

Queensland



ANNO NONO

ELIZABETHAE SECUNDAE REGINAE.

No. 28.

An Act Relating to Land Tax in and for the Financial Year begun on the First Day of July, One thousand nine hundred and sixty.

[ASSENTED TO 12TH DECEMBER, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1.) This Act may be cited as "*The Land Tax (Adjustment) Act of 1960.*"

Interpretation.

(2.) This Act shall be read as one with "*The Land Tax Acts, 1915 to 1959,*" herein referred to as the Principal Act.

2. (1.) In respect of the assessment, levy and recovery of land tax for the financial year begun on the first day of July, one thousand nine hundred and sixty, this Act applies to all land owned by any one and the same owner which, or any parcel of which, is valued by a complete valuation of an Area proclaimed in force on and from the thirtieth day of June, one thousand nine hundred and sixty.

Application
of this Act.

(2.) Save as prescribed by subsection one of this section, this Act does not apply in respect of the assessment, levy and recovery of land tax.

3. In this Act, unless the context otherwise indicates or requires, the following terms have the meanings respectively assigned to them, that is to say:—

Meaning of
terms.

“Area”—The Area of any Local Authority ;

Area.

“Complete valuation of an Area”—A valuation made by the Valuer-General of the unimproved value of all lands in the Area ;

Complete
valuation
of an Area.

“Former unimproved value”—In relation to any land or parcel of land, the one of the following valuations of such land or parcel of land which was the unimproved value thereof for the purposes of the Principal Act at midnight on the thirtieth day of June, one thousand nine hundred and fifty-nine, namely—

Former
unimproved
value.

(a) The valuation made by a complete valuation of an Area ; or

(b) The valuation made by an interim valuation ; or

(c) The valuation made or caused to be made or adopted or assessed by the Commissioner pursuant to the Principal Act,

or where an amount or aggregate is prescribed by section five of this Act to be the former unimproved value of any land or parcel of land for the purpose of this Act, such amount or aggregate ;

“Fresh unimproved value”—In relation to any land or parcel of land, the valuation of such land or parcel made by a complete valuation

Fresh
unimproved
value.

of an Area proclaimed in force on and from the thirtieth day of June, one thousand nine hundred and sixty ;

Interim
valuation.

“Interim valuation”—In relation to any land or parcel of land, the valuation of the unimproved value as altered or made by the Valuer-General pursuant to subsections three or four of section thirteen of “*The Valuation of Land Acts, 1944 to 1959.*”

Unimproved
values.

4. (1.) In calculating the taxable value of all land (whether comprising one parcel or more parcels than one) owned by one and the same owner—

- (a) If such land or, where it comprises more parcels than one, every parcel thereof is valued by a complete valuation of an Area proclaimed in force on and from the thirtieth day of June, one thousand nine hundred and sixty, the unimproved value of such land or, if it comprises more parcels than one, of every parcel thereof shall be the amount prescribed, or be deemed the amount ascertained as prescribed, by the applicable provision of subsection two of this section ; or
- (b) If such land comprises more parcels than one and any but not all of such parcels is or are valued by any complete valuation of an Area proclaimed in force on and from the thirtieth day of June, one thousand nine hundred and sixty,—
 - (i.) The unimproved value of every parcel valued by such a complete valuation of an Area shall be the amount prescribed, or be deemed the amount ascertained as prescribed, by the applicable provision of subsection two of this section ; and
 - (ii.) The unimproved value of every parcel not valued by such a complete valuation of an Area, shall be the unimproved value specified in the Principal Act.

(2.) The unimproved value of any land or parcel of land the valuation of which is made by any complete valuation of an Area proclaimed in force on and from the thirtieth day of June, one thousand nine hundred and sixty, shall be or be deemed—

(a) Where there is a former unimproved value of such land or parcel of land—

(i.) If the fresh unimproved value does not exceed the former unimproved value—the amount of the fresh unimproved value ;
or

(ii.) If the fresh unimproved value exceeds the former unimproved value—the aggregate of the amounts respectively of the former unimproved value and of fifty per centum of such excess ; or

(b) Where there is not a former unimproved value of such land or parcel of land—seventy per centum of the amount of the fresh unimproved value.

5. (1.) In this section—

(a) The expression “present parcel” means a parcel of land which existed as such at midnight on the thirtieth day of June, one thousand nine hundred and sixty ;

Former unimproved value in case of subdivision, &c.

(b) The expression “original parcel” means a parcel of land which existed as such at midnight on the thirtieth day of June, one thousand nine hundred and fifty-nine.

(2.) Where solely by reason of subdivision, sale, conveyance, transfer, partition, or other like cause which occurred between midnight on the thirtieth day of June, one thousand nine hundred and fifty-nine and midnight on the thirtieth day of June, one thousand nine hundred and sixty there is not a former unimproved value of any present parcel, the former unimproved value of such present parcel shall be the amount or aggregate of the amounts of the former unimproved value or former unimproved values of the original parcel or original parcels wholly or partly comprised in such present parcel.

For the purposes of this subsection the former unimproved value of any original parcel or original parcels partly comprised in a present parcel shall be a sum calculated as follows, that is to say:—

(a) Where part of one original parcel is comprised in the present parcel—

$$\left. \begin{array}{l} \text{Area of part of original} \\ \text{parcel comprised in} \\ \text{present parcel} \\ \hline \text{Area of original parcel} \end{array} \right\} \times \begin{array}{l} \text{Former unimproved value of} \\ \text{original parcel} \end{array}$$

(b) Where parts of two or more original parcels are comprised in the present parcel—

$$\left. \begin{array}{l} \text{Total area of parts of} \\ \text{original parcels com-} \\ \text{prised in present} \\ \text{parcel} \\ \hline \text{Total area of original} \\ \text{parcels} \end{array} \right\} \times \begin{array}{l} \text{Total of the former unimproved} \\ \text{values of original parcels} \end{array}$$