





# **Treasury Laws Amendment (2021 Measures No. 3) Act 2021**

**No. 61, 2021**

**An Act to amend the law relating to taxation, social security, veterans' entitlements and the National Housing Finance and Investment Corporation, and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)



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**An Act to amend the law relating to taxation, social security, veterans' entitlements and the National Housing Finance and Investment Corporation, and for related purposes**

[Assented to 29 June 2021]

The Parliament of Australia enacts:

## **1 Short title**

This Act is the *Treasury Laws Amendment (2021 Measures No. 3) Act 2021*.

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## 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	29 June 2021
2. Schedule 1	The day after this Act receives the Royal Assent.	30 June 2021
3. Schedule 2	The later of: (a) 1 July 2021; and (b) the day after this Act receives the Royal Assent.	1 July 2021 (paragraph (a) applies)
4. Schedule 3, Part 1	The first 1 January, 1 April, 1 July or 1 October to occur after the day this Act receives the Royal Assent.	1 July 2021
5. Schedule 3, Part 2	The day after this Act receives the Royal Assent.	30 June 2021
6. Schedules 4 and 5	The first 1 January, 1 April, 1 July or 1 October to occur after the day this Act receives the Royal Assent.	1 July 2021

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

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### **3 Schedules**

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## **Schedule 1—Medicare levy and Medicare levy surcharge income thresholds**

### ***A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Act 1999***

#### **1 Paragraphs 15(1)(c) and 16(2)(c)**

Omit “\$22,801”, substitute “\$23,226”.

### ***Medicare Levy Act 1986***

#### **2 Subsection 3(1) (paragraph (a) of the definition of *phase-in limit*)**

Omit “\$45,069”, substitute “\$45,881”.

#### **3 Subsection 3(1) (paragraph (c) of the definition of *phase-in limit*)**

Omit “\$28,501”, substitute “\$29,032”.

#### **4 Subsection 3(1) (paragraph (a) of the definition of *threshold amount*)**

Omit “\$36,056”, substitute “\$36,705”.

#### **5 Subsection 3(1) (paragraph (c) of the definition of *threshold amount*)**

Omit “\$22,801”, substitute “\$23,226”.

#### **6 Subsection 8(5) (definition of *family income threshold*)**

Omit “\$38,474”, substitute “\$39,167”.

#### **7 Subsection 8(5) (definition of *family income threshold*)**

Omit “\$3,533”, substitute “\$3,597”.

#### **8 Subsections 8(6) and (7)**

Omit “\$38,474”, substitute “\$39,167”.

**9 Subsection 8(7)**

Omit “\$50,191”, substitute “\$51,094”.

**10 Paragraph 8D(3)(c)**

Omit “\$22,801”, substitute “\$23,226”.

**11 Subparagraph 8D(4)(a)(ii)**

Omit “\$22,801”, substitute “\$23,226”.

**12 Paragraph 8G(2)(c)**

Omit “\$22,801”, substitute “\$23,226”.

**13 Subparagraph 8G(3)(a)(ii)**

Omit “\$22,801”, substitute “\$23,226”.

**14 Application of amendments**

The amendments made by this Schedule apply to assessments for the 2020-21 year of income and later years of income.

## **Schedule 2—Family Home Guarantee**

### *National Housing Finance and Investment Corporation Act 2018*

#### **1 At the end of section 3**

Add:

; and (f) assisting earlier access to the housing market by single parents with dependants.

## **Schedule 3—Payments to Thalidomide survivors**

### **Part 1—Tax exemption**

#### *Income Tax Assessment Act 1997*

#### **1 Section 11-15 (table item headed “welfare”)**

After:

maintenance payment..... 51-30 and 51-50

insert:

thalidomide payment—payment under the Support for  
Australia’s Thalidomide Survivors program..... 51-30

#### **2 Section 51-30 (before table item 5.6)**

Insert:

5.5	an individual in receipt of a payment under the program established by the Commonwealth and known as the Support for Australia’s Thalidomide Survivors program	the payment	none
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#### **3 Application of amendments**

The amendments of the *Income Tax Assessment Act 1997* made by this Part apply to assessments for the 2021-22 income year and later income years.

