

Australian Capital Territory Tax Expenditure Statement 2021-22

ACT Treasury
April 2023

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1 SCOPE

Tax expenditures arise from government policies that forgo revenue to achieve positive social, community or economic outcomes.

In the ACT context, tax expenditures reduce the tax liabilities of specific groups of taxpayers and activities by way of exemptions, concessions or incentives.

The ACT Tax Expenditure Statement 2021-22 outlines tax expenditures provided by the ACT Government in 2021-22 based on the taxation policies in that financial year and compares them with those in 2020-21. Historical information from 2017-18 to 2019-20 is also presented in the statement.

Policy settings to which the expenditures relate may be subject to changes by the ACT Government depending on Government strategies and priorities. Future *Tax Expenditure Statements* will include these changes.

This statement does not cover:

- a. Progressive tax scales designed to promote fairness in the tax system. Progressive tax scales, such as those for household general rates, are outside the scope of this statement, as this type of progressivity makes the distribution of tax fairer and more equitable. Such arrangements are not a subsidy for people on the lower end of the tax scale.
 - However, this is to be distinguished from differing tax rates being used as a price signal. In such cases, the aim is to influence taxpayers' behaviour as a matter of policy. One such example is the Vehicle Emission Reduction Scheme. While the scheme charges a lower duty on low emission cars, it charges more on higher emission cars. By doing this, the scheme can influence buyers' choices. This type of differentiation is within the scope of this statement.
- b. Tax exemptions that result in no real net benefit for the recipient. These measures are typically in place to prevent unintended consequences from broad brush legislation. For example, accommodation allowances paid to reimburse an employee are exempt from payroll tax. The intent of this exemption is to define the coverage of payroll tax, rather than to provide a tax concession. These types of provisions are outside the scope of this statement.
- c. Tax arrangements that are outside the policy control of the ACT Government. For example, the Commonwealth Government's exemptions from ACT taxes¹ are excluded.
- d. The ACT Government General Government Sector's tax exemption. This exemption is excluded from the scope of this statement as any tax on this sector represents an internal transfer of funds within the ACT Government.

ACT Government Business Enterprises are included within the scope of this statement. Any exemption provided to these entities would be treated as a tax expenditure.

Tax exemptions provided to the charitable sector to support their community programs and outreach also fall within the scope of this statement.

¹ Commonwealth Government includes its Government Business Enterprises.

Notes

The actual costs of tax expenditures are reported where possible. If an actual amount is not available, an estimated cost is reported. Please note that both actuals and estimates are rounded to the nearest \$1,000 for reporting purposes.

The line items in the tables may not add up to the totals due to rounding.

Tax expenditures may have a nil value presented as:

- .. when value is not zero but is rounded to zero.
- when no or a negligible amount of tax expenditure has been incurred for the concession scheme.
- when tax expenditures are not applicable to the concession scheme as it did not operate in that financial year.

Terms and definitions

Not-for-profit organisation

Organisations that do not operate for the profit, personal gain or other benefit of particular people.

Charity

A subsector of not-for-profit organisations that are undertaken for a religious, educational, benevolent or charitable purpose, and not for securing pecuniary profits to their members, for example:

- religious institutions;
- poverty relief organisations;
- cultural, educational and health promotion organisations; and
- organisations that operate solely to promote the wellbeing and welfare of society.

Charities are eligible for tax concessions and exemptions under ACT tax laws.

Excluded organisation

Entities that cannot receive a charity designation in relation to ACT taxes under ACT tax laws, including:

- political parties;
- industrial organisations (trade unions);
- professional organisations;
- organisations that promote trade, industry or commerce; and

• other organisations prescribed by regulation.

These entities are known as 'excluded organisations'. An excluded organisation may still be eligible for tax concessions under ACT tax laws, provided it has obtained a 'beneficial organisation determination'.

Beneficial organisation determination

Certain excluded organisations may apply to the Commissioner for ACT Revenue for a beneficial organisation determination. If approved, the recipient organisation will be eligible for tax concessions under ACT tax laws in a similar manner to charities.

The following excluded organisations may apply for a beneficial organisation determination:

- professional organisations;
- · organisations that promote trade, industry or commerce; and
- other organisations prescribed by regulation.

The charitable sector

For this statement, the charitable sector refers to any type of not-for-profit entity that is eligible for tax concessions under ACT tax laws, regardless of it being a charity or a recipient of a beneficial organisation determination. The charitable sector does not include non-government schools or hospitals, which are accounted for separately in this statement.

2 OVERVIEW

The ACT Tax Expenditure Statement 2021-22 identifies and quantifies tax exemptions, concessions and incentives provided by the ACT Government in 2021-22 and compares them with those in 2020-21.

This statement is prepared to:

- provide information on the ACT tax system; and
- inform the ACT Government's policy considerations.

