Sales Tax Assessment Bill (No. 12) 1988

Date Introduced: 3 November 1988
House: House of Representatives
Presented by: Hon. Peter Morris, M.P., Minister for Industrial Relations

Digest of Bill

Purpose
To extend sales tax to the sale value of certain imported computer programs.

Background
Refer to the Digest for the Sales Tax Laws Amendment Bill 1988.

Main Provisions
The Bill will operate from 4 November 1988 (clause 2).

Where a computer program is transferred from overseas, to a person in Australia who is not registered with the Tax Office as a manufacturer or wholesale merchant, by a method other than by transferring a program in a carrying medium such as a tape or disk, the transfer will be deemed to be a sale of goods by the transferor to the transferee (clause 4).

Sales tax will be payable on the sale value of imported computer programs to which clause 4 applies, and the transferee will be liable to pay the tax (clauses 5 and 7).

The sale value of imported computer programs will be 120 per cent of the amount given for the goods (clause 6).

Sales tax on the sale value of a imported computer program will be payable 21 days after the end of the month in which the goods are sold (clause 9).

The Commissioner of Taxation may determine an amount on which sales tax should be paid where: a person fails to furnish a return; the Commissioner is not satisfied with a return; or the Commissioner believes that sales tax is payable by that person (clause 10).

A taxpayer may ask the Commissioner to make an assessment in respect of a specified dealing in goods (clause 11).

Where the Commissioner finds that sales tax has been overpaid by a person, the Commissioner will refund the overpayment, or may apply the amount against
any liability under any other Act administered by the Commissioner. For example, overpaid sales tax may be offset against an income tax debt (clause 13).

Clause 14 will apply the machinery provisions contained in the Sales Tax Assessment Act (No. 1) 1930 (clause 14).

For further information, if required, contact the Economics and Commerce Group.

23 November 1988

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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