

Manual for the National Tax Equivalent Regime January 2022 (Version 12)

[History:

Version 1 of the Manual released in June 2001
Version 2 of the Manual released in July 2002
Version 3 of the Manual released in March 2004
Version 4 of the Manual released in February 2005
Version 5 of the Manual released in January 2006
Version 6 of the Manual released in January 2008
Version 7 of the Manual released in March 2010
Version 8 of the Manual released in February 2012
Version 9 of the Manual released in April 2014
Version 10 of the Manual released in April 2016
Version 11 of the Manual released in October 2019]

[Archived:

History notes for amendments to the Manual made by Versions 2, 3, 4, 5 & 6 have been archived. For the wording of these history notes, see Version 8.]

PRELIMINARY

ABOUT THIS MANUAL

Manual for the NTER

1. This is a Manual of the administrative and technical operating features of the National Tax Equivalent Regime (the NTER).
2. The Manual facilitates the establishment of the NTER, as foreshadowed in the Inter-Governmental Agreement on the Reform of Commonwealth-State Financial Relations, and is consistent with:
 - i) the November 2000 Final Report of the Heads of Treasuries Working Party on NTER; and
 - ii) the Memorandum of Understanding on NTER (the Memorandum), between the Commonwealth of Australia, the Commissioner of Taxation (the Commissioner) and all of the States and Territories.

Application

3. This Manual applies on or after 1 July 2001 to the State and Territory government-owned enterprises (the NTER entities) listed in the NTER entity register.

Amending the Manual

4. This Manual may be amended only as set out in the Memorandum.

Interpretation

5. In this Manual, unless a contrary intention appears:

'ATO' means the Australian Taxation Office;

'Commissioner' means the Commissioner of Taxation;

'ITAA 1936' means the *Income Tax Assessment Act 1936*;

'ITAA 1997' means the *Income Tax Assessment Act 1997*;

'Memorandum' means the Memorandum of Understanding on NTER between the Commonwealth of Australia, the Commissioner and all of the States and Territories;

'NTER' means the National Tax Equivalent Regime;

'NTER entity' means a State or Territory government-owned enterprise listed in the NTER entity register;

'NTER entity register' means the register of the NTER entities referred to in the Memorandum;

'NTER related activities' means the activities of NTER administration, to be undertaken by the Commissioner, which are set out in Attachment 2;

'NTER Work Plan' means a work plan as described in clause 12 of the Memorandum.

'PAYG instalment report' means the form provided at Attachment 3 on which NTER entities advise the Commissioner of their monthly or quarterly NTER income and their monthly or quarterly instalment of expected income tax equivalent liability;

[**History:** Meaning of 'PAYG instalment report' amended by April 2014 (Version 9), with effect from the instalment month starting on 1 January 2014, by inserting references to monthly instalments.]

'Relevant taxation laws' means the federal income tax laws listed in Attachment 4, modified in accordance with this Manual. The relevant taxation laws constitute the administrative and technical rules of the NTER;

'TAA 1953' means the *Taxation Administration Act 1953*; and

'TER' means a tax equivalent regime of a State or Territory.