

**STRATA TITLES (LAND TAX) AMENDMENT BILL, 1984**

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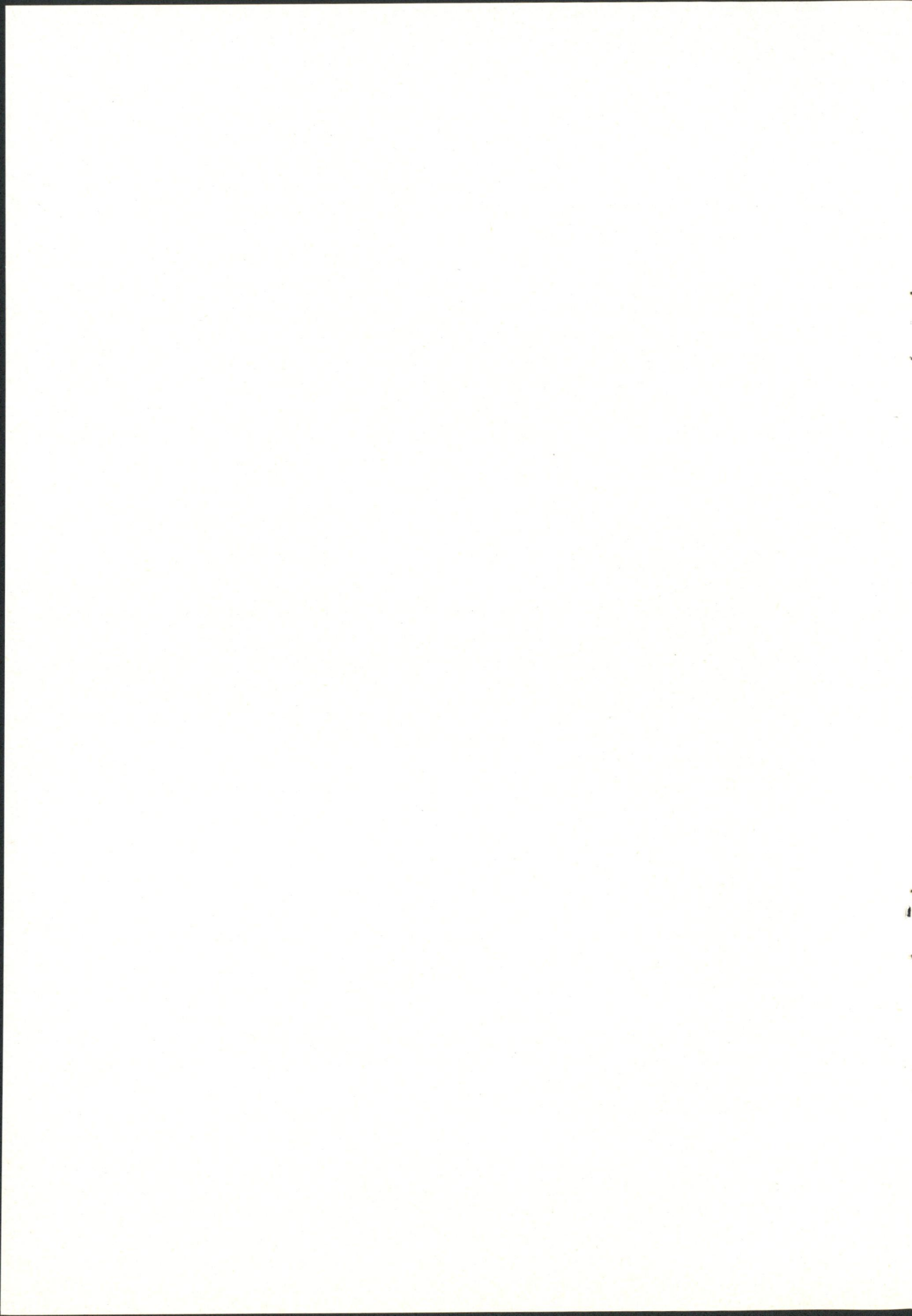
**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Land Tax Management (Amendment) Bill, 1984.

The objects of this Bill are—

- (a) to amend section 95 of the Strata Titles Act, 1973, with respect to the payment of land tax in relation to certain classes of strata lots (Schedule 1 (2), (6));
  - (b) to dispense with the necessity to ascertain the land value of exempt non-residential strata lots in a building in order to calculate land tax payable in respect of liable strata lots in the building (Schedule 1 (3), (4), (5), (7));
  - (c) to provide for statute law revision in certain respects (Schedule 2); and
  - (d) to make other provisions of a consequential or ancillary nature.
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**STRATA TITLES (LAND TAX) AMENDMENT BILL, 1984**

No.       , 1984.