Tax expenditures are important levers for the ACT Government to achieve its economic and social objectives. For example, they may be targeted at community organisations to achieve a social goal – such as exemptions provided for private schools on charges like the Fire and Emergency Services Levy; exemptions for vulnerable cohorts within the community to support their wellbeing such as the Pensioner General Rates Rebate; and exemptions for particular groups of businesses to attract or retain their operations such as the payroll tax free threshold provided to small businesses.

Tax expenditures can be less visible than direct expenditures, as the costs of tax expenditures reflect revenue that the Government does not receive. Forgone revenue is often not readily observable.

The costings in this statement are based on the revenue forgone approach, which measures the cost of a tax expenditure based on the value of benefits it provides. For a demand driven tax expenditure, its cost is calculated as:

Value of tax benefit per recipient X Number of recipients

The actual cost of a tax expenditure is reported in this statement if the ACT Government holds all the relevant data about this tax expenditure. Otherwise, costs are estimated using other data sources. Notations are used in the tables to distinguish between the estimated and actual costs.

The estimated costs should be interpreted with care as estimates rely on data availability and specific assumptions. Tax-related data are generally collected from taxpayers and where tax is not collected, assumptions are used to estimate the value of the tax expenditure. These costings are based on the best possible information available.

In addition, revenue forgone from a tax expenditure is often not the same as the extra revenue to be expected from the removal of the associated tax concession or exemption. This is because the latter is subject to behavioural changes by taxpayers. When a tax concession or exemption is removed, taxpayers will react to the change, which may affect the related revenue outcomes. The revenue forgone approach does not account for such behavioural changes.

Care should also be taken when comparing the ACT's tax expenditures with those reported in other jurisdictions as the scope of tax expenditure statements, as well as the definitions, benchmarks and measurement for tax expenditures may differ.

The statement also has two attachments. Attachment A outlines the waivers on taxes and fees granted. Attachment B outlines the targeted social concessions and supports provided by the ACT Government.

COVID-19 support measures

The COVID-19 pandemic, and associated restrictions implemented by governments to contain the spread of the virus, have caused significant disruptions to economic activity and people movement within Australia and across the globe.

The ACT Government's COVID-19 response and support was designed to be responsive, targeted, and in most cases, time-limited, as well as being complementary to the support provided by the Commonwealth. The support measures provided targeted assistance to sectors of the economy that were adversely affected by public health restrictions placed to control transmission. These measures evolved over time reflecting the evolution of the pandemic through the Delta and the Omicron outbreaks and its associated economic consequences on business and households.

A comprehensive range of support measures were announced during the COVID-19 pandemic to support industry and the parts of the economy most in need. These initiatives were outlined in a Ministerial Statement on the ACT Economic Response to COVID-19 presented by the Treasurer to the Legislative Assembly on 18 June 2020. Further announcements were made by the Government in the following months and were outlined in the August 2020 Economic and Fiscal Update, released on 27 August 2020. The 2020-21 Budget and 2021-22 Budget also contained a range of measures that extended support previously provided or provided additional support to sectors that continued to be affected by the economic impacts of the pandemic. The Community Services Annual Report 2020-21 and Community Services Annual Report 2021-22 also reported these initiatives.

For own-source taxation revenue, these measures cost the Government \$9.5 million in 2021-22 across revenue initiatives on payroll tax, general rates, land tax, residential and commercial conveyance duty and the Lease Variation Charge. These initiatives are reflected as tax expenditures in this statement under the corresponding sections where applicable. This statement is only focused on the support provided in 2021-22 and does not include the revenue forgone associated with COVID-19 support measures ongoing in 2022-23. The 2022-23 Tax Expenditure Statement will include these measures.

3 TOTAL TAX EXPENDITURE

In 2021-22, the ACT Government's total revenue forgone is estimated to have been \$358.9 million, a decrease of 6.5 per cent (or \$25.0 million) from 2020-21. This is equivalent to 4.6 per cent of the ACT's total direct expenditure², lower than in 2020-21 (5.6 per cent). The average share of tax expenditures to total direct expenditure for the five years between 2017-18 to 2021-22 is 5.0 per cent.

The decrease in the Government's total tax expenditures in 2021-22 was largely driven by decreases in the tax expenditures on General Rates and the Lease Variation Charge.

Tax expenditures on General Rates fell by \$25.3 million in 2021-22 because of reductions in rebates provided as COVID-19 support to households.

Lease variation charge tax expenditures fell by \$15.6 million in 2021-22, due to decrease in the economic stimulus and remissions paid to non-codified lease variations (i.e., variations related to complex developments such as mixed residential and commercial developments) as well as decrease in the COVID-19 support provided to the construction sector.

The decrease in the Government's total tax expenditures in 2021-22 was partially offset by a rise in tax expenditures on land tax and conveyance duty.

