

Fringe Benefits Tax Amendment Regulations 2002 (No. 1) 2002 No. 301

EXPLANATORY STATEMENT

STATUTORY RULES 2002 No. 301

Issued by authority of the Minister for Revenue and Assistant Treasurer

Fringe Benefits Tax Assessment Act 1986

Fringe Benefits Tax Amendment Regulations 2002 (No. 1)

Section 135 of the *Fringe Benefits Tax Assessment Act 1986* (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The amendment corrects a cross-referencing error and is minor and technical in nature.

Subregulation 19A(1) requires that an employer maintain a preferred address for service during a financial year in which the employer provides a taxable fringe benefit. Subregulation 19A(2) is a deeming provision, which deems the date on which the preferred address for service becomes ineffective. The Subregulation deems that where a preferred address for service becomes ineffective on a day when the employer has not provided any taxable fringe benefit it will be taken to have occurred on the day when the first taxable fringe benefit is provided.

Subregulation 19A(2) has been amended to apply to Subregulation 19(5) instead of Subregulation 19(3). It is Subregulation 19(5) which refers to a preferred address for service becoming ineffective, not subregulation 19(3).

Details of the Regulations are set out in the attachment.

The Regulations commenced on gazettal.

ATTACHMENT

Fringe Benefits Tax Amendment Regulations 2002 (No. 1)

Explanation of Amendments

Regulation 1 - specifies the name of the proposed Regulations as the Fringe Benefits Tax Amendment regulations 2002 (No. 1).

Regulation 2 - provides that the proposed Regulations commence on gazettal.

Regulation 3 - provides that Schedule 1 amends the Fringe Benefits ax Regulations 1986.

Schedule 1 Amendments

Regulation 19A

Subregulation 19A(2) is a deeming provision, which deems the date on which the preferred address for service becomes ineffective. The amendment corrects a crossreferencing error. Subregulation 19A(2) is amended to apply to Subregulation 19(5) instead of subregulation 19(3). It is Subregulation 19(5) which refers to a preferred address becoming ineffective not Subregulation 19(3).