

**COMMONWEALTH PLACES (MIRROR TAXES)
MODIFICATION OF APPLIED LAWS
(QUEENSLAND) AMENDMENT NOTICE 2002
(No. 1)**

I, Terry Mackenroth, Treasurer of the State of Queensland, make the following notice under section 8(2) of the *Commonwealth Places (Mirror Taxes) Act 1998* (Cwlth).

Dated *17th may* 2002



Terry Mackenroth
Treasurer of Queensland

1 Short title

This notice may be cited as the *Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Queensland) Amendment Notice 2002 (No. 1)*.

2 Commencement

This notice is taken to have commenced on 1 March 2002.

3 Notice amended

This notice amends the *Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Queensland) Notice 2002*.

4 Insertion of new pt 2A

After part 2—

insert—

*Commonwealth Places (Mirror Taxes) Modification of
Applied Laws (Queensland) Amendment Notice 2002
(No. 1)*

'PART 2A—PRESCRIBED MODIFICATIONS OF DUTIES ACT 2001

'4A Modifications of Duties Act

This part modifies the *Duties Act 2001* (Queensland) as a law applied under the *Commonwealth Places (Mirror Taxes) Act 1998* (Cwlth).

'4B Insertion of new s 25A

After section 25, in chapter 2, part 3—

insert—

'25A Transfer duty for dutiable transactions involving Commonwealth place

'(1) If transfer duty is imposed under the applied Act and the Queensland Act on a dutiable transaction—

- (a) transfer duty is imposed under the applied Act on the total of the dutiable value of the transaction under the applied Act and the Queensland Act; and
- (b) transfer duty imposed under the applied Act must be reduced by the transfer duty imposed under the Queensland Act.

'(2) Subsection (3) applies if—

- (a) there are 2 or more dutiable transactions and transfer duty is imposed on some under the applied Act and some under the Queensland Act; and
- (b) the transactions would have been aggregated under section 30 if transfer duty were imposed under the applied Act only.

'(3) For imposing transfer duty under the applied Act—

- (a) the transactions must be aggregated under section 30 as if transfer duty were imposed under the applied Act on all of the transactions; and
- (b) transfer duty imposed under the applied Act must be reduced by the transfer duty imposed under the Queensland Act.'

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'4C Replacement of s 497 (Recognition of duty paid for Commonwealth places)

Section 497—

omit, insert—

'497 Recognition of duty paid for Commonwealth places

'If the applied Act requires regard to be had to duty previously paid or payable, regard must be had to any duty previously paid or payable under the Queensland Act if regard would have been had under the applied Act to that duty if that duty was paid or payable under the applied Act.'

'4D Amendment of sch 6 (Dictionary)

(1) Schedule 6, definition "applied Act"—

omit, insert—

*'"applied Act" means the *Duties Act 2001* (Queensland) as a law applied under the *Commonwealth Places (Mirror Taxes) Act 1998* (Cwlth).'*

(2) Schedule 6—

insert—

*'"Queensland Act" means the *Duties Act 2001* (Queensland).'*