereunder, and subject to the exemptions in that Act contained, and to the provisions of section ten of this Act, Social Services Tax at the respective rates in this Part of this Act provided.

5. In respect of the net assessable income derived by every person other than a company during the year of income ended on the thirtieth day of June, one thousand nine hundred and thirty-nine, or such other period as has, prior to the commencement of this Act, been or may, after

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after such commencement, be accepted by the Commissioner under the provisions of the Principal Act in lieu thereof, the rates of Social Services Tax shall subject to section ten of this Act be as set out in the First Schedule to this Act.

6. (1) Where a trust estate falls to be distributed or a person is about to leave this State and the estate or person has derived net assessable income after the close of the year of income ended on the thirtieth day of June, one thousand nine hundred and thirty-nine, and an assessment of Social Services Tax becomes necessary before the commencement of an Act fixing the rate of Social Services Tax in respect of net assessable income derived after such year of income the rates of tax to be paid in respect of such net assessable income shall subject to section ten of this Act be those set out in the First Schedule to this Act.

(2) Where in respect of any period after the close of the year of income ended on the thirtieth day of June, one thousand nine hundred and thirty-nine, the Commissioner, pursuant to Division 15 of Part III of the Principal Act, requires a return to be made, and an assessment of Social Services Tax becomes necessary before the commencement of an Act fixing the rate of Social Services Tax in respect of net assessable income derived after such year of income, the rate of tax to be paid in respect of such net assessable income shall subject to section ten of this Act be one shilling in each pound of the net assessable income.

7. In respect of the income derived on or after the date of the commencement of this Act by every person (other than a company) not domiciled in this State and by every company which is a non-resident consisting of dividends or interest referred to in section thirteen of the Social Services Tax (Management) Act, 1939, the rate of Social Services Tax shall subject to section ten of this Act be one shilling in each pound of the dividend or interest.

8. (1) In respect of the net assessable income derived by every company during the year of income ended on the thirtieth day of June, one thousand nine hundred and thirty-nine, or such other period as has, prior to the commencement

Rates of
Social
Services
Tax in
certain
special
cases.

Rate of Social
Services Tax
payable under
section
thirteen of
Social Services
Tax
(Management)
Act, 1939.

Rate of
Social
Services
Tax on
incomes of
companies.

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commencement of this Act, been or may, after such commencement, be accepted by the Commissioner under the provisions of the Principal Act in lieu thereof, the rate of Social Services Tax shall subject to section ten of this Act be elevenpence and one halfpenny in each pound thereof.

(2) Where a company which is being wound up has derived net assessable income after the close of the year of income ended on the thirtieth day of June, one thousand nine hundred and thirty-nine, and an assessment of Social Services Tax becomes necessary, before the commencement of an Act fixing the rate of Social Services Tax in respect of net assessable income so derived, the rate of tax to be paid in respect of such net assessable income shall subject to section ten of this Act be one shilling in each pound of the net assessable income.

Sections 6
and 8 (2)
not to apply
in certain
cases.

9. The provisions of section six and of subsection two of section eight of this Act shall not apply in any case in which prior to the commencement of this Act an assessment has been made and Special Income Tax has been charged at the rates provided by section six or subsection two of section eight of the Special Income and Wages Tax Act, 1938.

Reduction
of rates.

10. The rates of tax provided in this Part of this Act shall be reduced by two-thirds.

PART III.

SOCIAL SERVICES TAX UPON INCOME FROM EMPLOYMENT.

Construction
of Part.

Levy of
Social
Services
Tax upon
income from
employment

11. This Part of this Act shall be construed with the Social Services Tax (Management) Act, 1939.

12. There shall be charged, levied, collected and paid for the use of His Majesty and for the credit of the Social Services Fund under the provisions of the Social Services Tax (Management) Act, 1939, and the regulations thereunder and subject to the exemptions in that Act contained, and to the provisions of section thirteen of this Act, and in lieu of the Wages Tax imposed

imposed by section ten of the Special Income and Wages Tax Act 1938, Social Services Tax at the respective amounts or at the respective rates provided in the Second Schedule to this Act in respect of income from employment derived by every person other than a company during the period commencing on the date of the commencement of this Act, and ending on the thirtieth day of June, one thousand nine hundred and forty, both inclusive, or so derived during such part of the year of income ending on the thirtieth day of June, one thousand nine hundred and forty-one, not exceeding the first four months thereof as the Governor by proclamation published in the Gazette before the thirtieth day of June, one thousand nine hundred and forty, shall determine.

