



**A New Tax System (Medicare Levy
Surcharge—Fringe Benefits)
Amendment Act 2000**

No. 53, 2000



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***An Act to amend the A New Tax System (Medicare
Levy Surcharge—Fringe Benefits) Act 1999, and for
related purposes***

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A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment Act 2000

No. 53, 2000

**An Act to amend the *A New Tax System (Medicare
Levy Surcharge—Fringe Benefits) Act 1999*, and for
related purposes**

[Assented to 30 May 2000]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *A New Tax System (Medicare Levy
Surcharge—Fringe Benefits) Amendment Act 2000*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Act 1999

1 Subsections 11(2) and (3)

Repeal the subsections.

2 At the end of section 15

Add:

Special rule if person's spouse is a presently entitled beneficiary in a trust estate

- (2) In working out whether subsection (1) applies to a person whose spouse is a beneficiary presently entitled to a share in the net income of a trust estate in respect of which the trustee is liable to be assessed under section 98 of the Assessment Act, assume that:
- (a) the spouse's taxable income included that share; and
 - (b) subsection 271-105(1) in Schedule 2F to that Act did not apply in working out the net income of the trust estate.

Note: Insert before subsection 15(1) the heading "*When this section applies*".

3 Paragraph 16(3)(b)

Omit "\$13,389", substitute "the family surcharge threshold".

4 Subsection 16(5)

Repeal the subsection, substitute:

Special rule if person's spouse is a presently entitled beneficiary in a trust estate

- (5) In working out whether subsection (2) applies to a person whose spouse is a beneficiary presently entitled to a share in the net income of a trust estate in respect of which the trustee is liable to be assessed under section 98 of the Assessment Act, assume that:
- (a) the spouse's taxable income included that share; and
 - (b) subsection 271-105(1) in Schedule 2F to that Act did not apply in working out the net income of the trust estate.

5 Application

The amendments made by this Schedule apply to assessments for the 1999-2000 year of income and later years of income.

*[Minister's second reading speech made in—
House of Representatives on 9 March 2000
Senate on 3 April 2000]*

(30/00)
