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Did you know?

Payroll tax monthly return due date

The due date for lodgement/payment of your December monthly return is:

16 January 2017

Lodgement/payment has been extended due to the holiday period.

Revenue rulings

Land tax

Two new revenue rulings are available on our website containing the Treasurer's updated guidelines for boarding house and low cost accommodation exemptions for the 2017 tax year:

- Revenue Ruling LT 100 - land used as a low cost boarding house
- Revenue Ruling LT 101 - land used for low cost accommodation within 5km of the Sydney GPO

What's happening at OSR

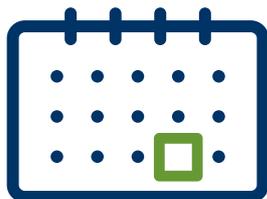
Surcharge purchaser duty and land tax for foreign persons information sessions

OSR Technical Education Officers visited regional centres across NSW in November and December to run information sessions about surcharge purchaser duty and surcharge land tax. The information sessions took place in 11 locations from Dubbo to Queanbeyan, Wagga Wagga to Sydney and were attended by accountants, solicitors, conveyancers and others. One of the attendees commented,

"Great presentation - did not feel like two hours of duty/tax!!"

If you would like OSR to visit your area in 2017 to provide education on the surcharges for foreign persons, or any other topics, express your interest by sending an email to client.education@osr.nsw.gov.au.





Online instalments

We are pleased to announce that online instalments are now live for our land tax and payroll tax customers.

Eligible customers can now manage their land tax and payroll tax debts themselves at a time convenient to them. For customers who do not meet the requirements you can request a call back from one of our specialised debt recovery staff.

For more information please visit us at www.osr.nsw.gov.au/instalment

Land acquisition - Additional compensation payments

The NSW Government agreed to make an additional payment (as a form of compensation), to residents whose land was acquired by a government authority. OSR is trying to process as many applications as possible before Christmas.

Full details about the compensation payment is on the [OSR website](#). Any customer enquiries can be made by phone: 1300 303 581



Hints and tips

Land tax online services

Foreign status

The recent NSW budget introduced surcharge land tax for foreign persons. To ensure surcharge land tax is correctly applied for the 2017 tax year, please confirm your foreign status through our online services. You will need to confirm if you are an Australian citizen, permanent resident and/or ordinarily resident in Australia.

Update your contact details online

You can use our online services to update your postal address and contact details such as phone numbers and email addresses.

<http://www.osr.nsw.gov.au/taxes/land/online>

Duties

Duties on unlisted shares in private companies and units in private unit trusts were abolished from 1 July 2016.

However, a liability may still exist if the company or unit trust has interests in land (either directly or indirectly) with a threshold value of \$2 million or more.

Please refer to the landholder duty page on our website for more information: <http://www.osr.nsw.gov.au/taxes/landholder>

Payroll tax

Please be aware that OSR has a different approach to contractors than the ATO. OSR has its own statutory provisions with six general exemptions and one specific exemption. These exemptions are only to be used when you hire genuine contractors, not common law employees with ABN's. The onus is on the hiring business to

Online subscription service

Receive email updates on news at OSR by registering [here](#)

What would you like to see here?

Email your suggestions or feedback to client.education@osr.nsw.gov.au

Fun facts

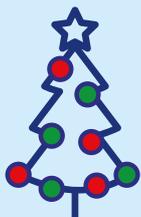
- The name December comes from the Latin decem for “ten”, as it was the 10th month in the Roman Calendar.
- Christmas Day falls on 25 December and is an occasion for Christians to celebrate the birth of Jesus of Nazareth. Therefore, the exact date of His birth is not known this date was declared as His birthday by Pope Julius I, bishop of Rome, in AD 350.



- Santa Claus is based on a real person, St. Nikolas of Myra who lived during the fourth century. He was originally the patron saint of children, thieves and pawnbrokers.
- The term Yuletide comes from a Norse tradition of cutting and burning a tree to bring in the Winter Solstice. This was to last through 12 days - later known as the 12 days of Christmas.



- The first artificial Christmas tree was made in Germany, fashioned out of goose feathers that were dyed green!



provide real evidence to substantiate a claim for any one of the seven exemptions available.

