ATTACHMENT IV

ACT REVENUE OFFICE

RATES

2005-06

Australian Capital Territory Government

REVIEW MECHANISMS

A property owner who is dissatisfied with an assessment of rates may lodge, within 60 days, a written objection with the Commissioner for ACT Revenue. An objection fee of $50 applies, except where the objection relates to the land valuation, in which case the fee is $20 (fees are refundable if successful). Any adjustment to the unimproved land value will lead to an amended rates assessment, and if applicable, an amended land tax assessment.

You may appeal a decision to an objection to the ACT Administrative Appeals Tribunal within 28 days of receiving notice of the decision.

Lodging an objection or an appeal does not remove the liability to pay a rates assessment by the due date. Interest will accrue on all unpaid charges.

ENQUIRIES

Further information about matters outlined in this pamphlet can be obtained from:

Telephone 6207 0049 6207 0116 6207 0122

Facsimile 6207 0036

Internet www.revenue.act.gov.au

Correspondence
PO Box 252
CIVIC SQUARE ACT 2608

In Person
ACT Revenue Office
Plaza Level
Canberra Nara Centre
Corner London Circuit and Constitution Avenue
CANBERRA CITY

CUSTOMER FEEDBACK

The ACT Revenue Office welcomes your comments and any suggestions for improvement to our services, and the opportunity to address any complaints or concerns you may have.

REVENUES AND EXPENSES

The revenue collected from rates and land tax, together with all other revenues, is used to provide a range of community services. Due to the ACT's unique city-state character, there is no distinction between municipal and territorial finances with all revenues and expenditures accounted for in a single ACT Budget. A brief summary of the estimated revenues and expenses for 2005-06 is as follows:

Revenues	$/m	Expenses	$/m
Payroll Tax	213.9	Health	689.9
General Rates	142.2	Government Schooling	408.8
Land Tax	58.1	Urban Services (excluding Transport)	214.9
Stamp Duties	238.8	Non Government Schooling	147.6
Gambling Taxes	49.6	Disability and Community Services	126.4
Other Taxes	21.2	ACT Housing	117.7
Vehicle Registration	62.0	Justice and Community Safety	103.9
Drivers Licences	6.3	Vocational Education and Training, including the Canberra Institute of Technology	103.4
Change of Use Charge	4.2	Policing	94.4
Regulatory Fees	40.3	Treasury (including administration of the GST and FHOG)	90.6
Traffic Fines	13.8	Transport	82.9
Water Abstraction Charge	15.0	Chief Minister's Department including Environment, Heritage, Arts and Culture	79.4
Parking Fines	8.9	Children Youth and Family Support	72.4
Other Fees and Fines	1.2	Emergency Services	67.5
Commonwealth Grants	1 148.2	Economic Development (including Sport and Recreation)	63.4
User Charges	227.1	Planning	37.6
Other Revenue	460.0	Legislative Assembly	10.4
		Executive	4.9
		Auditor-General	3.9

The above revenue and expenditure summary is an extract from the 2005-06 ACT Budget Paper No 2.

For detailed information about the above revenue and expenditure summary, please refer to the 2005-06 ACT Budget Papers which are available for viewing at any ACT public library or on the Internet at:

http://www.act.gov.au

building our city
building our community
ACT Government

Australian Capital Territory, June 2005.
Published for ACT Revenue Office.

WHAT ARE RATES?

Rates are levied on property owners to provide funding for a wide range of municipal and other essential services to the ACT community.

RATES CALCULATION FOR 2005-06

Standard Properties: FC + ((AUV - $22 000) x P)

The amount of rates payable for 2005-06 has two components - a fixed charge (FC) and a valuation based charge for each rateable property. Each property is liable for the fixed charge together with the valuation based charge. The valuation based charge is calculated using a rating factor or percentage (P) and the average of 2003, 2004 and 2005 unimproved land values of your property (AUV). There is no liability for the valuation based charge on the first $22 000 of your AUV.

