



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Ms Clay on 26 July 2023: Mr Hocking took on notice the following question(s):

[Ref: Uncorrected Hansard Transcript 26 July 2023 [PAGE 58]]

In relation to:

MS CLAY: I have got a question on the land tax. I understand that short term rentals pay land tax. And Treasury has information sharing arrangements with the ATO. Have I got that correct?

Mr Hocking: With the ATO?

MS CLAY: Yes. That short term rental pay land tax and you have got information sharing arrangements with the ATO about land tax?

Mr Hocking: Yes, for the first part. I am just checking—

Unfortunately we do not have the Commissioner for Revenue.

MS CLAY: Yes. Perhaps you can take it on notice—

Mr Hocking: Yes.

MS CLAY: And I will ask the next of it, and you can take the lot on notice if you need to. That will—

Mr Miners: I can probably give you a couple—

MS CLAY: Yes.

Mr Miners: Sorry, Stephen Miners, Deputy Under Treasurer.

So yes, land tax is paid on rentals. So all rentals will pay—rental properties in the residential market will pay land tax. And yes, we do have information sharing agreements with the ATO. They are not specifically around land tax. They are more broad information sharing agreements.

MS CLAY: We have had trouble in this government getting really good information on how many short-term rentals we have in the ACT. Could we not use that information to tell us clearly how many short-term rentals we have in the ACT?

Mr Miners: So, we are aware of the issues around short-term rentals. It is something that—and aware of the Assembly motion on that. It is something we are having a look into in terms of getting

better information around that. But, at this stage, I have got nothing more we can report on that issue.

MS CLAY: Can you—I hear what you have said. Can you take on notice, and answer to me more clearly, why we cannot use information from the ATO to tell us how many short-term rentals we have?

Mr Miners: I can take that on notice, yes.

Treasurer: The answer to the Member's question is as follows: –

Under the Commonwealth's Taxation Administration Act, the ATO can share data with the ACT Revenue Office only where that data is to be used for the purposes of administering the Territory's taxation law.

In the ACT, land tax is levied on residential properties each quarter if the property does not qualify for an exemption (such as a principal place of residence exemption) on the first day of the quarter. As the type of rental (short term versus long term) is not a criteria for determining whether a property is liable for land tax, this information is not collected by the ACT Revenue Office from any source (including from the ATO).

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date: **11.9.23**

By the Treasurer, Mr Barr MLA