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**A BILL FOR**

An Act to amend the Strata Titles Act, 1973, with respect to the payment of land tax and in certain other respects.

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*Strata Titles (Land Tax) Amendment 1984*

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**BE** it enacted by the Queen'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:—

**5 Short title.**

1. This Act may be cited as the "Strata Titles (Land Tax) Amendment Act, 1984".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this  
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on 31st December, 1984.

**Principal Act.**

3. The Strata Titles Act, 1973, is referred to in this Act as the Principal  
15 Act.

**Schedules.**

4. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

20 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF  
STATUTE LAW REVISION.

**Amendment of Act No. 68, 1973.**

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

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*Strata Titles (Land Tax) Amendment 1984*

## SCHEDULE 1.

(Sec. 5.)

## AMENDMENTS TO THE PRINCIPAL ACT.

- (1) Section 95 (6) (a)—  
 5       Omit “and” where thirdly occurring.
- (2) Section 95 (6) (b)—  
       After “parcel” where firstly occurring, insert “(other than a lot referred to in paragraph (c))”.
- (3) Section 95 (6) (b)—  
 10       Omit “upon the taxable value”, insert instead “in respect”.
- (4) Section 95 (6) (b)—  
       Omit “sum of the land values of all lots comprised in”, insert instead “land value of”.
- (5) Section 95 (6) (b)—  
 15       Omit “except lots that are exempt from land tax under section 10 of the Land Tax Management Act, 1956.”, insert instead “; and”.
- (6) Section 95 (6) (c)—  
       After section 95 (6) (b), insert:—
- 20       (c) subject to subsection (7) but otherwise under and in accordance with the Land Tax Act, 1956, and the Land Tax Management Act, 1956, in respect of each non-residential lot—
- 25       (i) of which the proprietor is a non-concessional company within the meaning of those Acts; or  
       (ii) that is subject to a discretionary trust within the meaning of those Acts.

*Strata Titles (Land Tax) Amendment 1984*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(7) Section 95 (7)—

Omit the subsection, insert instead:—

- 5 (7) For the purposes of subsection (6), the land value of a lot, whether residential or non-residential, comprised in a parcel is an amount that bears to the land value within the meaning of section 54 of the Land Tax Management Act, 1956, of that parcel the same proportion as the unit entitlement of that lot bears to the aggregate unit entitlement.
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SCHEDULE 2.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE  
LAW REVISION.

15 (1) Section 49—

Omit “Commissioner for” wherever occurring, insert instead “Chief Commissioner of”.

(2) Section 91—

Omit “Commissioner for”, insert instead “Chief Commissioner of”.