Conveyance duty tax expenditures increased by \$12.9 million per cent in 2021-22, largely reflecting a significant increase in the take-up of the Home Buyer Concession Scheme.

Land tax expenditures increased by \$150,000 in 2021-22. This was due to an increase in the uptake of the affordable community housing exemption for properties rented at less than 75 per cent of the market rent through a registered community housing provider.

Table 1 shows that revenue forgone in 2021-22 was highest for payroll tax at \$214.7 million, followed by the conveyance duty at \$92.7 million and general rates at \$23.9 million. Payroll tax represents the largest tax expenditure because the ACT has the highest tax-free threshold in the country and approximately 90 per cent of local Canberra businesses do not any payroll tax.

² ACT's total direct expenditure was \$7.756 billion in 2021-22 and \$6.808 billion in 2020-21

Table 1: Tax expenditures by revenue line

		Revenue forgone (\$'000)						
	2017-18	2018-19	2019-20	2020-21	2021-22			
Payroll tax	196,680	199,690	210,011	211,921	214,742			
Conveyance duty	11,738	26,444	49,678	79,717	92,645			
General rates	18,543	19,118	35,724	49,219	23,928			
Motor vehicle registration	10,118	11,500	11,977	12,376 ^r	13,109			
Motor vehicle duty	8,489	8,086	9,880	9,626 ^r	8,945			
Fire and Emergency Services Levy	2,793	2,929	2,933	2,939	3,075			
Lease Variation Charge	9,236ª	26,644ª	4,072 ^a	17,519ª	1,953°			
Land tax	-	1 ^a	545ª	205ª	354ª			
Water Abstraction Charge	550°	536ª	438 ^a	469ª	155°			
Total	258,147	294,942	325,257	383,991 ^r	358,907			

a – Actual costs. Others are estimated costs.

Table 2 lists the ten largest tax expenditures in the ACT in 2021-22.

Table 2: Top ten tax expenditures

			Revenu	e forgone (\$	'000)	
		2017-18	2018-19	2019-20	2020-21	2021-22
1	Payroll tax – tax free threshold for private sector businesses	151,000	154,000	157,000	160,000	164,000
2	Conveyance duty – Home Buyer Concession Scheme	8,083ª	3,701ª	44,274°	64,190ª	83,267ª
3	Payroll tax – charitable sector exemption ¹	20,000	20,000	21,000	21,000	22,000
4	Payroll tax – non-government schools exemption ¹	19,000	19,000	20,000	20,000	21,000
5	Motor vehicle registration – pensioner remission	9,832ª	11,242ª	11,704°	11,918ª	12,007 ^a
6	General rates – pensioner rebate	8,953°	8,956ª	9,059ª	9,297ª	9,914ª
7	Conveyance duty – Owner Occupier Duty Concession	-	-	-	8,793ª	7,605ª
8	Motor vehicle duty – Vehicle Emission Reduction Scheme	7,547ª	7,064ª	8,919ª	8,223ª	7,356ª
9	Payroll tax – non-government hospital	6,000	6,000	6,000	6,000	7,000
10	General rates – non-government schools exemption	5,331	5,651	5,990	6,337	6,838

a – Actual costs. Others are estimated costs.

 $r-Revised. \ Estimate \ revised \ to \ reflect \ updated \ data \ sources. \ Refer \ to \ the \ relevant \ section \ for \ more \ details.$

^{1.} For the purposes of this statement, the charitable sector does not include non-government schools or hospitals, which are costed as separate categories.

Table 3 shows categories of beneficiaries by the value of tax benefits received. For 2021-22, small and medium businesses falling below the payroll tax threshold accounted for the largest share of the total benefits, followed by home buyers and the charitable sector.

