

LAND TAX MANAGEMENT (AMENDMENT) ACT 1987
No. 229

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

LAND TAX MANAGEMENT (AMENDMENT) ACT 1987 No. 229

NEW SOUTH WALES



Act No. 229, 1987

An Act to amend the Land Tax Management Act 1956 with respect to land exempted from land tax. [Assented to 16 December 1987]

*Land Tax Management (Amendment) 1987***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Land Tax Management (Amendment) Act 1987.

Commencement

2. This Act shall be deemed to have commenced on 31 December 1986.

Amendment of Act No. 26, 1956

3. The Land Tax Management Act 1956 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

Section 10 (Land exempted from tax)—

(1) Section 10 (1) (r)—

Omit the paragraph, insert instead:

(r) with respect to taxation leviable or payable in respect of the year commencing on 1 January 1987 or any succeeding year—

- (i) a strata lot used and occupied as the principal place of residence of the owner of the lot (or, if there are joint owners, as the principal place of residence of one or more of them) and for no other purpose;
- (ii) a parcel of residential land not exceeding 2,100 square metres in area that is used and occupied as the principal place of residence of the owner of the land (or, if there are joint owners, as the principal place of residence of one or more of them) and for no other purpose;
- (iii) a parcel of residential land not exceeding 2,100 square metres in area that is used and occupied as the principal place of residence of the owner of the land (or, if there are joint owners, as the principal place of residence of one or more of them) and for no other purpose but on which there is also one of the residential occupancies referred to in subsection (1D) (b) (ii) (A)–(F),

unless the owner or all of the joint owners who so used and occupied the lot or land (as appropriate) is such an owner by reason only of being a trustee.

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- (2) Section 10 (1) (u)—
Omit “1st January 1976”, insert instead “1 January 1987”.
- (3) Section 10 (1) (u) (i)—
After “paragraph (r) (ii)”, insert “or (iii)”.
- (4) Section 10 (1D)—
Omit “a building that is”, insert instead “a building or buildings”.
- (5) Section 10 (1D) (b)—
After “a building”, insert “or buildings”.
- (6) Section 10 (1D) (b) (i)—
Omit “that is”.
- (7) Section 10 (1D) (b) (ii), (iii)—
Omit the subparagraphs, insert instead:
- (ii) containing (out of the total of all rooms in the building or buildings) occupancies other than that of the owner and any one of the following residential occupancies:
 - (A) one room;
 - (B) one suite of rooms (not being a flat) each room of which all occupants of the suite are entitled to occupy;
 - (C) one flat;
 - (D) one suite of rooms (not being a flat) each room of which all occupants of the suite are entitled to occupy, and one room;
 - (E) one flat and one room;
 - (F) 2 rooms, each of which is separately occupied; or
 - (iii) from any part of which income is derived otherwise than as the consideration for one (but not more than one) of the residential occupancies referred to in subparagraph (ii) (A)–(F).
- (8) Section 10 (1F)—
Omit the subsection, insert instead:
- (1F) For the purposes of subsection (1) (r), land used and occupied by an owner as the owner’s principal place of residence does not cease to be used and occupied as the owner’s principal place of residence and for no other purpose because there is on the land one (but not more than one) of the residential occupancies referred to in subsection (1D) (b) (ii) (A)–(F).

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SCHEDULE 1—AMENDMENTS—*continued*

(9) Section 10 (1G)—

After “building is”, insert “, or the buildings are,”.

(10) Section 10 (4)—

Omit “sub-paragraph (ii) of paragraph (r) of subsection (1)”, insert instead “subsection (1) (r) (ii) or (iii)”.