Unit Properties: FC + (((AUV x UE) - $22 000) x P)

Rates for units that are part of a registered Unit Title Plan are subject to a similar calculation that is applied to all other properties. Each unit is liable for the fixed charge (FC) together with the valuation based charge. The valuation based charge for each unit is calculated using the average of 2003, 2004 and 2005 unimproved land values (AUV) of the entire Unit Title Plan which is multiplied by the individual unit entitlement (UE). The rating factor or percentage (P) is then applied to the individual unit portion of the AUV that exceeds $22 000 (rate free threshold). There is no liability for the valuation based charge if the individual unit portion of the AUV is $22 000 or less.

Fixed Charges (FC) and Rating Factors (P)

There are different fixed charges and rating factors for residential, commercial and rural properties. The fixed charges and rating factors for 2005-06 are as follows:

	FC	P
Residential	$392	0.3622%
Commercial	$496	1.1527%
Rural	$ 52	0.2008%

PAYMENT OF RATES

The calculation of the amount you must pay for rates and the payment options are detailed on your 2005-06 Rates Assessment Notice. You may elect to pay your rates in full by the first due date and receive a 3% discount, or you can pay your rates by four instalments throughout the year. Details of payment methods and the various payment centres are listed on the back of your 2005-06 Rates Assessment Notice.

STAGGERED BILLING

To ease pressure on payment centres and avoid the need for ratepayers to wait in queues for long periods to pay rates accounts, the ACT has been divided into three sectors for billing purposes. Assessments have different issue and due dates, depending on the suburb in which a property is located. The due dates for payment of your rates are specified on your 2005-06 Rates Assessment Notice.

WHAT IF YOU DON'T PAY?

If payment of rates is not received by the due date you will be liable for interest, charged and compounding on a monthly basis, on any amount that remains unpaid. Compounding interest charges, that may be subject to change during the year, are calculated and imposed on unpaid amounts on the 16th day of each month.

GST

Rates are exempt from GST under Division 81 of the Commonwealth's Goods and Services Tax Legislation and GST **is not** payable on rates.

PENSIONER ASSISTANCE

The following forms of assistance are available to eligible pensioners. Full details of the schemes can be obtained from the ACT Revenue Office.

Rebate

Property owners who receive a Centrelink pension with entitlement to a Pensioner Concession Card, or a War Veteran's pension, may be eligible for a rebate of up to 50% of their rates. **This form of assistance is limited to a pensioner's principal place of residence and to a maximum concession of $365 per property for all new pensioners. Pensioners in receipt of a rates rebate prior to 1 July 1997 are not affected by the $365 cap and maintain their level of concession until such time that they cease to be an eligible pensioner.**

If you become a pensioner during the year you should contact the ACT Revenue Office as soon as possible to determine your eligibility for a rebate. **Applications for a rebate of 2005-06 rates must be received by 30 June 2006.**

If you are currently receiving a pensioner rebate of rates for a particular property and you cease to be an eligible pensioner or you no longer reside in that property, then you must contact the ACT Revenue Office and advise of the changed circumstances so that your rebate can be adjusted accordingly.

Deferment

In addition to obtaining a rates rebate, eligible pensioners may defer all or part of the balance of their rates after the rebate has been deducted. A relatively low rate of simple interest is charged on deferred rates.

HARDSHIP ASSISTANCE

Deferment

Property owners who receive unemployment or other benefits, or anyone suffering substantial financial hardship, can apply to defer payment of their rates for the home they live in. A relatively low rate of simple interest is charged on deferred rates.

If you are dissatisfied with the unimproved land value of your property, **you can only object to your rates assessment**. Any adjustment to the unimproved land value will lead to an amended rates assessment, and if applicable, an amended land tax assessment.

You may appeal a decision to an objection to the ACT Administrative Appeals Tribunal within 28 days of receiving notice of the decision.

Lodging an objection or an appeal does not remove the liability to pay a land tax assessment by the due date. Interest will accrue on all unpaid charges.

ENQUIRIES

It is in your interest to contact the ACT Revenue Office if you own a residential property and you are uncertain about your land tax liability.