## **Part 2—Payments not treated as income under social security and veterans' law**

### ***Social Security Act 1991***

#### **4 After paragraph 8(8)(vc)**

Insert:

- (vd) a payment under the program established by the Commonwealth and known as the Support for Australia's Thalidomide Survivors program;

### ***Veterans' Entitlements Act 1986***

#### **5 After paragraph 5H(8)(xb)**

Insert:

- (xc) a payment under the program established by the Commonwealth and known as the Support for Australia's Thalidomide Survivors program;

#### **6 Application of amendments**

The amendments of the *Social Security Act 1991* and the *Veterans' Entitlements Act 1986* made by this Part apply in relation to payments under the Support for Australia's Thalidomide Survivors program made on or after the commencement of this item.

## **Schedule 4—Recovery grants for 2021 floods and storms**

### ***Income Tax Assessment Act 1997***

#### **1 Section 11-55 (at the end of the table item headed “disasters”)**

Add:

2021 floods and storms—recovery grants ..... 59-99

#### **2 After section 59-97**

Insert:

#### **59-99 2021 floods and storms—recovery grants**

A payment is not assessable income and is not \*exempt income if:

- (a) for the purposes of the Disaster Recovery Funding Arrangements 2018 (set out in a determination made by the Minister for Law Enforcement and Cyber Security on 5 June 2018), the payment is a recovery grant made to a small business or primary producer as part of a Category D measure; and
- (b) the payment relates to:
  - (i) floods commencing in Australia as a consequence of rainfall events occurring in the period between 19 February 2021 and 31 March 2021; or
  - (ii) storms occurring in Australia in that period.

#### **3 Application of amendments**

The amendments made by this Schedule apply to assessments for the 2020-2021 income year and later income years.

## Schedule 5—Deductible gift recipients—new specific recipients

### *Income Tax Assessment Act 1997*

#### **1 In the appropriate position in subsection 30-25(2) (table)**

Insert:

2.2.51	The Andy Thomas Space Foundation Limited	the gift must be made after 30 June 2020
2.2.52	The Judith Neilson Institute for Journalism and Ideas	the gift must be made after 30 June 2020

#### **2 Subsection 30-40(2) (cell at table item 3.2.15, column headed “Special conditions”)**

Repeal the cell, substitute:

the gift must be made after 1 January 2017

#### **3 In the appropriate position in subsection 30-45(2) (table)**

Insert:

4.2.49	Alliance for Journalists’ Freedom Ltd	the gift must be made after 30 June 2020
4.2.50	Youthsafe	the gift must be made after 30 June 2020

#### **4 Subsection 30-100(2) (cell at table item 12.2.5, column headed “Special conditions”)**

Repeal the cell, substitute:

the gift must be made after 31 December 2017 and before 1 July 2022

#### **5 In the appropriate position in section 30-105 (table)**

Insert:

13.2.27	RAS Foundation Limited	the gift must be made after 30 June 2020
13.2.28	The Great Synagogue Foundation	the gift must be made after 30 June 2020 and before

1 July 2025

**6 Section 30-315 (before table item 2AD)**

Insert:

2ACB	Alliance for Journalists' Freedom Ltd	item 4.2.49
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**7 Section 30-315 (after table item 4)**

Insert:

4AA	Andy Thomas Space Foundation Limited	item 2.2.51
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**8 Section 30-315 (before table item 53)**

Insert:

52B	Great Synagogue Foundation	item 13.2.28
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**9 Section 30-315 (after table item 64)**

Insert:

64AA	Judith Neilson Institute for Journalism and Ideas	item 2.2.52
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**10 Section 30-315 (after table item 94AB)**

Insert:

94AC	RAS Foundation Limited	item 13.2.27
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**11 Section 30-315 (at the end of the table)**

Add:

129	Youthsafe	item 4.2.50
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*[Minister's second reading speech made in—  
House of Representatives on 13 May 2021  
Senate on 15 June 2021]*

*(52/21)*

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*No. 61, 2021*