

House of Representatives
Supplementary Order Paper

Tuesday, 2 July 2013

Taxation (Livestock Valuation, Assets Expenditure,
and Remedial Matters) Bill

Proposed amendments

Hon Todd McClay, in Committee, to move the following amendments:

Clause 2

Subclause (17): replace “**13B**” (line 20 on page 13) with “**13C**”.

Subclause (18): replace “**65**” (line 23 on page 13) with “**65, 109B**”.

Clause 4B(1)

New section CC 1B(1): replace “entry by the payee into an agreement for” (lines 21 and 22 on page 14) with “agreement by the payee to”.

Delete *new section CC 1B(5)* (lines 3 to 5 on page 15).

Clause 4B(2)

New section CC 1C(1): replace “entry by the payee into an agreement, for” (lines 13 and 14 on page 15) with “agreement by the payee to”.

New section CC 1C(1): replace “between” (lines 15 and 16 on page 15) with “and the payee is”.

New section CC 1C(1)(a): replace “; and” (line 18 on page 15) with “:”.

Delete *new section CC 1C(4)* (lines 27 to 29 on page 15).

Clause 13D: heading

Replace “**Section**” (line 28 on page 22) with “**New section**”.

Clause 17B(1)

New section DB 20B(1)(a): replace “entry by another person (the **payee**) into an agreement for” (lines 20 and 21 on page 24) with “agreement by another person (the **payee**) to”.

New section DB 20B(1)(c): replace “; and” (lines 28 and 29 on page 24) with “:”.

Delete *new section DB 20B(1)(d)* (lines 30 and 31 on page 24).

Clause 17B(2): new section DB 20C(1)(a)

Replace “to a person (the **payee**) as consideration for the entry by the payee into an agreement for” (lines 14 and 15 on page 25) with “as consideration for the agreement by another person (the **payee**) to”.

Clause 19(1)

New section DG 3(5): replace “subpart” (line 8 on page 56) with “subpart, other than **subsection (2)(b)(ii)**”.

New section DG 3(6): in the 3 places in which it appears, replace “though” (lines 15 to 19 on page 56) with “through”.

New section DG 4(2): replace “licences” (line 14 on page 57) with “licenses”.

New section DG 4(6): replace “the use of assets)” (line 15 on page 58) with “use of assets)”.

New section DG 5, list of defined terms: delete “look-though company, partnership,” (line 19 on page 59).

New section DG 9(3)(b): replace “the use of assets)” (lines 9 and 10 on page 62) with “use of assets)”.

New section DG 13(4): replace “**subsection (2)**” (line 27 on page 69) with “**subsection (3)**”.

New section DG 17(6): replace “two” (line 35 on page 75) with “2”.

New section DG 17, the example: replace “**Example, continued**” (line 1 on page 76) with “**Example, continued from section DG 16**”.

New section DG 18(3)(a)(ii): replace “:” (line 31 on page 76) with “; and”.

New section DG 19(2): replace “**DG 17**” (line 34 on page 78) with “**DG 18**”.

New section DG 19, the example: replace “**Example, continued**” (line 1 on page 80) with “**Example, continued from section DG 18**”.

New section DG 22(8): replace “formula in **subsections (2) and (6)**” (line 10 on page 83) with “formulas in **subsections (2) and (7)**”.

Clause 26

Heading: replace “**section EC 4B inserted (Compulsory use of herd scheme method for associated persons)**” (lines 23 and 24 on page 87) with “**sections EC 4B and EC 4C inserted**”.

New section EC 4B(5): heading: delete “*definition and a*” (line 31 on page 88).

Clause 28(1): new section EC 8(2)(c)

Replace “which” (line 2 on page 92) with “which all”.

Clause 29: heading

Replace “**making**” (line 17 on page 93) with “**making of**”.

Clause 31B(1): new section ED 4(1)(a)

Replace “arrangement)” (line 16 on page 94) with “arrangement?)”.

Clause 33(1)

New section EM 5(10): replace “**(10B)**” (line 12 on page 105) with “**(9)**”.

New section EM 6(3)(b)(i): replace “**EM 1(a)(ii)**” (line 17 on page 106) with “**EM 1(1)(a)(ii)**”.