Further information about matters outlined in this pamphlet can be obtained from:

Telephone 6207 0047 6207 0053 6207 0107
Facsimile 6207 0036
Internet www.revenue.act.gov.au

Correspondence
PO Box 252
CIVIC SQUARE ACT 2608

In Person
ACT Revenue Office
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Regulatory Fees	40.3	Treasury (including administration of the GST and FHOG)	90.6
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ACT Government

Australian Capital Territory, June 2005.
Published for ACT Revenue Office.

ACT REVENUE OFFICE

LAND TAX

2005-06

ATTACHMENT V

Australian Capital Territory Government

WHAT IS LAND TAX?

Land tax is a general revenue measure that is used by the Government to provide a range of essential services to the ACT community.

WHO PAYS LAND TAX?

Generally, land tax applies to all rateable commercial properties and any residential properties that are rented or that are owned by a trust or a corporation.

If you own a residential property that is rented, you are liable for land tax on that property. This also applies to boarding houses and multiple dwellings, including dual occupancies and granny flats that are rented. Rent can include cash, services or any other valuable consideration earned in respect of a property for which any form of tenancy arrangement exists.

Residential properties owned by a trust or a corporation are liable for land tax, even if they are not rented.

EXEMPTIONS

Residential land used as a retirement village, nursing home, or owned by a religious institution is exempt from land tax. Other exemptions from land tax include land used for rural purposes, broad-acre subdivision, residential land owned by a trustee under a will of a deceased person and occupied by a life tenant, and residential land owned by a not-for-profit housing corporation.

Exemption from land tax on residential land owned by a building or land development corporation can apply for two years from the first quarter after the date of ownership if used to construct new residential premises that are to be sold when finished.

An exemption on compassionate grounds may be available for up to one year on a residential property that is rented where the Commissioner for ACT Revenue is satisfied that the owner (a natural person) is temporarily absent because of a compelling compassionate reason. You must apply in writing to the Commissioner for consideration of your case.

RESPONSIBILITIES OF OWNERS AND AGENTS

You are required to advise the Commissioner for ACT Revenue within 30 days if a residential property you purchase, or have an interest in, is rented or becomes rented. You are also required to advise the Commissioner of any future changes in circumstances that may render any such property liable for land tax within 30 days of the change occurring. Failure to provide the required information is a tax default and you may incur penalties in addition to the primary tax. Agents are required to fulfil any undischarged land tax obligations in respect of a taxpayer's property. Any information regarding land tax liability must be notified in writing. **Giving false or misleading information is a serious offence.**

HOW IS LAND TAX CALCULATED?

Land tax liability is assessed quarterly for all properties and is based on the status of a property on 1 July, 1 October, 1 January and 1 April (liability dates). Land tax is assessed for a whole quarter and there is no daily pro-rata of land tax liability within a quarter.

Residential property that has been rented but is temporarily vacant on a liability date will continue to be liable unless **firstly**, the vacancy continues for the whole quarter **and secondly**, the owner notifies the Commissioner for ACT Revenue in writing that the property has not been rented in that quarter.

Quarterly land tax assessments for 2005-06 are based on the Average Unimproved Value (AUV) that includes the 2003, 2004 and 2005 unimproved land values of the property and are calculated in accordance with the following formula:

$$\frac{\text{AUV} \times \text{rate} \times \text{no. of days in the quarter}}{\text{no. days in the year}}$$

GST

Land tax is exempt from GST under Division 81 of the Commonwealth's Goods and Services Tax Legislation and GST **is not** payable on land tax.

LAND TAX MARGINAL RATES FOR 2005-06

Residential Properties - The following land tax marginal rates apply in 2005-06:

AUV up to $75,000	= 0.60%
AUV from $75,001 up to $150,000	= 0.89%
AUV from $150,001 up to $275,000	= 1.15%
AUV of $275,001 and above	= 1.40%

Commercial Properties - The following land tax marginal rates apply in 2005-06:

AUV up to $150,000	= 0.89%
AUV from $150,001 up to $275,000	= 1.25%
AUV of $275,001 and above	= 1.59%

PAYMENT OF LAND TAX

The calculation of the amount you must pay for land tax and the due date for payment are detailed on your quarterly Land Tax Assessment Notice. The same staggered billing arrangements that apply to rates also apply to land tax, with assessments having different issue dates depending on the suburb in which the property is located. Details of the payment methods and the various payment centres are listed on the back of your quarterly Land Tax Assessment Notice.

