

## **DRAFT** Second Reading Speech

\*check Hansard for delivery\*

### **Taxation and Related Legislation (Miscellaneous Amendments) Bill 2026**

Honourable Speaker,

Today, the Government is introducing a Bill to amend the *Duties Act 2001*, the *First Home Owner Grant Act 2000*, the *Land Tax Act 2000* and the *Taxation Administration Act 1997*.

These amendments improve the operation, administration and clarity of those laws and are not expected to have a significant impact on revenue.

By introducing this Bill, the Government is delivering on another of its 2025 election commitments. The Bill gives taxpayers more flexibility in paying land tax, helps make bill payments easier and cuts unnecessary red tape.

Most amendments commence on Royal Assent, with land tax and foreign investor surcharge provisions applying retrospectively from 1 July 2026 to ensure they operate from the beginning of the 2026–27 financial year.

Honourable Speaker,

The Bill makes several amendments to the Duties Act to improve Tasmania's duty arrangements.

The Bill updates and clarifies several definitions. These include updating references to Commonwealth citizenship legislation and replacing references to the Australian Stock Exchange with the Australian Securities Exchange. It also aligns citizenship-related definitions with the First Home Owner Grant Act for consistency.

The Bill extends the definition of a complying superannuation fund to include self-managed superannuation funds and updates the definition of a recognised stock exchange.

The Bill also addresses minor drafting inconsistencies and improves technical provisions.

Honourable Speaker,

The Bill amends the foreign investor duty surcharge reassessment provisions for Tasmania-based foreign developers.

Currently, a developer must build at least 50 residential dwellings in a financial year to qualify for duty relief.

This Bill lowers the threshold from 50 dwellings to 10 dwellings in a financial year. This will make this duty relief easier to access and better reflect Tasmanian market conditions. The lower threshold will apply from 1 July 2026.

Honourable Speaker,

The Bill also amends duty exemption provisions relating to family law matters.

These amendments extend exemptions to include transfers made in accordance with unregistered awards arising from family law arbitration in the same manner as transfers arising from other recognised family law dispute resolution pathways and registered awards.

The Bill also improves concessional duty treatment for deceased estates by extending concessional treatment to transfers arising on intestacy, ensuring equitable treatment with transfers made under a will and removing red tape.

In addition, the Bill refines the partial exemption for transfers of land to councils for use as public roads. The amendments ensure the exemption can apply where land is transferred for future use as a public road, including associated infrastructure such as paths and safety areas. They also provide for reassessment where the land is not used for use as a public road within an appropriate timeframe.

Honourable Speaker,

The Bill strengthens the intergenerational rural transfer duty exemption.

It fixes unintended eligibility problems by allowing beneficiaries to be removed from trusts without affecting eligibility. It also provides time for trust deeds to be corrected where technical drafting issues would otherwise stop genuine transfers from qualifying.

The Bill also improves the corporate reconstruction and consolidation duty exemption provisions.

These changes reduce red tape, align Tasmania's framework with other jurisdictions and ensure the provisions reflect modern corporate practices.

The amendments extend the exemption eligibility to companies limited by guarantee which is a structure used by not-for-profit organisations, removes pre- and post-association tests that have restricted access to exemptions, and allow certain necessary steps in consolidation transactions such as temporary ownership interests arising in a corporate consolidation transaction.

Honourable Speaker,

The Bill also makes minor amendments to the First Home Owner Grant Act, by updating references to current Commonwealth citizenship legislation and removes a redundant definition.

The Bill also amends the Land Tax Act to provide greater flexibility and improve access to land tax relief.

The Bill provides the Commissioner with discretion to allow land tax to be paid in more than three instalments, providing for more flexible payment options for taxpayers.

Consistent with the duty surcharge changes, the Bill also reduces the foreign investor land tax surcharge threshold from 50 to 10 relevant dwellings in a financial year. Likewise, transitional provisions ensure the change applies from 1 July 2026.

The Bill also expands access to the principal residence land tax rebate for jointly owned land. This allows the rebate to apply where at least one owner holding a 50 per cent or greater interest uses the land as their principal residence instead of requiring all owners to use the land as their principal residence.

Finally, the Bill amends the Taxation Administration Act.

These amendments improve reassessment and refund provisions, extend from three years to five years the period within which the Commissioner may withdraw an assessment and remove unnecessary procedural barriers to taxpayers obtaining refunds of overpaid tax.

Honourable Speaker,

This Bill delivers a practical suite of amendments that improve the clarity, fairness and administration of Tasmania's taxation and first home owner grant legislation.

I commend the Bill to the House.