

EXPOSURE DRAFT



EXPOSURE DRAFT

Treasury Laws Amendment (Goods and Services Tax) Regulations 2019

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 regulations.

Dated 2019

Peter Cosgrove
Governor-General

By His Excellency's Command

Stuart Robert [**DRAFT ONLY—NOT FOR SIGNATURE**]
Assistant Treasurer

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Repeals		2
	<i>A New Tax System (Goods and Services Tax) Regulations 1999</i>	2
Schedule 2—Amendments		3
	<i>A New Tax System (Wine Equalisation Tax) Regulations 2000</i>	3
	<i>Customs Regulation 2015</i>	4

EXPOSURE DRAFT

1 Name

This instrument is the *Treasury Laws Amendment (Goods and Services Tax) Regulations 2019*.

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. The whole of this instrument	At the same time as the <i>A New Tax System (Goods and Services Tax) Regulations 2019</i> commence.	

Note: This table relates only to the provisions of this instrument as originally made.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 *A New Tax System (Goods and Services Tax) Act 1999*;
- (b) the *A New Tax System (Wine Equalisation Tax) Act 1999*;
- (c) the *Customs Act 1901*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

EXPOSURE DRAFT

Schedule 1 Repeals

Schedule 1—Repeals

A New Tax System (Goods and Services Tax) Regulations 1999

1 The whole of the instrument

Repeal the instrument.

Schedule 2—Amendments

A New Tax System (Wine Equalisation Tax) Regulations 2000

1 Paragraph 25-5.02(1)(a)

Omit “made in the way described in Subdivision 168-1 of the *A New Tax System (Goods and Services Tax) Regulations 1999* applies”, substitute “that meets the requirements of Subdivision 168-A of the *A New Tax System (Goods and Services Tax) Regulations 2019*”.

2 Paragraph 25-5.02(1)(b)

Omit “described in Subdivision 168-2”, substitute “specified in Subdivision 168-B”.

3 Paragraph 25-5.02(1)(c)

Omit “described in Subdivision 168-3 or 168-3A”, substitute “specified in Subdivision 168-C or 168-D”.

4 Subregulation 25-5.04(1)

Repeal the subregulation, substitute:

- (1) For the purposes of paragraphs 25-5(1)(e) and (1A)(e) of the Act, if:
 - (a) an amount of wine tax is to be paid in cash to a purchaser of wine; and
 - (b) the amount of wine tax is not an exact multiple of 5 cents;then:
 - (c) the amount of wine tax is to be rounded up or down to the nearest exact multiple of 5 cents (rounding up if the amount is an exact multiple of 2.5 cents); and
 - (d) the result of the rounding is the proportion of the amount of wine tax that is to be paid to the purchaser.

5 Subregulation 25-5.04(2)

Omit “Subdivisions 168-5 and 168-6 of the *A New Tax System (Goods and Services Tax) Regulations 1999*”, substitute “Subdivisions 168-F and 168-G of the *A New Tax System (Goods and Services Tax) Regulations 2019*”.

6 At the end of the instrument

Add:

Part 8—Transitional matters

Division 34—Transitional matters relating to the Treasury Laws Amendment (Goods and Services Tax) Regulations 2019

34-1.01 Tourist refund scheme

Despite the amendments of Division 25 made by Schedule 2 to the *Treasury Laws Amendment (Goods and Services Tax) Regulations 2019*, that Division, as

EXPOSURE DRAFT

Schedule 2 Amendments

in force immediately before the commencement of that Schedule, continues to apply in relation to any purchase of wine before that commencement.

Customs Regulation 2015

7 Subparagraph 94A(1)(a)(iv)

Omit “Part 2-7 of the *A New Tax System (Goods and Services Tax) Regulations 1999*”, substitute “the *A New Tax System (Goods and Services Tax) Regulations 2019*”.

8 In the appropriate position in Part 18

Insert:

156 Amendments made by the Treasury Laws Amendment (Goods and Services Tax) Regulations 2019

The amendments of section 94A made by Schedule 2 to the *Treasury Laws Amendment (Goods and Services Tax) Regulations 2019* apply in relation to any goods entered for home consumption after the commencement of that Schedule.