New section EM 7(6): delete “of an income year (the **over-hedged year**)” (lines 27 and 28 on page 107).

New section EM 7(6): replace “the remaining quarters of the over-hedged year and the income year after the over-hedged year” (line 29 on page 107 and line 1 on page 108) with “the next 2 quarters”.

New section EM 7(6): replace “arrangements)” (line 2 on page 108) with “arrangements rules)”.

Clause 36B

Replace “HB 2” (line 22 on page 116) with “HG 2”.

Clause 39B: heading

Replace “—” (line 14 on page 121) with “:”.

Clause 39B: new section MB 7B: heading

Replace “—” (line 18 on page 121) with “:”.

Clause 57

*Subclause (2): new definition of **asset value***: replace “Expenditure limitation rule” (lines 24 and 25 on page 126) with “Interest expenditure: close companies”.

*Subclause (8): new definition of **class closing animal balance***: replace “on” (line 2 on page 128) with “arising from”.

*Subclause (10): new definition of **debt value***: replace “Expenditure limitation rule” (lines 9 and 10 on page 128) with “Interest expenditure: close companies”.

*Subclause (18): new definition of **interest expenditure***: replace “Meaning” (line 1 on page 129) with “Meaning and treatment”.

Subclause (31): replace “**(20), and (24)**” (line 25 on page 131) with “**(20), (20B), and (24)**”.

Subclause (31): replace “**(20), (20C), and (24)**” (line 28 on page 131) with “**(20), (20B), and (24)**”.

Clause 58: heading

Replace “**tax amended**” (line 7 on page 134) with “**tax**”.

Clause 64

New subclause (1B): after *subclause (1)* (after line 4 on page 136), insert:

(1B) Repeal section 16(5).

Subclause (2): replace “103(7)” (line 6 on page 136) with “103(4)(g), 103(7)”.

Clause 65

New subclause (1A): before *subclause (1)* (before line 9 on page 136), insert:

(1A) Repeal section 16C(3).

Subclause (1): replace “103(7)” (line 10 on page 136) with “103(4)(g), 103(7)”.

Clause 83

Replace *subclause (2)* (lines 26 and 27 on page 142) with:

(2) In section 20(3C), replace “subsection (3D) does” with “subsections (3D) or **(3L)** do”.

Clause 84(1): new section 20G(2)(b)(i)

Replace “is used” (line 31 on page 144) with “is”.

Clause 89B

Delete “of this section” (line 21 on page 147).

Clause 89D: heading

Replace “**51B**” (line 26 on page 147) with “**53**”.

New cross-heading and clause 109B

After clause 109 (after line 17 on page 161), insert:

Tax Administration (Form of Warrant) Regulations 2003

**109B Tax Administration (Form of Warrant) Regulations 2003
revoked**

Revoke the Tax Administration (Form of Warrant) Regulations 2003 (SR 2003/80).

Clause 110

Subclause (3): replace “103(7)” (line 4 on page 162) with “103(4)(g), 103(7)”.

Subclause (4): replace “103(7)” (line 8 on page 162) with “103(4)(g), 103(7)”.

Schedule, item relating to section GB 46(1)(c)

Replace “section GB 46(1)(c) of the Income Tax Act 2007” (page 164) with “section GB 46(1) of the Income Tax Act 2007”.

Explanatory note

This Supplementary Order Paper (**SOP**) proposes minor drafting and technical changes to the Taxation (Livestock Valuation, Assets Expenditure, and Remedial Matters) Bill.

One group of changes propose technical amendments to the Tax Administration Act 1994 (**TAA**) and the Search and Surveillance Act 2012 (**SSA**). The amendments harmonise the Commissioner’s search powers under the TAA with the SSA. The Tax Administration (Form of Warrant) Regulations 2003 are conse-

quentially revoked (*see SOP amendments proposed for: clauses 64 and 65, new cross-heading and clause 109B, and clause 110*).

Another group are minor technical corrections to proposed provisions relating to the taxation of payments made as consideration for agreements in relation to certain interests in land (*see SOP amendments proposed for: clauses 4B(1), 4B(2), 17B(1), and clause 17B(2): new section DB 20C(1)(a)*).

The final group of changes relate to a number of cross-reference errors, minor faults in expression, and punctuation mistakes.