Table 3: Beneficiaries by value of tax benefits received

	Revenue forgone (\$'000)						
	2017-18	2018-19	2019-20	2020-21	2021-22		
The business sector	151,000	154,000	157,000	160,000	164,000		
Payroll tax threshold	151,000	154,000	157,000	160,000	164,000		
Home buyers	9,882ª	5,786ª	45,275ª	73,609ª	91,417ª		
Home Buyer Concession Scheme	8,083ª	3,701ª	44,274ª	64,190°	83,267ª		
Owner Occupier Duty Concession	-	-	0	8,793°	7,605°		
Pensioner Duty Concession Scheme	1,731ª	2,005°	909ª	626ª	545ª		
Over 60's Home Bonus Scheme ²	4 ^a	-	-	-	-		
Disability Duty Concession Scheme	64ª	80ª	92ª	O ^a	O ^a		
The charitable sector ¹	24,054	43,364	27,235	30,472	27,669		
Payroll tax	20,000	20,000	21,000	21,000	22,000		
General rates	3,346	3,547	3,760	3,978	4,292		
Conveyance duty	96ª	19,187ª	1,844ª	4,801ª	739ª		
Fire and Emergency Services Levy	571	584	594	604	619		
Motor Vehicle Duty	41	46	37	89	19		
Non-government schools ¹	25,203	25,542	26,897	27,260	28,784		
Payroll tax	19,000	19,000	20,000	20,000	21,000		
General rates	5,331	5,651	5,990	6,337	6,838		
Fire and Emergency Services Levy	872	891	907	923	946		
Pensioners	20,031 ^a	21,545°	22,087ª	22,517 ^a	23,318ª		
Motor vehicle registration	9,832ª	11,242ª	11,704°	11,918ª	12,007ª		
General rates rebate	8,953°	8,956ª	9,059ª	9,297°	9,914ª		
Fire and Emergency Services Levy rebate	1,246ª	1,347ª	1,324ª	1,302ª	1,397ª		
Non-government hospitals ¹	6,739	6,779	6,821	6,865	7,928		
Payroll tax	6,000	6,000	6,000	6,000	7,000		
General rates	635	673	713	755	815		
Fire and Emergency Services Levy	104	106	108	110	113		
Others	21,238	37,932	40,036 ^r	63,268 ^r	15,791		

a – Actual costs. Others are estimated costs.

r – Revised. Estimates revised to reflect updated data sources.

^{1.} For the purposes of this statement, the charitable sector does not include non-government schools or hospitals, which are accounted for separately.

^{2.} The Over 60's Home Bonus Scheme ended on 31 December 2016.

4 TAX EXPENDITURES BY REVENUE LINE

Payroll tax

Payroll tax is a self-assessed State and Territory tax levied on an employer's payroll. In the ACT, a business is liable for payroll tax if their payroll exceeds \$2 million per year in wages Australia-wide and the tax is calculated based on wages paid or payable in relation to services performed in the ACT. The total taxable payroll includes wages and salaries, allowances, superannuation, fringe benefits and contractor payments.

Table 4 shows that the Territory's tax expenditure on payroll tax was \$214.7 million in 2021-22, a 1.3 per cent (or \$2.8 million) increase from the 2020-21 tax expenditure of \$211.9 million. The increase was mainly due to growth in the number of small and medium businesses who were exempt from payroll tax because of the ACT's high tax-free threshold³ and increase in the estimated expenditures for exempt employers.

Table 4: Payroll tax – tax expenditures

Table 4.1 dyron tax capenatures							
	Revenue forgone (\$'000)						
·	2017-18 ^e	2018-19 ^e	2019-20 ^e	2020-21e	2021-22 ^e		
Tax-free threshold for small and medium businesses	151,000	154,000	157,000	160,000	164,000		
Exempt employers							
The charitable sector ¹	20,000	20,000	21,000	21,000	22,000		
Non-government schools ¹	19,000	19,000	20,000	20,000	21,000		
Non-government hospitals ¹	6,000	6,000	6,000	6,000	7,000		
Exempt wages							
Group Training Organisations – trainees and apprentices	450	460	470	480	490		
Long term unemployed	210	210	220	220	230		
Building and construction industry – the portable leave scheme	20	20	21	21	22		
COVID-19 support							
Payroll tax waivers ²	-	-	3,300	0	0		
Payroll tax exemption for new apprentice or trainee wages	-	-	-	0	0		
Payroll tax exemption for JobKeeper Payments ³	-	-	2,000	4,200	0		
Total 196,680 199,690 210,011 211,921 2							

e - Estimated costs.

1. For the purposes of this statement, the charitable sector does not include non-government schools or hospitals.

3. COVID-19 support in the form of a payroll tax exemption for JobKeeper payments is self-assessed by taxpayers. No data is available from returns.

^{2.} From 2020-21, payroll tax waivers for businesses were provided as administrative waivers, a form of expense. This is different from its treatment in 2019-20, when the support was provided as payroll tax credits, a form of revenue forgone. Refer to 'Table 1A – Tax waivers by revenue line' under Attachment A for details from 2020-21.

³ The payroll tax threshold in 2021-22 was \$2 million, unchanged from 2020-21.

Tax-free threshold

Employers (or groups of employers) with an annual total Australia-wide taxable payroll of \$2 million or under are not liable for payroll tax in the ACT. Employers (or groups of employers) with annual total Australia-wide taxable wages over \$2 million pay payroll tax on the portion of employer's total ACT wages that exceed the threshold.

If an employer also pays wages in other jurisdictions, the threshold entitlement of the employer will be lowered based on the proportion of the employer's (or group of employers') Australia-wide wages that is paid to ACT employees.

The threshold entitlement of an employer may also be reduced if they are part of an employer group. This is because under the grouping provisions only one member of the group is entitled to claim the threshold.

