

Tax Laws Amendment (Foreign Resident Capital Gains Withholding Payments) Regulation 2016

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 05 May 2016

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Kelly O’Dwyer

Assistant Treasurer

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1 Name

This is the *Tax Laws Amendment (Foreign Resident Capital Gains Withholding Payments) Regulation 2016*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 10 May 2016 |
| 2. Schedule 1, item 1 | 1 July 2016. | 1 July 2016 |
| 3. Schedule 1, item 2 | The day after this instrument is registered. | 10 May 2016 |
| 4. Schedule 1, item 3 | 1 January 2018. | 1 January 2018 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following:

(a) the *Income Tax Assessment Act 1997*;

(b) the *Tax Agent Services Act 2009*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Matters relating to foreign resident capital gains withholding payments

Income Tax Assessment Regulations 1997

1 Schedule 5

After “ASX Limited”, insert “Chi‑X Australia Pty Ltd”.

Tax Agent Services Regulations 2009

2 After paragraph 13(1)(k)

Insert:

(ka) a service provided by a person licensed or registered under a law of a State or Territory to carry on a conveyancing business (however described), or business as a settlement agent or conveyancing agent, to the extent that the service involves or relates to paying an amount under section 14‑200 in Schedule 1 to the *Taxation Administration Act 1953*;

3 Paragraph 13(1)(ka)

Repeal the paragraph.

Note: This item is a sunsetting provision. It commences on 1 January 2018.