|  |
| --- |
| **EXPOSURE DRAFT** |

Inserts for

Tax and Superannuation Laws Amendment (2015 Measures No. #) Bill 2015: Better targeting of the Zone Tax Offset

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provision(s) | Commencement | Date/Details |
| 1. Schedule #—Better targeting of the Zone Tax Offset | The day this Act receives the Royal Assent. |  |

Schedule #— Better targeting of the Zone Tax Offset

Income Tax Assessment Act 1936

1 Subsection 79A(2)

Omit “subsections (2A) and 79B(4)”, substitute “subsections (2A), (2AA) and 79B(4)”.

2 Paragraph 79A(2)(b)

Omit “if the taxpayer is a resident of Zone A in the year of income but has not resided or actually been in the special area in Zone A or the special area in Zone B during any part of the year of income”, substitute “if the taxpayer is a resident of Zone A (but not of the special area in Zone A or of the special area in Zone B) in the year of income”.

3 Paragraph 79A(2)(c)

Omit “if the taxpayer is a resident of Zone B in the year of income but has not resided or actually been in Zone A or the special area in Zone B during any part of the year of income”, substitute “if the taxpayer is a resident of Zone B (but not of Zone A or of the special area in Zone B) in the year of income”.

4 After subsection 79A(2)

Insert:

(2AA) A rebate is not allowable to a taxpayer under this section in the taxpayer’s assessment in respect of income of a year of income if the taxpayer is not a resident of Australia for the year of income.

5 Paragraph 79A(3B)(a)

Omit “resided”, substitute “had his or her normal residence”.

6 Paragraph 79A(3B)(b)

Repeal the paragraph.

7 Subparagraphs 79A(3B)(d)(i) and (ii)

Omit “resided, or actually was,”, substitute “had his or her normal residence”.

8 Subparagraphs 79A(3B)(e)(i) and (ii)

Omit “resided”, substitute “had his or her normal residence”.

9 Subparagraph 79A(3B)(e)(v)

Omit “resided”, substitute “had his or her normal residence”.

10 Subsection 79A(3C)

Omit “residing, or actually being, in a particular area”, substitute “having his or her normal residence in a particular area”.

11 Paragraphs 79A(3C)(a) and (b)

Omit “residing, or actually being,”, substitute “having his or her normal residence in a particular area”.

12 Subsection 79A(4)

Insert:

***normal residence*** has the meaning given by subsection 136(1) of the *Fringe Benefits Tax Assessment Act 1986*.

13 Application

The amendments made by this Schedule apply to the 2015‑16 year of income and later years of income.