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Public Ruling Land Tax Act:

EXEMPTION FOR TRADE UNIONS— *LAND TAX ACT 2010*

A Public Ruling, when issued, is the published view of the Commissioner of State Revenue (the Commissioner) on the particular topic to which it relates. It therefore replaces and overrides any existing private rulings, memoranda, manuals and advice provided by the Commissioner in respect of the issue(s) it addresses. Where a change in legislation or case law (the law) affects the content of a Public Ruling, the change in the law overrides the Public Ruling—that is, the Commissioner will determine the tax liability or eligibility for a concession, grant or exemption, as the case may be, in accordance with the law.

What this Ruling is about

1. Section 58(b) of the *Land Tax Act 2010* (the Land Tax Act) provides that land owned by or held in trust for a trade union is exempt from land tax provided such land is not used to carry on a business for profit.
2. The purpose of this Public Ruling is to clarify the meaning of trade union for land tax purposes and whether vacant land held by a trade union qualifies for the exemption.

Ruling and explanation

Meaning of trade union

3. The term trade union is not defined in the Land Tax Act or the *Acts Interpretation Act 1954*. Therefore the term retains its ordinary meaning for the purposes of applying s.58(b) of the Land Tax Act.
4. Trade union is defined in the dictionary to mean ‘an association of employees formed to improve their incomes and working conditions by collective bargaining’.¹

Vacant Land

5. Vacant land owned by or held in trust for a trade union will be exempt from land tax provided the land is not being used to carry on a business for profit (for example, a turf farm).

¹ The Collins Concise Dictionary Australian Edition

Date of effect

6. This Public Ruling takes effect from the date of issue and applies in respect of land tax liabilities arising on or after 30 June 2010.

David Smith
Commissioner of State Revenue
Date of Issue 30 June 2010

References

Public Ruling	Issued	Dates of effect	
		From	To
LTA058.1.1	30 June 2010	30 June 2010	Current