13. The rates and amounts of tax provided in this Part of this Act shall be reduced by two-thirds. Reduction of rates and amount.

FIRST SCHEDULE.

Sec. 5.

Net Assessable Income.

PART I.

Where, during the year of income referred to in section five of this Act, the person derived no income from employment—

(a) where the net assessable income does not exceed one hundred pounds;	Four pence in each pound of the net assessable income;
(b) where the net assessable income exceeds one hundred pounds and does not exceed one hundred and fifty-six pounds;	Four pence in each pound of the first one hundred pounds of the net assessable income;
	Seven pence in each pound of the balance of the net assessable income:
	FIRST

FIRST SCHEDULE—*continued.*PART I—*continued.*

(c) where the net assessable income exceeds one hundred and fifty-six pounds and does not exceed two hundred and eighteen pounds;	Four pence in each pound of the first one hundred pounds of the net assessable income;
	Ten pence in each pound of the balance of the net assessable income;
(d) where the net assessable income exceeds two hundred and eighteen pounds and does not exceed two hundred and sixty pounds;	Six pence in each pound of the first one hundred pounds of the net assessable income;
	Ten pence in each pound of the next one hundred pounds of the net assessable income;
(e) where the net assessable income exceeds two hundred and sixty pounds and does not exceed three hundred and twelve pounds;	Ten pence and one half-penny in each pound of the balance of the net assessable income;
	Seven pence in each pound of the first one hundred pounds of the net assessable income;
(f) where the net assessable income exceeds three hundred and twelve pounds and does not exceed one thousand and forty pounds;	Ten pence in each pound of the next one hundred pounds of the net assessable income;
	Ten pence and one half-penny in each pound of the balance of the net assessable income;
	Seven pence in each pound of the first one hundred pounds of the net assessable income;

FIRST

FIRST SCHEDULE—continued.**PART I—continued.**

	Ten pence and one halfpenny in each pound of the balance of the net assessable income;
(g) where the net assessable income exceeds one thousand and forty pounds;	Nine pence in each pound in respect of one hundred pounds of the net assessable income;
	Ten pence and one halfpenny in each pound in respect of nine hundred pounds of the net assessable income;
	Eleven pence and one halfpenny in each pound of the balance of the net assessable income.

PART II.

Where, during the year of income referred to in section five of this Act, the person also derived income from employment—

(1) where the sum of income from employment and net assessable income does not exceed one hundred pounds;	Four pence in each pound of the net assessable income;
(2) where the sum of income from employment and net assessable income exceeds one hundred pounds and does not exceed one hundred and fifty-six pounds; then—	
(a) if the amount of the income from employment is less than one hundred pounds;	Four pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;
	Seven pence in each pound of the balance of the net assessable income.

FIRST

FIRST SCHEDULE—*continued.***PART II—*continued.***

(b) if the amount of the income from employment is equal to or exceeds one hundred pounds;	Seven pence in each pound of the net assessable income;
(3) where the sum of income from employment and net assessable income exceeds one hundred and fifty-six pounds and does not exceed two hundred and eighteen pounds, then—	
(a) if the amount of the income from employment is less than one hundred pounds;	Four pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;
(b) if the amount of the income from employment is equal to or exceeds one hundred pounds;	
(4) where the sum of income from employment and net assessable income exceeds two hundred and eighteen pounds and does not exceed two hundred and sixty pounds, then—	
(a) if the amount of the income from employment is less than one hundred pounds;	Six pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;

