



Lodgment of account activity statements by First home saver account providers for the year ended 30 June 2013 in accordance with the *Taxation Administration Act 1953*

I, Christopher David Jordan, Commissioner of Taxation, make the following Legislative Instrument regarding lodgment of statements by First home saver account providers for the income year ended 30 June 2013 in accordance with the:

Taxation Administration Act 1953

Section 8C and Section 8E.

Taxation Administration Act 1953 (Schedule 1).

Section 286-75 Section 388-50, Section 388-55 and Section 391-5.

Citation

This instrument may be cited as 'Lodgment of account activity statements by First home saver account providers for the year ended 30 June 2013 in accordance with the *Taxation Administration Act 1953*'.

LODGMENT OF STATEMENTS BY FIRST HOME SAVER ACCOUNT PROVIDERS

In accordance with section 391-5 of Schedule 1 to the *Taxation Administration Act 1953* I require a First home saver account provider to give to me on or before 31 October 2013 or such later date as I may allow the information set out in that section.

LODGMENT OF STATEMENTS IN A CERTAIN FORM

In accordance with subsection 391-5(5) of the *Taxation Administration Act 1953*, the account activity statement must be in the approved form.

The particulars required to be given in a statement given under section 391-5 of Schedule 1 to the *Taxation Administration Act 1953* cannot be sent, typed or handwritten, on a paper form. Lodgment of the First home saver account activity statement must be done via the Electronic Commerce Interface.

- **Electronic Commerce Interface**

The information can be lodged via the Electronic Commerce Interface using the Internet, provided it is formatted according to the current version of the Electronic Reporting Specification - First home saver accounts (FHSA) activity report.

DEFERRAL OF TIME FOR LODGMENT OF ACCOUNT ACTIVITY STATEMENTS

In accordance with section 388-55 in Schedule 1 to the *Taxation Administration Act 1953*, I may defer the time for lodgment of any statements to a date later than the relevant date specified in this Instrument.

EXEMPTION FROM REQUIREMENT TO GIVE PARTICULARS IN A SPECIFIC FORM

Nothing in this instrument prevents me or an authorised officer of the Australian Taxation Office from granting to a First home saver account provider an exemption from providing in an electronic form the information set out in section 391-5 of Schedule 1 to the *Taxation Administration Act 1953*.

PENALTIES FOR NON-COMPLIANCE

A First home saver account provider who fails or refuses to provide to me the information set out in section 391-5 of Schedule 1 to the *Taxation Administration Act 1953* commits an offence (by virtue of section 8C of the *Taxation Administration Act 1953*) and is punishable on conviction by a fine not exceeding 20 penalty units under section 8E of the *Taxation Administration Act 1953* if it is the first offence. If convicted of a second offence, the court may impose a fine not exceeding 40 penalty units. If convicted of a third or subsequent offence, the court may impose a fine not exceeding 50 penalty units or a maximum of 12 months imprisonment, or both.

If a company is convicted of a third offence, the court may impose a fine not exceeding 250 penalty units.

Alternatively, if the information required by section 391-5 of Schedule 1 to the *Taxation Administration Act 1953* is not provided in the approved form and within the time prescribed then the First home saver account provider is liable to an administrative penalty under section 286-75 in Schedule 1 to the *Taxation Administration Act 1953*.

Note:

At the time this Instrument was registered the value of a penalty unit was \$170.00.

Christopher David Jordan AO
Commissioner of Taxation
4 June 2013