



Income Equalization Deposits (Interest Adjustment) Act 1984

No. 175 of 1984

An Act to provide for certain payments consequent upon the enactment of the *Loan (Income Equalization Deposits) Amendment Act 1984* and related legislation

[Assented to 26 October 1984]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

1. This Act may be cited as the *Income Equalization Deposits (Interest Adjustment) Act 1984*.

Commencement

2. This Act shall come into operation, or be deemed to have come into operation, as the case requires, on the same day as the *Loan (Income Equalization Deposits) Amendment Act 1984*.

Incorporation

3. The *Loan (Income Equalization Deposits) Act 1976* is incorporated, and shall be read as one, with this Act.

Payment of interest

4. (1) In this section—

“actual adjustment period interest”, in relation to a deposit, means the amount of interest that, apart from this Act, was paid or is payable in respect of the deposit in respect of the interest adjustment period;

“interest adjustment period” means the period that commenced on 29 June 1984 and ended immediately before the commencement of this Act;

“Loan Act” means the *Loan (Income Equalization Deposits) Act 1976*;

“Loan Amendment Act” means the *Loan (Income Equalization Deposits) Amendment Act 1984*;

“notional adjustment period interest”, in relation to a deposit, means the amount of interest that would have been payable under the Loan Act in respect of the deposit in respect of the interest adjustment period if the Loan Amendment Act (except insofar as it provided for the insertion of section 19A in the Loan Act) had come into operation on 29 June 1984.

(2) For the purposes of the application of the definition of “notional adjustment period interest” in sub-section (1), it shall be assumed that, if the Loan Amendment Act (except insofar as it provided for the insertion of section 19A in the Loan Act) had come into operation on 29 June 1984—

(a) where, during the interest adjustment period, an estimate of the relevant income amounts in relation to a person in relation to a year of income was notified to the Commissioner in relation to a deposit made during that period—those amounts would have been relevant income amounts in relation to the person in relation to the year of income estimated or notified in accordance with section 4C of the Loan Act; and

(b) where an application made during the interest adjustment period in respect of the making of a deposit—

(i) was made during the first 2 months of a year of income;

(ii) was made in accordance with terms and conditions determined by the Treasurer under sub-section 4 (6) of the Loan Act that were applicable to the deposit; and

(iii) included an election to the effect that the eligibility of the deposit for interest at the highest rate applicable to deposits under the Loan Act should be assessed on the basis of relevant income amounts in relation to the immediately preceding year of income,

the application would have been an application that included an election under sub-section 4B (2) of the Loan Act.

(3) Where—

(a) a deposit was made at any time during the period that commenced on 1 September 1983 and ended immediately before the commencement of this Act; and

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(b) the notional adjustment period interest in respect of the deposit exceeds the actual adjustment period interest in respect of the deposit, there is payable as interest under the Loan Act in respect of the deposit, in addition to any other amount that, apart from this Act, was paid or is payable under the Loan Act in respect of the deposit, an amount equal to the excess referred to in paragraph (b).

(4) In the application of sub-section 12A (3) of the Loan Act, the highest interest rate, and the second highest interest rate, from time to time applicable to deposits during the interest adjustment period shall be determined as if the Loan Amendment Act had come into operation on 29 June 1984.