FIRST

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FIRST SCHEDULE—*continued.*

PART II—*continued.*

Ten pence in each pound of so much of the remainder of the net assessable income as does not exceed one hundred pounds;

Ten pence and one halfpenny in each pound of the balance of the net assessable income;

(b) if the amount of the income from employment is equal to or exceeds one hundred pounds and does not exceed two hundred pounds;

Ten pence in each pound of so much of the net assessable income as equals the difference between the income from employment and two hundred pounds;

Ten pence and one halfpenny in each pound of the balance of the net assessable income;

(c) if the amount of the income from employment is equal to or exceeds two hundred pounds;

Ten pence and one halfpenny in each pound of the net assessable income;

(5) where the sum of income from employment and net assessable income exceeds two hundred and sixty pounds and does not exceed three hundred and twelve pounds, then—

(a) if the amount of the income from employment is less than one hundred pounds;

Seven pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;

FIRST

FIRST SCHEDULE—*continued.*PART II—*continued.*

Ten pence in each pound of so much of the remainder of the net assessable income as does not exceed one hundred pounds;

Ten pence and one halfpenny in each pound of the balance of the net assessable income;

(b) If the amount of the income from employment is equal to or exceeds one hundred pounds and does not exceed two hundred pounds;

Ten pence in each pound of so much of the net assessable income as equals the difference between the income from employment and two hundred pounds;

Ten pence and one halfpenny in each pound of the balance of the net assessable income;

(c) if the amount of the income from employment is equal to or exceeds two hundred pounds;

Ten pence and one halfpenny in each pound of the net assessable income;

(6) where the sum of income from employment and net assessable income exceeds three hundred and twelve pounds and does not exceed one thousand and forty pounds, then—

(a) if the amount of the income from employment is less than one hundred pounds;

Seven pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;

FIRST

FIRST SCHEDULE—*continued.*

PART II—*continued.*

Ten pence and one halfpenny in each pound of the balance of the net assessable income;

(b) if the amount of the income from employment is equal to or exceeds one hundred pounds;

Ten pence and one halfpenny in each pound of the net assessable income;

(7) where the sum of income from employment and net assessable income exceeds one thousand and forty pounds, then—

(a) if the amount of the income from employment is less than one hundred pounds;

Nine pence in each pound of so much of the net assessable income as equals the difference between the income from employment and one hundred pounds;

Ten pence and one halfpenny in each pound of so much of the remainder of the net assessable income as does not exceed nine hundred pounds;

Eleven pence and one halfpenny in each pound of the balance of the net assessable income;

(b) if the amount of the income from employment is equal to or exceeds one hundred pounds and does not exceed one thousand pounds;

Ten pence and one halfpenny in each pound of so much of the net assessable income as equals the difference between the income from employment and one thousand pounds:

FIRST

FIRST SCHEDULE—*continued.*PART II—*continued.*

Eleven pence and one halfpenny in each pound of the balance of the net assessable income; Eleven pence and one halfpenny in each pound of the net assessable income.

(c) if the amount of the income from employment is equal to or exceeds one thousand pounds;

Sec. 12.

SECOND SCHEDULE.

Income from employment.

1. Where the income from employment earned by an employee in any week is not less than two pounds and is less than twenty pounds the amounts of Social Services Tax shall be as follows:—

If the income from employment earned in any week—		Weekly amounts of Social Services Tax.
Amounts to or exceeds—	But does not exceed—	
£ s. d.	£ s. d.	s. d.
2 0 0	2 1 11	0 10
2 2 0	2 3 11	0 11
2 4 0	2 5 11	1 0
2 6 0	2 7 11	1 1
2 8 0	2 9 11	1 2
2 10 0	2 11 11	1 3
2 12 0	2 13 11	1 4
2 14 0	2 15 11	1 6
2 16 0	2 17 11	1 7
2 18 0	2 19 11	1 8
3 0 0	3 1 11	1 9
3 2 0	3 3 11	1 11
3 4 0	3 5 11	2 0
3 6 0	3 7 11	2 1
3 8 0	3 9 11	2 3
3 10 0	3 11 11	2 4
3 12 0	3 13 11	2 5
3 14 0	3 15 11	2 6
3 16 0	3 17 11	2 7
3 18 0	3 19 11	2 8
4 0 0	4 1 11	2 9
4 2 0	4 3 11	2 11