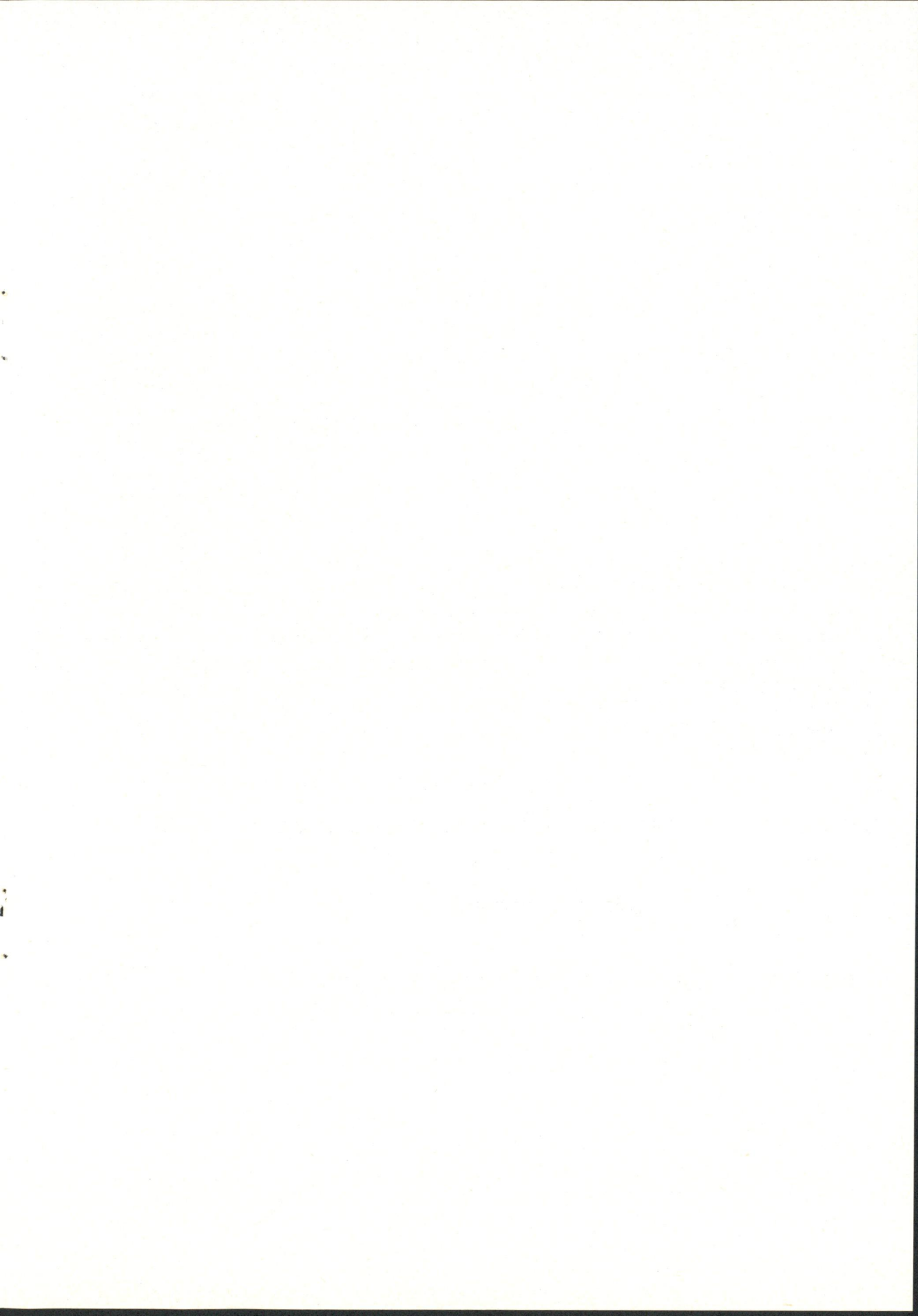
20 (3) Section 95 (4), (5)—

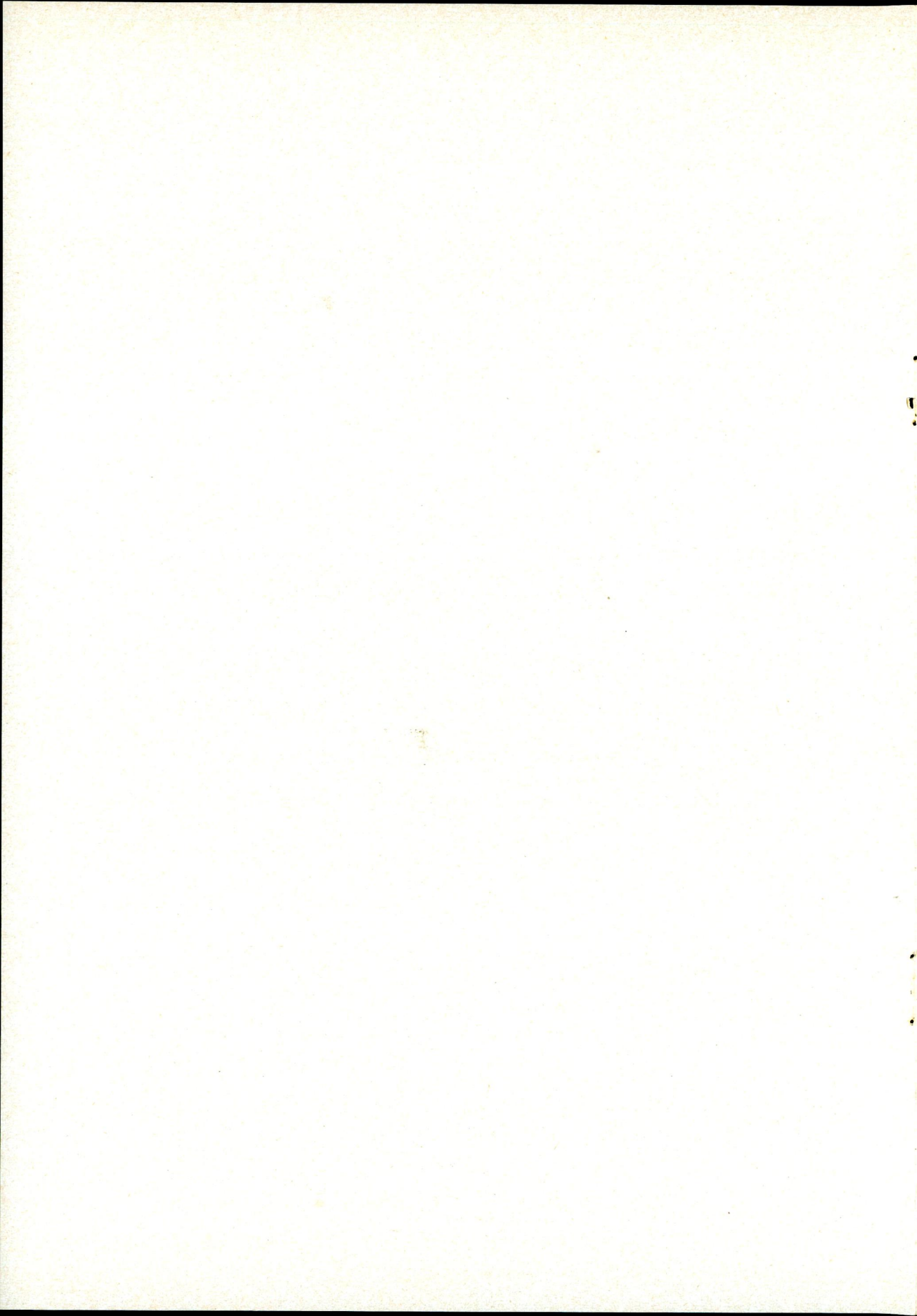
Before “Commissioner” wherever occurring, insert “Chief”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984