The tax expenditure under this category only relates to private sector businesses. It does not cover any public sector business enterprises, nor does it cover not-for-profit entities (though also part of the private sector) such as non-government schools/hospitals and charities.

The benchmark tax-free threshold is assumed to be zero and the benchmark tax rate is assumed at the normal tax rate of 6.85 per cent (the 2020-21 rate). This means any tax-free threshold represents a concessional treatment and the value of revenue forgone relates to taxable wages both above and below the threshold. These parameters are adopted purely for costing purposes.

The charitable sector

The charitable sector is exempt from payroll tax. This includes charities as well as organisations that have a beneficial organisation determination approved. The costing is based on all wages in the sector, including wages below the threshold.

Non-government schools

Independent and Catholic schools up to the secondary level are exempt from payroll tax. The costing is based on all wages in the sector, including wages below the threshold.

Non-government hospitals

Non-government hospitals are exempt from payroll tax. The costing is based on all wages in the sector, including wages below the threshold.

Group Training Organisations – trainees and apprentices

Group Training Organisations (GTOs) arrange work placements for trainees and apprentices with host firms. A GTO is the responsible employer for its trainees and apprentices, including the administration of payroll. The trainees and apprentices' wages are exempt from payroll tax.

Other wage expenses incurred by the GTO, such as those related to corporate staff, are subject to payroll tax as normal, with an entitlement to the tax-free threshold.

Long-term unemployed

This exemption applies where an employer hires an employee who was previously unemployed for 12 months or longer. These employees' wages are exempt from payroll tax for the first 12 months of their employment.

Building and construction industry – portable leave scheme

Employers in the building and construction industry make periodic contributions to the portable long service leave scheme (administered by the ACT Long Service Leave Authority). These contributions are made to fund the employees' leave entitlements, akin to superannuation contributions. However, unlike superannuation, which is a component of the taxable payroll, the long service leave contribution is exempt from payroll tax.

Other industrial portable leave schemes are not exempt from payroll tax.

COVID-19 support – payroll tax waivers

The Government provided businesses whose operations were directly affected by restrictions and prohibitions as part of the COVID-19 public health response a six-month waiver of payroll tax from 1 April to 30 September 2020. Businesses covered included hotels, clubs, cafes, restaurants, creative arts and entertainment industries, gyms and indoor sporting venues, cinemas, beauty therapists and nail salons. Businesses unable to operate, or only able to operate on a very limited basis, due to ACT Government health-related restrictions between 1 October 2020 and 30 June 2021 could access a further payroll tax waiver.

COVID-19 support – new apprentice or trainee wages

Wages paid to apprentices or trainees employed after 1 August 2020 are exempt from payroll tax for the period from the start of employment until 30 June 2022. To ensure this applies only to new employees, the apprentice or trainee cannot have been employed by the business (or another business within the payroll tax group) at any time during the previous month from when the employment commenced.

COVID-19 support – payroll tax exemption for JobKeeper payments

The Government provided an exemption from payroll tax for payments made under the Commonwealth Government's JobKeeper support package from 30 March 2020 to 28 March 2021. This support is a self-assessed exemption and estimates are reported based on assessment of returns.

General rates and Fire and Emergency Services Levy

General rates and the Fire and Emergency Services Levy are taxes on residential and commercial properties in the ACT.

For both unit-titled and non-unit titled residential properties, general rates comprise of a fixed charge and a variable charge. However, the ways in which those charges are determined are different for the two types of property. This is to establish greater equity in general rates paid between unit titled and non-unit titled properties.

The variable charge of a residential property is calculated by applying a progressive rating factor to the property's average land value of the past five years (the Average Unimproved Value). Note that the Government improved the stability and predictability of general rates for taxpayers by completing the transition from calculating the Average Unimproved Value from a three-year to a five-year average of unimproved land value in 2021-22.

The Fire and Emergency Services Levy is a fixed amount across all residential properties, regardless of their land values.

Like residential properties, general rates for commercial properties also consist of a fixed charge and a variable charge, with the variable charge being calculated based on the Average Unimproved Value of the properties.

Unlike residential properties, however, the Fire and Emergency Services Levy for commercial properties comprises a variable charge, which is imposed on the Average Unimproved Value of the properties using a set of marginal tax rates determined for the levy that is different from the rates determined for commercial general rates.

Table 5 shows that the Territory's tax expenditure on general rates concessions was \$23.9 million in 2021-22, a decrease of 51.4 per cent (or \$25.3 million) from 2020-21. This decrease was mainly a result of a decrease in expenditures in the Government's support to households and businesses during the COVID-19 pandemic. The support included rates rebates provided to the residential and commercial property owners and a commercial rates relief for commercial property owners who reduced rent for tenants affected by COVID-19.

