

REVENUE RULINGS



Apportionment of insurance premiums

Revenue Ruling DA.015

CEASED 26 June 2008

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Replaces SD.054

Preamble

Division 3 of Part 2 of Chapter 8 of the Duties Act 2000 (the Act) provides for the apportionment of certain insurance premiums between States and Territories. Sections 192(1)(a) and (b) of the Act outline the types of insurance contracts to which Division 3 applies.

Section 192(2) of the Act explains the intention of the Division in relation to the apportionment of insurance premiums, the avoidance of multiple duty and the sharing of duty by means of apportionment between the States and Territories.

This ruling explains the process of apportionment of insurance premiums that has been adopted by the Commissioner of State Revenue (the Commissioner).

Ruling

Section 194 of the Act requires the apportionment of insurance premiums to be made in accordance with a Schedule of Apportionment adopted by the Commissioner under section 193 of the Act. In this regard, the Schedule of Apportionment adopted by the Commissioner is the approved Apportionment Schedule published in the Insurance Council of Australia (ICA), 'Conspectus of Stamp Duties'. This Schedule has been formulated in consultation with the Commissioners of all States and Territories and the ICA.

Insurance companies should refer details of any new insurance policies to be introduced into the market place to the ICA prior to the issuing of such policies. The ICA will then forward the insurance policy to the State Revenue Office, which will ensure that a joint decision is made in consultation with the Revenue Offices of

the other States and Territories and the ICA. Following this decision, the new proposed insurance policy will form part of the approved Schedule.

Please note that rulings do not have the force of law. Each decision made by the State Revenue Office is made on the merits of each individual case having regard to any relevant ruling. All rulings must be read subject to Revenue Ruling GEN.01.

Commissioner of State Revenue

January 2002