WHAT IF YOU DON'T PAY?

If payment of land tax is not received by the due date you will be liable for interest, charged and compounding on a monthly basis, on any amount that remains unpaid. Compounding interest charges, which may be subject to change during the year, are calculated and imposed on unpaid amounts on the 16th day of each month.

REVIEW MECHANISMS

A property owner who is dissatisfied with an assessment of land tax may lodge, within 60 days, a written objection with the Commissioner for ACT Revenue. An objection fee of $50 applies (refundable if successful).

COSTS

When lodging an application with the AAT, a non-refundable fee of $220 will be payable.

An exemption from the fee is allowed if the applicant is receiving legal or financial assistance from the Attorney General (see below) or is otherwise receiving legal aid or approved legal assistance. If unable to pay the fee, the applicant can apply to the AAT to have it waived on the grounds of financial hardship.

All costs incurred by the applicant in preparing and presenting the case must be borne by that person. The applicant is not responsible for the costs of the AAT or any other party to the appeal, irrespective of the outcome.

FREEDOM OF INFORMATION RIGHTS

In addition to being able to request a Statement of Reasons from the Commissioner and to being provided copies of documents from the AAT, a person also has the right to access documents in accordance with the *Freedom of Information Act 1989 (ACT)*.

Application can be made for access to documents held by the Commissioner that relate to that person, including any documents considered relevant to the decision subject to the objection/appeal.

For more information on how these documents can be obtained, please call (02) 6205 0238 or write to:

FOI Coordinator
Australian Capital Territory
Department of Treasury
GPO Box 158
CANBERRA CITY ACT 2601

LEGAL ASSISTANCE

Persons may be able to obtain advice or legal aid from the ACT Legal Aid Office. The Office can be contacted on (02) 6243 3411. Application can also be made to the ACT Attorney General for legal or financial assistance. Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Please write to: The Chief Executive, Department of Justice and Community Safety, GPO Box 158, Canberra ACT 2601. The following organisations can also provide advice and assistance to eligible persons:

- **Council on the Ageing (ACT)**- (02) 6282 3777;
- **Legal Advice Bureau**- (02) 6247 5700;
- **South Eastern Aboriginal Legal Services**- (02) 6249 8488;
- **Welfare Rights and Legal Centre**- (02) 6247 2177.

ACT Government Homepage address is: http://www.act.gov.au.

Above information current as at 1 July 2005

If you need interpreting help, telephone:
إذا احتجت لمساعدة في الترجمة الشفوية، إتصل برقم الهاتف:
如果你需要传译员的帮助，请打电话：
Ako trebate pomoć tumača telefonirajte:
Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
Se avete bisogno di un interprete, telefonate al numero:
اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
Se você precisar da ajuda de um intérprete, telefone:
Jeśli potrzebujesz tłumacza w języku Polskim zadzwoń pod numer telefonu podany niżej, i poproś o "Polish interpreter."
Ако вам је потребна помоћ преводиоца телефонирајте:
Si necesita la asistencia de un intérprete, llame al:
Tercümana ihtiyacınız varsa lütfen telefon ediniz:
Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

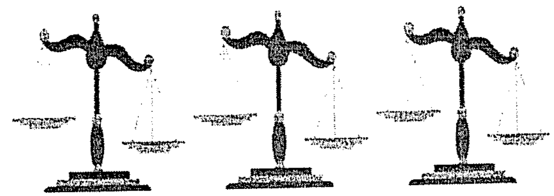
TELEPHONE TRANSLATING & INTERPRETING SERVICE
Ph: 131 450
Canberra and District – 24 hours a day, 7 days a week.

