



New South Wales

State Revenue Legislation Amendment Bill 2022

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Appropriation Bill 2022*.

Overview of Bill

The object of this Bill is to amend the *Betting Tax Act 2001*, the *Land Tax Act 1956* and the *Payroll Tax Act 2007* for the following purposes—

- (a) to change percentage rates of betting tax and the applicable offsets,
- (b) to change percentage rates of point of consumption tax,
- (c) to change the calculation of the amount of the annual payment of tax revenue to the racing industry under the *Betting Tax Act 2001* from 2% of taxable net NSW wagering revenue generated during a financial year to 33% of point of consumption tax collected during a financial year,
- (d) to change surcharge land tax payable on residential land owned by foreign persons to 4% of the taxable value of the residential land,
- (e) to provide that certain wages paid to employees funded by the Commonwealth Aged Care Workforce Bonus Grant Opportunity are exempt from payroll tax.

This Bill also makes an amendment to the *Totalizator Act 1997* consequent on the amendments to the *Betting Tax Act 2001*.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedules 1–4 give effect to the object of the proposed Act set out in the Overview.



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State Revenue Legislation Amendment Bill 2022

No. _____, 2022

A Bill for

An Act to make miscellaneous amendments to certain State revenue legislation in connection with the Budget for the financial year 2022–23; and for other purposes.

The Legislature of New South Wales enacts—

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1 Name of Act

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This Act is the *State Revenue Legislation Amendment Act 2022*.

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2 Commencement

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This Act commences, or is taken to have commenced, on 1 July 2022.

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Schedule 1	Amendment of Betting Tax Act 2001 No 43	1
[1]	Section 8 Betting tax on commission on totalizator betting	2
	Omit section 8(2A)(e). Insert instead—	3
	(e) in respect of a totalizator conducted during the period commencing on 1 July 2020 and ending on 30 June 2022—7.6%, or	4
	(f) in respect of a totalizator conducted on or after 1 July 2022—3.49%.	5
[2]	Section 9 Betting tax on totalizator roundings	6
	Omit section 9(2A)(e). Insert instead—	7
	(e) in respect of a totalizator conducted during the period commencing on 1 July 2020 and ending on 30 June 2022—7.6%, or	8
	(f) in respect of a totalizator conducted on or after 1 July 2022—3.49%.	9
[3]	Section 10 Betting tax on approved betting activities	10
	Omit section 10(2A)(a)(v). Insert instead—	11
	(v) during the period commencing on 1 July 2020 and ending on 30 June 2022—4.38%, or	12
	(vi) on or after 1 July 2022—8.47%, or	13
[4]	Section 10(2A)(b)	14
	Omit “10.91%”. Insert instead “15%”.	15
[5]	Section 11 Offset of betting tax paid by totalizator licensee	16
	Omit section 11(1).	17
[6]	Section 11(2)(a) and (3)	18
	Omit “19.11%” wherever occurring. Insert instead “15%”.	19
[7]	Section 11(2)(b) and (4)	20
	Omit “10%” wherever occurring. Insert instead “15%”.	21
[8]	Section 13C Liability to pay point of consumption tax	22
	Omit “10%” from section 13C(2)(b).	23
	Insert instead “15%”.	24
[9]	Section 13D Tax to be paid monthly	25
	Omit “10%” from section 13D(3) and (4)(b).	26
	Insert instead “15%”.	27
[10]	Section 13M Appropriation and payment of revenue to industry	28
	Omit “2% of taxable net NSW wagering revenue generated during that financial year” from section 13M(1).	29
	Insert instead “33% of the prescribed amount”	30
[11]	Section 13M(5)	31
	Omit the subsection. Insert instead—	32
	(5) In this section—	33

prescribed amount, for a financial year, means the amount of point of consumption tax payable under this Part during the financial year, less the amount of any offset against the point of consumption tax under section 13P. 1
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quarter means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December. 4
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Schedule 2 Amendment of Land Tax Act 1956 No 27

	1
[1] Section 5A Levy of surcharge land tax on residential land owned by foreign persons—2017 and subsequent land tax years	2
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Omit “in any other year (commencing with 2017)” from section 5A(2)(b).	4
Insert instead “in the years 2017–2021”.	5
[2] Section 5A(2)(c)	6
Insert at the end of section 5A(2)(b)—	7
, and	8
(c) in the case of all residential land owned by the foreign person at midnight on 31 December in any other year, commencing with 2022—	9
4% of that taxable value as assessed under the Principal Act.	10
	11

Schedule 3	Amendment of Payroll Tax Act 2007 No 21	1
Section 66EA		2
Insert after section 66E—		3
66EA	Wages funded by Commonwealth Aged Care Workforce Bonus Grant Opportunity	4
(1)	Wages paid or payable on or after 1 February 2022 are exempt wages to the extent that they are funded by a payment (an <i>Aged Care Workforce Bonus payment</i>) made under the program established by the Commonwealth and known as the Aged Care Workforce Bonus Grant Opportunity.	6
(2)	An overpayment of Aged Care Workforce Bonus payments is to be disregarded in calculating the amount of Aged Care Workforce Bonus payments for the purposes of subsection (1).	10

Schedule 4 Amendment of Totalizator Act 1997 No 45

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Section 70 Payment of tax reduction amount

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Omit section 70(2)(b). Insert instead—

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- (b) the total amount of betting tax that would be payable by TAB Limited under the *Betting Tax Act 2001*, sections 8–10 in respect of the quarter if the relevant percentage in the sections was 15%.

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