Table 6 shows the ACT's tax expenditure on the Fire and Emergency Services Levy was \$3.1 million in 2021-22, a 4.6 per cent increase from 2020-21. This was driven by residential rebate provided to pensioners.

Table 5: General rates – tax expenditures

	Revenue forgone (\$'000)						
	2017-18	2018-19	2019-20	2020-21	2021-22		
Residential property							
Pensioner rebate	8,953°	8,956ª	9,059ª	9,297ª	9,914ª		
Commercial property							
Not-for-profit sector exemption	3,346	3,547	3,760	3,978	4,292		
Non-government schools exemption	5,331	5,651	5,990	6,337	6,838		
Non-government hospitals exemption	635	673	713	755	815		
Small clubs and car park spaces fixed charge exemption	278ª	291ª	318ª	320ª	323ª		
COVID-19 support							
Commercial rates fixed charge rebate	-	-	15,876ª	-	-		
Commercial rental relief and owner- occupier rebate	-	-	8ª	2,521ª	1,691ª		
Residential rates rebate	-	-	-	26,011ª	55ª		
Total	18,543	19,118	35,724	49,219	23,928		

a – Actual costs. Others are estimated costs.

Table 6: Fire and Emergency Levy – tax expenditures

	Revenue forgone (\$'000)				
	2017-18	2018-19	2019-20	2020-21	2021-22
Residential property					
Pensioner rebate	1,246ª	1,347ª	1,324ª	1,302ª	1,397ª
Commercial property					
Not-for-profit sector exemption	571	584	594	604	619
Non-government schools exemption	872	891	907	923	946
Non-government hospitals exemption	104	106	108	110	113
Total	2,793	2,929	2,933	2,939	3,075

a - Actual costs. Others are estimated costs.

Pensioner rates rebate

A property owner who receives a Commonwealth Government or Department of Veterans' Affairs pension and is entitled to a Pensioner Concession Card or a War Veteran's pension is eligible for the pensioner general rates rebate. Rebate assistance applies only to the owner's principal place of residence.

Two schemes operated concurrently in 2021-22:

- A 50 per cent rebate with no upper limit (uncapped scheme). This scheme was closed on 1 July 1997 to new entrants but continued for those already in the scheme under grandfathering provisions.
- A 50 per cent rebate with a cap of \$700 (capped scheme). This scheme is applicable to pensioners who joined the scheme on or after 1 July 1997.

From 1 July 2016, the rebate under the uncapped scheme is frozen at 2015-16 level if it exceeds \$700.

Pensioner Fire and Emergency Services Levy rebate

A property owner who is eligible for the pensioner general rates rebate is also eligible for the pensioner Fire and Emergency Services Levy rebate.

In 2021-22, the Fire and Emergency Services Levy was a fixed amount of \$350 per property⁴ and the rebate was \$98 per property, regardless of the property's land value.

The charitable sector

The charitable sector⁵ is exempt from commercial general rates and the Fire and Emergency Services Levy for properties they own and use for charitable purposes.

Non-government schools

Independent and Catholic schools up to the secondary level are exempt from general rates and the Fire and Emergency Services Levy.

Non-government hospitals

Non-government hospitals that do not operate for a profit are exempt from general rates and the Fire and Emergency Services Levy.

For-profit hospitals and clinics are not exempt.

Small clubs and car park spaces fixed charge exemption

The Government provides rates relief to some small community clubs and unit titled car park spaces, by exempting them from the fixed charge component of commercial general rates. The fixed charge for commercial general rates was \$2,622 for all commercial properties. These clubs and owners of car park spaces remain liable for the variable charge component of commercial general rates, as well as the Fire and Emergency Services Levy.

This program will be reviewed at the end of 2023-246.

⁴ See Disallowable Instrument DI2020-210.

⁵ The charitable sector for this purpose includes charities and organisations that have a beneficial organisation determination approved. One exception, though, is the community housing sector, which is subject to general rates and the Fire and Emergency Services Levy as normal.

⁶ See Notifiable Instrument NI2020-776.

COVID-19 support – commercial rates fixed charge rebate

The Government provided owners of commercial property with an Average Unimproved Value of \$2 million or less with a full rebate on their commercial rates fixed charge for the 2019-20 financial year (\$2,622 per property).

COVID-19 support – commercial rental relief and owner-occupier rebate

The Government provided general rates relief from 1 April 2020 to 31 January 2021, to commercial property owners who, consistent with the National Cabinet Mandatory Code of Conduct, negotiated in good faith to reduce rent for tenants affected by COVID-19. Commercial property owners who operated businesses from premises they own were also eligible for assistance if they had been negatively affected by COVID-19. This declaration was reinstated from 1 August 2021 to 31 December 2021 for support during the Delta and the Omicron outbreak.

