



ANNO TRICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1987

No. 72 of 1987

An Act to amend the Land Tax Act, 1936, and the Retirement Villages Act, 1987.

[Assented to 5 November 1987]

The Parliament of South Australia enacts as follows:

Short title.

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

(2) The Land Tax Act, 1936, is in this Act referred to as "the principal Act".

Commencement.

2. This Act will be deemed to have come into operation at midnight on 30 June, 1987.

Amendment of
s. 4—
Interpretation.

3. Section 4 of the principal Act is amended by inserting after the definition of "particular notice" the following definition:

"retirement village" means retirement village as defined in the Retirement Villages Act, 1987:.

Amendment of
s. 10a—
Exemption of
certain residential
land from land
tax.

4. Section 10a of the principal Act is amended—

(a) by striking out subparagraph (iii) of paragraph (a) of subsection (11) and substituting the following subparagraph:

(iii) a person entitled to the benefit of this section pursuant to subsection (12a);;

and

(b) by striking out subsection (12a) and substituting the following subsection:

(12a) The owner of land comprising a retirement village is entitled to the benefit of this section in respect of so much of the land as consists of—

(a) a residential unit occupied, pursuant to a residence contract, by a natural person (alone or with any

other person) as his or her principal place of residence;

(b) the land appurtenant to any such unit;

or

(c) a facility provided pursuant to the retirement village scheme for the exclusive use of the residents (and their guests).

5. Section 12 of the principal Act is amended by striking out subsection (5) and substituting the following subsection:

Amendment of
s. 12—
Scale of land tax.

(5) Notwithstanding the above provisions, a taxpayer is entitled to the following partial remission of land tax in respect of the financial year commencing on 1 July, 1987:

(a) where the taxable value of the land in respect of which the tax payer is liable to land tax does not exceed \$200 000—a remission of 25 per cent of the land tax that would, but for this subsection, be payable;

(b) where the taxable value of the land in respect of which the taxpayer is liable to land tax exceeds \$200 000—a remission of \$470.

6. The Retirement Villages Act, 1987, is amended by inserting after section 10 the following section:

Amendment of
Retirement
Villages Act,
1987.

10a. (1) Subject to subsection (2), land tax payable in respect of any of the land comprising a retirement village is not recoverable by the taxpayer directly or indirectly from the residents of the village.

Land tax must
not be charged to
residents.

(2) Subsection (1) does not prevent a taxpayer from recovering directly from the resident of a unit land tax payable in respect of that unit and its appurtenant land where the unit is not being occupied by the resident as his or her principal place of residence.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor