

Revenews is our monthly newsletter keeping you up to date on current activities, issues and recent cases.

This issue

- Revenue ruling
- Customer education activities
- Case summaries
- What's happening at OSR
- Hints and tips
- Upcoming events

Revenue ruling

We have issued the following revenue ruling:

General

TAA 003v2 - Refund of an Overpayment of Tax – Clarifies that refunds will be made by electronic funds transfer rather than by cheque from 1 January 2016.

Customer education activities

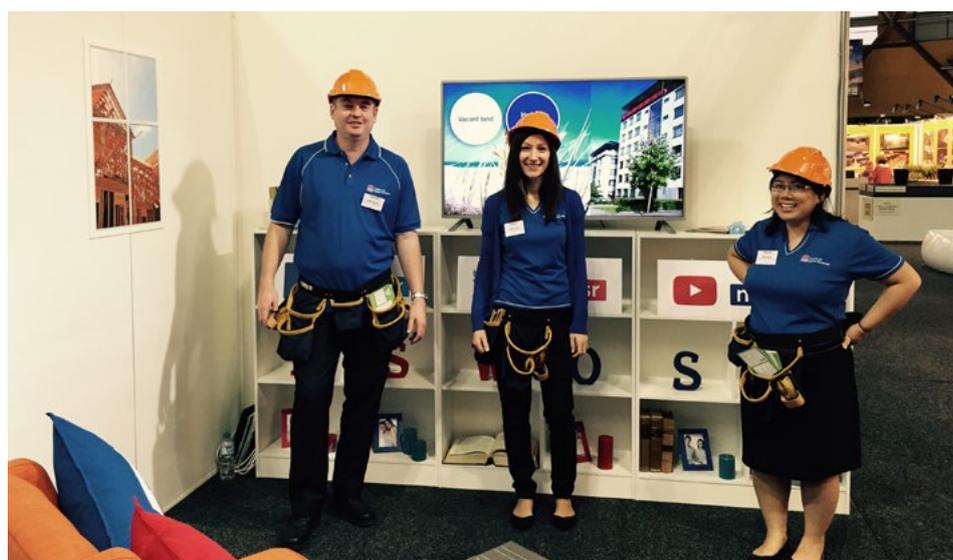
Small Business Grant information sessions (16–26 May 2016)

The NSW State government has introduced an employment incentive scheme which provides small businesses with a grant of up to \$2,000 for every new employee. We are running a series of free information sessions about the grant in the western Sydney region. Make sure you don't miss out on this opportunity by registering as seating is limited.

HIA Home Show, Sydney Olympic Park (26–29 May 2016)

We will have a stand at the HIA Home Show and our technical experts will be available to answer your questions on duties, new home grants, land tax and the small business grant.

If you are buying or building a new home, you may be eligible for a benefit even if it is not your first home! So come along to see if you qualify.





Case summaries

Duties

Kamareddin v Chief Commissioner of State Revenue [2016] NSWCATAD 21 (5 February 2016)

The Chief Commissioner refused to allow the stamp duty marital breakdown exemption on a transfer of a residence. The Taxpayer contended that when her husband transferred the house to her, their marriage had broken down irretrievably and the transfer was pursuant to an oral agreement made for the purpose of dividing the matrimonial property. The Tribunal decided that the exemption applied.

Read the decision at www.osr.nsw.gov.au

First Home Owner Grant

Wang v Chief Commissioner of State Revenue [2016] NSWCATAD 61 (7 April 2016)

The case concerned the Chief Commissioner's decision not to grant the Applicant's first home owners grant application in relation to a property in Macquarie Park. The Tribunal confirmed the Applicant was ineligible for the grant because the property was not a 'new home' within the meaning of the *First Home Owner Grant (New Homes) Act 2000*, since the property had previously been sold by the developer to another purchaser who had on-sold the property to the Applicant and co-purchaser.

Read the decision at www.osr.nsw.gov.au

What's happening at OSR

Birrang Driver's Licence Course

The course is offered to Aboriginal members in the community who may need to obtain a licence or need help in completing the hours required to move onto their red Ps. Birrang are a registered Work and Development Order (WDO) sponsor so any participant in the course that may have fines are given the opportunity to reduce their fines. OSR attends these days as part of the Outreach Program to meet with participants and check if they have fines or Roads and Maritime Services sanctions and then help with the management of those fines or sanctions.





Did you know?

Unclaimed money

- You can search for unclaimed money at www.osr.nsw.gov.au/ucm/search/online



Parking space levy

- All funds raised from parking space levy are used to provide transport infrastructure

Land tax

- You can view your land values through our

land tax online services



Service NSW Mobile App

Download the

'Service NSW' Mobile App

to:

- pay your fines
- receive notifications
- track penalty payment plans
- view images
- set payment reminders
- renew your registration
- view licence information
- view your demerit points.



e-Conveyancing

Effective 1 July 2016 paper applications for Land Tax Certificates will no longer be accepted at OSR. This includes the Land Tax Clearance Certificates and Land Tax Valuation Certificates.

Don't wait until 1 July, contact one of our approved Client Service Providers (CSPs) now. A list of our approved CSPs is available at www.osr.nsw.gov.au/taxes/land/clearance

Hints and tips

Duties – transfer of options to purchase land

If you or your clients obtain an interest in an option to purchase land in NSW, you may be required to pay duty on the value of that interest. Whilst no duty is charged on the granting or creation of the option, duty is payable where there is a transfer of an option. This includes where a person nominates another person to exercise the option, or there is a novation, for valuable consideration.

If there is a transfer (or nomination or novation) of a put and call option, you might be required to pay duty on the value of the whole property.

For more information, see sections 9B, 22(4), 64(D), 107 and 109 of the *Duties Act 1997*.

Payroll tax – apprentice and trainee rebate

There is a rebate available for wages paid to apprentices and trainees. You should declare your apprentice and trainee wages separate to your normal employees' wages. Please ensure that you also include their superannuation and any allowances paid to them.

Read more about the [apprentice and trainee rebate](#).

Land tax – home used for business purposes

Your home may be entitled to a full land tax exemption as your principal place of residence even if it is used for business purposes, so long as no more than one room is used for the business and you conduct your business primarily elsewhere.

When more than one room is used for business purposes a full exemption cannot apply, but you may still be eligible to claim the 'reduction in land value for flats on mixed development or mixed use land' concession. Under this concession you will still retain a land tax exemption on your home, however, it will be reduced based on the use of the land for business purposes.

Read more about the [concession for incidental business use](#).

Fines – there are more ways than one to deal with a fine

WDOs are supervised by organisations or health practitioners to help those eligible to reduce or clear their fines by doing unpaid work, counselling, treatment programs or courses.

You are an eligible client if you have a mental illness, intellectual disability or cognitive impairment, are homeless, have a serious addiction to drugs, alcohol or volatile substances or are experiencing financial hardship.

Read more about [Work and Development Orders](#).

Fun facts

Mother's Day

■ Mother's Day

is a celebration honouring the mother of the family, as well as motherhood, maternal bonds, and the influence of mothers in society.



- It is celebrated on various days in many parts of the world, most commonly in the months of

March
or
May



- Origin of Mother's Day goes back to the era of ancient Greek and Romans.



- But the roots of Mother's Day history can also be traced in UK where a

Mothers Day
Sunday

was celebrated much before the festival became known worldwide.

Upcoming events

Webinars

We are conducting series of land tax and payroll tax webinars:

1. Continuation of the four part land tax series:
 - Trusts - 17 May
 - Primary production and other exemptions - 24 May
2. Continuation of the five part payroll tax webinar series with:
 - Webinar 4 - The Contractor Provisions - 13 May
 - Webinar 5 - The Grouping Provisions - 20 May

Webinars are free and available to everyone, and can also earn you professional development points.

Read more and register at www.osr.nsw.gov.au

Seminars

We will be conducting the following seminars throughout May:

New Payroll Tax Clients

- East Maitland - 17 May

Small Business Grant Information Sessions

- Campbelltown - 16 May
- Penrith and Blacktown - 17 May
- Parramatta and Picton - 18 May
- Bankstown and Castle Hill - 19 May
- Liverpool and Smeaton Grange - 23 May
- Richmond and Fairfield - 24 May
- Belmore and Merrylands - 25 May
- Mount Pritchard and Lidcombe - 26 May

Read more and register at www.osr.nsw.gov.au