COVID-19 support – residential rates rebate

In 2020-21, the Government provided a one-off \$150 rates rebate to help offset general rates increases to provide relief to households challenged by the COVID-19 pandemic. The rebate was automatically applied to the fixed charge component of residential rates bills in 2020-21.

Land tax

Land tax applies to all residential properties in the ACT that are not a principal place of residence. This includes both rented properties and those which are vacant, properties owned as a trustee, and rented dwellings on the same property as a person's home (such as a granny flat).

Table 7 shows that the Territory's tax expenditure on land tax was around \$354,000 in 2021-22, 72.6 per cent higher than that in 2020-21. The rise was driven by an increase in the affordable community exemptions provided.

Table 7: Land tax – tax expenditures

	Revenue forgone (\$'000)				
	2017-18	2018-19ª	2019-20ª	2020-21 ^a	2021-22ª
Affordable community housing exemption	-	1	87	205	354
COVID-19 support					
Residential tenancy relief ¹	-	-	458	0	0
Total	-	1	545	205	354

a - Actual costs.

Affordable community housing exemption

The ACT Government provides a land tax exemption for properties rented at less than 75 per cent of the market rent through a registered community housing provider. This exemption is part of the Government's Housing Strategy to provide affordable community housing to people in low-moderate income brackets, who may not qualify for public housing and are susceptible to housing stress in the private rental market. This measure commenced on 28 March 2019. The cap on the number of properties that can access the scheme was increased from 125 to 250 properties from 2 February 2021.⁷

COVID-19 support - residential tenancy relief

The ACT Government provided a land tax credit to landlords of residential properties who reduced rents by at least 25 per cent for tenants affected by COVID-19. The credit was equal to 50 per cent of the rent reduction, up to \$1,300 per quarter (around \$100 per week), for the period 1 April 2020 to 30 June 2021. The scheme provided rent relief of up to \$200 per week. The scheme was continued from 1 August 2021 to 31 December 2021 for additional support during the Delta and Omicron outbreaks. From 2020-21, residential tenancy relief was provided as administrative land tax waivers, a form of expense. This is different from 2019-20, when the support was provided as land tax credits, a form of revenue forgone.

^{1.} From 2020-21, residential tenancy relief was provided as administrative land tax waivers, a form of expense. This is different from 2019-20, when the support was provided as land tax credits, a form of revenue forgone. Refer to 'Table 1A – Tax waivers by revenue line' under Attachment A for details in 2021-22.

⁷ See Determination DI2021-18.

Conveyance Duty

Conveyance duty is levied on the agreement for the sale or transfer of land, a Crown lease or a land use entitlement for residential and commercial properties located in the ACT. The duty rates are generally applied to the transfer value of the property.

Table 8 shows that the Territory's tax expenditure on conveyance duty was \$92.7 million in 2021-22, an increase of 16.2 per cent (or \$12.9 million) from 2020-21. This increase was mainly due to an increase in the take-up of the Home Buyer Concession Scheme as it was extended to all residential properties with no limit on the value of the property being purchased. The rise was partially offset by a fall in duty exemptions provided to community housing, duty concessions provided to the charitable sector and to eradicate loose-fill asbestos in the ACT, homebuyer assistance to pensioners and COVID-19 support in the form of owner occupier duty concessions.

Table 8: Conveyance Duty – tax expenditures

	Revenue forgone (\$'000)				
	2017-18 ^a	2018-19ª	2019-20ª	2020-21 ^a	2021-22ª
Duty exemption					
Community housing	771	1,109	2,058	1,200	468
Duty concessions					
The charitable sector	96	19,187	1,844	4,801	739
Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme	989	362	501	107	21
Home buyer assistance					
Home Buyer Concession Scheme	8,083	3,701	44,274	64,190	83,267
Pensioner Duty Concession Scheme	1,731	2,005	909	626	545
Over 60's Bonus Scheme	4	-	-	-	-
Disability Duty Concession Scheme	64	80	92	0	0
COVID-19 Support					
Owner Occupier Duty Concession	-	-	0	8,793	7,605
Total	11,738	26,444	49,678	79,717	92,645

a – Actual costs. Others are estimated costs.

Community housing

Declared community housing providers⁸ are exempt from conveyance duty on purchases of properties that are used for community housing.

Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme

This scheme forms part of the ACT Government's broader strategies to eradicate loose-fill asbestos in the Territory.

⁸ Declared community housing providers include Housing ACT and Community Housing Canberra. Housing ACT is a Public Trading Enterprise reporting as a not-for-profits entity, which is included in the scope of this statement.

Mr Fluffy homeowners who opted into the voluntary buyback program are eligible for a duty concession on the purchase of a replacement property. The buyback program was extended to 17 August 2021, from the original end date of 30 June 2015.