ACT REVENUE OFFICE

STATEMENT OF RIGHTS

OBJECTIONS

APPEALS



Australian Capital Territory Government

ATTACHMENT V1

INTRODUCTION

When the Commissioner for ACT Revenue issues an assessment or otherwise exercises his or her discretion, eg. grants a licence or exemption, the notification of that decision will include details of the objection and appeal rights of the taxpayer/applicant.

Not all decisions have the right of objection and/or appeal. Whether or not such a right exists, a person dissatisfied with a decision should initially contact the decision-maker to discuss his or her concerns.

The following is a guide to your objection and appeal rights. If you have any queries on those rights you can discuss the matter with your legal representative or contact this Office on (02) 62070008 or by facsimile on (02) 6207 0108.

OBJECTION RIGHTS

Upon being advised of a decision by the Commissioner and of a right to object, you may, within 60 days of receiving the decision, lodge a written objection to the decision with the Commissioner. The objection must state fully and in detail the grounds on which you rely.

Prescribed fees apply for all objections lodged with the Commissioner. The amount is stated in the notice of the decision and objection rights. The fee is fully refundable if the objection is wholly or partially successful.

Except where the reason for the objection is dissatisfaction with an unimproved land value, the Commissioner may allow late lodgement of an objection upon receiving a written request to lodge it late together with reasons for the delay in lodging that objection.

A senior officer who is independent of the decision-maker will review the decision on the basis of the information provided in the objection and by the decision-maker. Additional information may be requested to assist in determining the objection.

The Commissioner will give notice in writing of the any decision made on the objection.

APPEAL TO THE ACT AMINISTRATIVE APPEALS TRIBUNAL

Once a decision has been made on your objection, you have the rights detailed below to appeal to the ACT Administrative Appeals Tribunal ("AAT") for that decision to be reviewed. You should note that where a right to object exists, that right to object MUST be exercised before lodging an appeal. Where no right to lodge an objection with the Commissioner exists, you may have a right to appeal directly to the AAT. If you have that right, the Commissioner will advise you of it with the notice of the decision.

STATEMENT OF REASONS

If you wish to obtain further clarification of the basis of the Commissioner's decision, a "Statement of Reasons" can be requested of the Commissioner. A request for the Statement must be made within 28 days of receipt of the decision.

HOW TO APPLY TO THE AAT

To apply to the AAT for a review you need to write to the AAT explaining the details of the decision and the reasons for asking for a review. Alternatively, you can obtain an application form from the AAT that outlines all the information needed to process a review promptly. Applications are to be lodged with the AAT within 28 days of receiving the decision to be appealed. Extensions can be granted by the AAT at its discretion.

Location: Administrative Appeals Tribunal
ACT Magistrates Court Building
4 Knowles Place
CANBERRA ACT 2601

Web Address

http://www.courts.act.gov.au/magistrates/tribunals/aat

Telephone 62174261 or 62174279 **Facsimile** 62174505

Postal Address: GPO Box 370
CANBERRA ACT
2601

Document Exchange: DX 5691

POWERS OF THE AAT

The AAT is an independent body. It can review, on their merits, a large number of decisions made by ACT Government Ministers, officers and statutory authorities.

The AAT can choose to affirm the original decision, change or reject the original decision and substitute it with its own decision or send the matter back to the Commissioner for reconsideration in accordance with the AAT's recommendations.

The AAT will require the Commissioner to lodge all documents relating to the decision being appealed. Copies of those documents are made available to applicants by the AAT.

WHAT THE AAT WILL DO

Conferences: In many cases the AAT will arrange one or more conferences between the applicant (or the applicant's representative) and the Commissioner. The purpose of the conference is to obtain a better understanding of the issues and for the parties to try to reach a settlement. If a settlement cannot be reached or the applicant does not withdraw the application for review, a hearing will be arranged.

Mediation: If both parties agree, the case can be referred to mediation. Mediation is an informal process where a neutral mediator assists the parties to achieve a negotiated settlement of the case.

Hearings: If the case is not resolved at the conference or mediation stage, the hearing will be held by the AAT. Hearings are conducted as informally as possible.