



NORTHERN TERRITORY OF AUSTRALIA

No. 26 of 1985

AN ACT

To amend the *Taxation (Administration) Act*

[Assented to 26 June 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Taxation (Administration) Amendment Act 1985*.

2. COMMENCEMENT

This Act shall be deemed to have come into operation on 4 June 1985.

3. NEW SECTIONS

The *Taxation (Administration) Act* is amended by inserting after section 44 the following:

"44A. INSURANCE EFFECTED OUTSIDE TERRITORY

"(1) A person resident in the Territory who effects insurance in respect of property in the Territory, for which insurance a policy of insurance, or renewal of such a policy, is or is to be issued outside the Territory shall, within 30 days after effecting the insurance, furnish to the Commissioner a return containing the approved particulars and in the approved form.

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"(2) Subject to sub-section (4), the person who effected the insurance to which this section applies is liable for the payment of tax in respect of that insurance and such tax is payable on lodgement of the return referred to in sub-section (1) or within such further time as allowed by the Commissioner.

"(3) When a policy or renewal of a policy referred to in this section has, before the expiration of the period referred to in sub-section (1) or such extension of that period as the Commissioner allows, been received in the Territory and duly stamped in accordance with this Act, no tax is payable in respect of that insurance by the person who effected the insurance.

"(4) A person resident in the Territory who effects insurance referred to in sub-section (1) and who -

- (a) neglects or fails to furnish a return as required by that sub-section; or
- (b) accepts payment of, or agrees to have allowed to him in account, money on or in respect of any insurance for which a return as required by that sub-section has not been furnished,

is guilty of an offence.

Penalty: \$100.

"(5) In this section 'person resident in the Territory' and 'person', in the case of a company, includes -

- (a) a company registered under the *Companies Act*, whether incorporated in the Territory or not; and
- (b) a company holding property or carrying on business in the Territory.

"44B. RETURNS TO BE LODGED IN RELATION TO INSURANCE
EFFECTED OUTSIDE TERRITORY

"(1) A person -

- (a) with whom there is effected by a person resident in the Territory insurance referred to in section 44A(1) and who, in connection with that insurance, issues a policy of insurance, or a renewal of such policy, outside the Territory; or
- (b) who, for or on behalf of a person resident in the Territory, arranges insurance referred to in section 44A(1) for which insurance a policy of insurance, or a renewal of such a policy, is issued outside the Territory,

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shall furnish to the Commissioner a return containing the approved particulars, in the approved manner and form and within the prescribed time.

Penalty: \$500.

"(2) A person resident in the Territory shall, when required by the Commissioner by notice in writing, furnish to the Commissioner, within the time specified in the notice, written particulars of insurance referred to in section (1) effected by him.

Penalty: \$200.

"(3) In this section 'person resident in the Territory' and 'person' have the same meaning as they have in section 44A."