**STRATA TITLES (LAND TAX) AMENDMENT ACT, 1984,  
No. 131**

**New South Wales**



**ANNO TRICESIMO TERTIO**

**ELIZABETHÆ II REGINÆ**



**Act No. 131, 1984.**

An Act to amend the Strata Titles Act, 1973, with respect to the payment of land tax and in certain other respects. [Assented to, 4th December, 1984.]

*Strata Titles (Land Tax) Amendment 1984*

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**BE** it enacted by the Queen'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:—

**Short title.**

1. This Act may be cited as the "Strata Titles (Land Tax) Amendment Act, 1984".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on 31st December, 1984.

**Principal Act.**

3. The Strata Titles Act, 1973, is referred to in this Act as the Principal Act.

**Schedules.**

4. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

**Amendment of Act No. 68, 1973.**

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

*Strata Titles (Land Tax) Amendment 1984*

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SCHEDULE 1.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 95 (6) (a)—

Omit "and" where thirdly occurring.

(2) Section 95 (6) (b)—

After "parcel" where firstly occurring, insert "(other than a lot referred to in paragraph (c))".

(3) Section 95 (6) (b)—

Omit "upon the taxable value", insert instead "in respect".

(4) Section 95 (6) (b)—

Omit "sum of the land values of all lots comprised in", insert instead "land value of".

(5) Section 95 (6) (b)—

Omit "except lots that are exempt from land tax under section 10 of the Land Tax Management Act, 1956.", insert instead "; and".

(6) Section 95 (6) (c)—

After section 95 (6) (b), insert:—

(c) subject to subsection (7) but otherwise under and in accordance with the Land Tax Act, 1956, and the Land Tax Management Act, 1956, in respect of each non-residential lot—

- (i) of which the proprietor is a non-concessional company within the meaning of those Acts; or
- (ii) that is subject to a discretionary trust within the meaning of those Acts.

*Strata Titles (Land Tax) Amendment 1984*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(7) Section 95 (7) —

Omit the subsection, insert instead:—

(7) For the purposes of subsection (6), the land value of a lot, whether residential or non-residential, comprised in a parcel is an amount that bears to the land value within the meaning of section 54 of the Land Tax Management Act, 1956, of that parcel the same proportion as the unit entitlement of that lot bears to the aggregate unit entitlement.

SCHEDULE 2.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE  
LAW REVISION.

(1) Section 49 —

Omit "Commissioner for" wherever occurring, insert instead "Chief Commissioner of".

(2) Section 91

Omit "Commissioner for", insert instead "Chief Commissioner of".

(3) Section 95 (4), (5) —

Before "Commissioner" wherever occurring, insert "Chief".

*In the name and on behalf of Her Majesty I assent to this Act.*

J. A. ROWLAND,  
Governor.

Government House,  
Sydney, 4th December, 1984.