The ATO has its own distinct, different statutory provisions for the superannuation guarantee charge and the alienation of personal services income. OSR does not use any of the tests associated with the alienation of personal services income and our statutory provisions are different to the ATO’s superannuation guarantee charge legislation.

If in any doubt about contractors, please contact our office for more information or guidance. You can access information about the payroll tax contractor payments on our website: <http://www.osr.nsw.gov.au/taxes/payroll/contractors>

Fines - Did you know?

Stay safe and save

Did you know that having a good driving record could save you money?

- If you have a clear driving record in Australia for 10 years, you may be eligible for a caution if you receive a fine that has demerit points. Some serious offences are excluded.
- You may be eligible for a 50 per cent discount on your licence renewal fee if you have held a NSW licence continuously for five years and have no offences recorded on your traffic record during that time. Some conditions apply.
- Your driving history can affect your insurance premiums, such as your CTP Green Slip. Factors considered include the number of traffic offences, demerit points and years licenced.

Jaywalking

Police have carried out several operations targeting jaywalking in recent years. The rules are different depending on whether you are near pedestrian lights, traffic lights or a crossing.



Pedestrian lights - you can only start crossing if the light is green (the green man).



Traffic lights - if there are traffic lights, but no pedestrian lights, you can only start crossing if the lights are green or flashing yellow.

20m

Crossing - it is usually an offence to cross a road within 20 meters of a crossing. There are some exceptions, such as crossing to or from a safety zone.



Fines for jaywalking offences are \$72, or up to \$2,200 if contested unsuccessfully in court.



Case summaries

Duties

ERIC Insurance Ltd (formally Avea Insurance Ltd) v Chief Commissioner of State Revenue [2016] NSWCATAD 217 (5 October 2016)

The issue was the construction of the words, “the first year’s premium” in s 243(2) of the *Duties Act 1997*, in relation to term life insurance policies in which the premium for the entire term is paid up front.

The Taxpayer calculated duty as a percentage of the premium paid having regard to the number of years for which the policy was to remain in place whereas the Chief Commissioner of State Revenue assessed on the total amount paid in the first year.

The Tribunal agreed with the Taxpayer’s interpretation that the words “the first year’s premium” meant the amount of premium attributable to the first year, and not the sum actually paid in the first year.

Payroll tax

Tacey v Chief Commissioner of State Revenue [2016] NSWSCATAD 255 (10 November 2016)

The issue was whether the Chief Commissioner of State Revenue should exercise his discretion to remit in part or in full the amounts of interest and penalty tax imposed on the payroll tax shortfall amount of the Taxpayer.

The Taxpayer failed to declare a payroll tax grouping of businesses, but argued that they had taken reasonable care as they relied on the advice of their bookkeeper.

The Tribunal found that there was not enough evidence produced by the Taxpayer to warrant a full remission of interest and/or penalty tax, but agreed to reduce the premium rate of interest from 8 per cent to 2 per cent.

Customer educational activities

Please refer to our website early in the new year for our schedule of upcoming seminars and webinars.

You can download to watch and listen to past webinar topics by visiting our Webinar Library [here](#)

We run free workshops, webinars and information sessions for our customers in Sydney, regional areas and online. We also hold information stalls at various community events and expos.

We offer free presentations on various topics. We may be able to tailor a workshop or presentation to your group’s needs. For bookings and enquiries contact the Client Education team client.education@osr.nsw.gov.au or (02) 9689 6138.

Upcoming edition

The next edition of Revenews will be in February 2017.

More fun facts

- Common decorations on a Christmas tree each have their specific meanings. Candles – the light of the world, the Star at the top is a reminder of the first Christmas night and Candy canes are to represent the Shepherd’s cane.



- “Jingle bells” was composed in 1857, and not for Christmas – it was meant to be a Thanksgiving song!



- Francis of Assisi is credited with making the nativity scene part of the Christmas tradition. In 1223, he organized a live crèche to emphasize Jesus’ humble beginnings in poverty.

- On December 14, 1791, the Bill of Rights was passed and so Human Rights Day is celebrated in December.