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SECOND SCHEDULE—*continued.*

If the income from employment earned
in any week—

Amounts to or exceeds—	But does not exceed—	Weekly amounts of Social Services Tax.
£ s. d.	£ s. d.	s. d.
4 4 0	4 5 11	3 1
4 6 0	4 7 11	3 3
4 8 0	4 9 11	3 4
4 10 0	4 11 11	3 6
4 12 0	4 13 11	3 7
4 14 0	4 15 11	3 9
4 16 0	4 17 11	3 10
4 18 0	4 19 11	4 0
5 0 0	5 1 11	4 1
5 2 0	5 3 11	4 3
5 4 0	5 5 11	4 4
5 6 0	5 7 11	4 5
5 8 0	5 9 11	4 6
5 10 0	5 11 11	4 7
5 12 0	5 13 11	4 8
5 14 0	5 15 11	4 9
5 16 0	5 17 11	4 10
5 18 0	5 19 11	4 11
6 0 0	6 1 11	5 0
6 2 0	6 3 11	5 2
6 4 0	6 5 11	5 3
6 6 0	6 7 11	5 4
6 8 0	6 9 11	5 5
6 10 0	6 11 11	5 6
6 12 0	6 13 11	5 7
6 14 0	6 15 11	5 8
6 16 0	6 17 11	5 9
6 18 0	6 19 11	5 10
7 0 0	7 1 11	5 11
7 2 0	7 3 11	6 1
7 4 0	7 5 11	6 2
7 6 0	7 7 11	6 3
7 8 0	7 9 11	6 4
7 10 0	7 11 11	6 5
7 12 0	7 13 11	6 6
7 14 0	7 15 11	6 7
7 16 0	7 17 11	6 8
7 18 0	7 19 11	6 9
8 0 0	8 1 11	6 10
8 2 0	8 3 11	7 0
8 4 0	8 5 11	7 1
8 6 0	8 7 11	7 2
8 8 0	8 9 11	7 3
8 10 0	8 11 11	7 4
8 12 0	8 13 11	7 5
8 14 0	8 15 11	7 6

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SECOND SCHEDULE—*continued.*

If the income from employment earned in any week—		Weekly amounts of Social Services Tax.
Amounts to or exceeds—	But does not exceed—	
£ s. d	£ s. d.	s. d.
8 16 0	8 17 11	7 7
8 18 0	8 19 11	7 8
9 0 0	9 1 11	7 9
9 2 0	9 3 11	7 11
9 4 0	9 5 11	8 0
9 6 0	9 7 11	8 1
9 8 0	9 9 11	8 2
9 10 0	9 11 11	8 3
9 12 0	9 13 11	8 4
9 14 0	9 15 11	8 5
9 16 0	9 17 11	8 6
9 18 0	9 19 11	8 7
10 0 0	10 1 11	8 8
10 2 0	10 3 11	8 10
10 4 0	10 5 11	8 11
10 6 0	10 7 11	9 0
10 8 0	10 9 11	9 1
10 10 0	10 11 11	9 2
10 12 0	10 13 11	9 3
10 14 0	10 15 11	9 4
10 16 0	10 17 11	9 5
10 18 0	10 19 11	9 6
11 0 0	11 1 11	9 7
11 2 0	11 3 11	9 9
11 4 0	11 5 11	9 10
11 6 0	11 7 11	9 11
11 8 0	11 9 11	10 0
11 10 0	11 11 11	10 1
11 12 0	11 13 11	10 2
11 14 0	11 15 11	10 3
11 16 0	11 17 11	10 4
11 18 0	11 19 11	10 5
12 0 0	12 1 11	10 6
12 2 0	12 3 11	10 8
12 4 0	12 5 11	10 9
12 6 0	12 7 11	10 10
12 8 0	12 9 11	10 11
12 10 0	12 11 11	11 0
12 12 0	12 13 11	11 1
12 14 0	12 15 11	11 2
12 16 0	12 17 11	11 3
12 18 0	12 19 11	11 4
13 0 0	13 1 11	11 5
13 2 0	13 3 11	11 7
13 4 0	13 5 11	11 8
13 6 0	13 7 11	11 9

