

GSTD 2004/3A - Addendum - Goods and services tax: is a supply of rights to accommodation a supply of real property for the purposes of the A New Tax System (Goods and Services Tax) Act 1999?

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Addendum

Goods and Services Tax Determination

Goods and services tax: is a supply of rights to accommodation a supply of real property for the purposes of the *A New Tax System (Goods and Services Tax) Act 1999*?

This Addendum amends Goods and Services Tax Determination GSTD 2004/3 to reflect:

- the amendments to the *A New Tax System (Goods and Services Tax) Act 1999* resulting from the introduction of the *Tax Laws Amendment (Small Business) Act 2007*. This Act standardises the eligibility criteria for small business tax concessions from 1 July 2007; and
- the amendments to the *A New Tax System (Goods and Services Tax) Regulations 1999* resulting from the commencement of the *A New Tax System (Goods and Services Tax) Amendment Regulations 2007 (No. 2)*. This Legislative Instrument changes the threshold amounts for the requirements to register for the GST from 1 July 2007.

GSTD 2004/3 is amended as follows:

1. Paragraph 3

- (a) Omit 'annual turnover'; substitute 'GST turnover'.
- (b) Insert 'turnover' before 'thresholds'.

2. Paragraph 11

- (a) Omit 'current annual turnover'; substitute 'current GST turnover'.
- (b) Omit 'projected annual turnover'; substitute 'projected GST turnover'.

3. Paragraph 12

Omit '\$50,000'; substitute '\$75,000'.

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4. Paragraph 14

Omit 'annual turnover'; substitute 'GST turnover'.

5. Paragraph 15

Omit 'annual turnover'; substitute 'GST turnover'.

6. Paragraph 16

Omit 'annual turnover'; substitute 'GST turnover'.

7. Subject references

Insert:

current annual turnover
GST turnover
projected annual turnover

This Addendum explains our view of the law as it applied from 1 July 2007. You can rely upon this Addendum on and from its date of issue for the purpose of section 105-60 of Schedule 1 to the *Taxation Administration Act 1953*. If this Addendum conflicts with a previous private ruling that you have obtained or a previous public ruling, this Addendum prevails. However, if you have relied on a previous ruling (including the public Determination that the Addendum amends), you are protected in respect of what you have done up to the date of issue of the Addendum or, if there is a change to the legislation, you are protected in respect of what you have done up to the date the legislative change takes effect. This means that if you have relied on the earlier ruling and have underpaid an amount of GST, you are not liable for the shortfall prior to either the issue date of this Addendum or the date the legislative change takes effect, as appropriate. Similarly, if you have relied on the earlier ruling you are not liable to repay an amount overpaid by the Commissioner as a refund.

Commissioner of Taxation

15 August 2007

ATO references

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ATOLaw topic: Goods and Services Tax ~ International services ~ other
Goods and Services Tax ~ International services ~ supplies of rights
Goods and Services Tax ~ Property and construction ~ real property