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SECOND SCHEDULE—*continued.*

If the income from employment earned
in any week—

Amounts to or exceeds—	But does not exceed—	Weekly amounts of Social Services Tax.
£ s. d.	£ s. d.	s. d.
13 8 0	13 9 11	11 10
13 10 0	13 11 11	11 11
13 12 0	13 13 11	12 0
13 14 0	13 15 11	12 1
13 16 0	13 17 11	12 2
13 18 0	13 19 11	12 3
14 0 0	14 1 11	12 4
14 2 0	14 3 11	12 6
14 4 0	14 5 11	12 7
14 6 0	14 7 11	12 8
14 8 0	14 9 11	12 9
14 10 0	14 11 11	12 10
14 12 0	14 13 11	12 11
14 14 0	14 15 11	13 0
14 16 0	14 17 11	13 1
14 18 0	14 19 11	13 2
15 0 0	15 1 11	13 3
15 2 0	15 3 11	13 5
15 4 0	15 5 11	13 6
15 6 0	15 7 11	13 7
15 8 0	15 9 11	13 8
15 10 0	15 11 11	13 9
15 12 0	15 13 11	13 10
15 14 0	15 15 11	13 11
15 16 0	15 17 11	14 0
15 18 0	15 19 11	14 1
16 0 0	16 1 11	14 2
16 2 0	16 3 11	14 4
16 4 0	16 5 11	14 5
16 6 0	16 7 11	14 6
16 8 0	16 9 11	14 7
16 10 0	16 11 11	14 8
16 12 0	16 13 11	14 9
16 14 0	16 15 11	14 10
16 16 0	16 17 11	14 11
16 18 0	16 19 11	15 0
17 0 0	17 1 11	15 1
17 2 0	17 3 11	15 3
17 4 0	17 5 11	15 4
17 6 0	17 7 11	15 5
17 8 0	17 9 11	15 6
17 10 0	17 11 11	15 7
17 12 0	17 13 11	15 8
17 14 0	17 15 11	15 9
17 16 0	17 17 11	15 10
17 18 0	17 19 11	15 11

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No. 12, 1932.**SECOND SCHEDULE—*continued.***

If the income from employment earned in any week—		Weekly amounts of Social Services Tax.
Amounts to or exceeds—	But does not exceed—	
£ s. d.	£ s. d.	s. d.
18 0 0	18 1 11	16 0
18 2 0	18 3 11	16 2
18 4 0	18 5 11	16 3
18 6 0	18 7 11	16 4
18 8 0	18 9 11	16 5
18 10 0	18 11 11	16 6
18 12 0	18 13 11	16 7
18 14 0	18 15 11	16 8
18 16 0	18 17 11	16 9
18 18 0	18 19 11	16 10
19 0 0	19 1 11	16 11
19 2 0	19 3 11	17 1
19 4 0	19 5 11	17 2
19 6 0	19 7 11	17 3
19 8 0	19 9 11	17 4
19 10 0	19 11 11	17 5
19 12 0	19 13 11	17 6
19 14 0	19 15 11	17 7
19 16 0	19 17 11	17 8
19 18 0	19 19 11	17 9

2. Where the income from employment earned by an employee in any week is not less than twenty pounds the amounts of Social Services Tax shall be as follows:—

Seventeen shillings and ten pence plus one penny for each one shilling and eight pence of income from employment in excess of twenty pounds.

3. Where an employee is paid at other than weekly intervals, and the amount actually earned by him in each week included in the period in respect of which the payment is made is not readily ascertainable, the income from employment earned by the employee in each such week may, for the purposes of this Schedule, be calculated by dividing the sum paid to him by the number of weeks included in such period.