The value of the concession is linked to the value of the property surrendered (the asbestos affected property). If the new purchase is valued at less than that of the property surrendered (a "downsize"), duty will be fully offset.

If the purchase is valued more than the property surrendered, there will be a partial duty payable on the price differential, that is:

- duty calculated on the new property (the higher amount);
 minus
- duty credit on the surrendered property (the lower amount).

The charitable sector

The charitable sector⁹ is exempt from duty on transfers of properties.

Home Buyer Concession Scheme

The Home Buyer Concession Scheme is available to eligible first home buyers, as well as buyers who have not owned a property in the previous two years.

Prior to 1 July 2019, to access the concession, the applicant had to purchase a new residential property or a vacant block of land, satisfy the ownership test, household income test, property value test and residency requirements. In addition, the applicant had to continuously live in the property for 12 months or more after moving in.

From 1 July 2019, the concession was extended to all residential properties in the ACT, including established homes. The property value thresholds were also removed, allowing residential properties at any price to be eligible for the concession.

Pensioner Duty Concession Scheme and Over 60's Home Bonus Scheme

The Pensioner Duty Concession Scheme was available to Centrelink and Department of Veterans' Affairs age pensioners, disability support pensioners aged 50 and over, or a person who held a Department of Veterans' Affairs' Gold Card for more than one year. Under either scheme, the applicant had to continuously live in the property for 12 months or more after moving in. The purchase had to take place within 12 months of the sale of the applicant's previous property. The Government announced the extension of the Pensioner Duty Concession Scheme to 30 June 2021.

Up until 31 December 2016, the Government also provided the Over 60's Home Bonus Scheme, which was the Pensioner Duty Concession Scheme equivalent for non-pensioners aged 60 and over. The Over 60's Home Bonus Scheme ceased on 31 December 2016.

Table 7 shows the property value thresholds for the Pensioner Duty Concession over the course of 2020-21.

⁹ The charitable sector includes charities and organisations that have a beneficial organisation determination approved.

Table 9: Pensioner Duty Concession Scheme, property value thresholds, 1 July 2020 to 30 June 2021¹⁰

	Lower threshold	Upper threshold
	No duty for purchases up to the	No concession for purchases over
	lower threshold	the upper threshold
Dwelling	\$440,000	\$570,000
Vacant block	\$278,650	\$390,000

For purchases valued less than or equal to the lower threshold, no duty is applied. For purchases valued between the lower threshold and the upper threshold, concessional duty is applied. No concession is available for purchases where the values exceed the upper threshold.

Disability Duty Concession Scheme¹¹

The Disability Duty Concession Scheme commenced on 1 July 2016. It is available to individuals with a long-term and permanent disability.

To access the concession, the applicant must qualify for an individual funding package under the National Disability Insurance Scheme, satisfy the ownership test and residency requirements. In addition, the applicant must purchase a home valued at \$750,000 or less and acquire at least 51 per cent interest in the home.

COVID-19 support – Owner Occupier Duty Concession

The ACT Government offered stamp duty concessions for eligible home buyers. The following concessions apply to contracts exchanged between 4 June 2020 and 30 June 2021:

- No stamp duty on single residential dwelling block.
- No stamp duty on off-the-plan unit (unit-titled apartment and townhouses) purchases up to \$500,000.
- An \$11,400 stamp duty reduction for off-the-plan unit (unit-titled apartment and townhouses purchases between \$500,000 and \$750,000.

¹⁰ See Disallowable Instrument DI2020-178, which commenced on 1 July 2020 and expired on 30 June 2021.

¹¹ See Disallowable Instrument DI2017-228.

Motor Vehicle Duty

Motor Vehicle Duty is levied on the establishment of a registration or the transfer of a motor vehicle. The duty rate applied to each new vehicle is subject to the environmental performance rating of that vehicle. The rating is assigned according to the motor vehicle emission data published in the Green Vehicle Guide, from Rating A – the most environmentally friendly, to Rating D – the least. All second-hand vehicles are taxed at Rating C.

Table 10 below shows that the Territory's tax expenditure on Motor Vehicle Duty is estimated at \$8.9 million in 2021-22, a decrease of 7.1 per cent (or \$0.7 million) from 2020-21. The decrease was a result of a broader fall in both duty exemptions and duty concessions provided. The fall was marginally offset by a rise in duty exemptions provided for veteran, vintage, and historic vehicles in 2021-22.

Table 10: Motor Vehicle Duty – tax expenditures

	Revenue forgone (\$'000)					
	2017-18	2018-19	2019-20	2020-21	2021-22	
Duty exemption						
People with certain disabilities	41	44	31	44	14	
The charitable sector	41	46	37	89	19	
Veteran, vintage, and historic vehicles	10	26	8	9	18	
Caravans and camp trailers	850	906	841	1,247 ^r	1,538	
Duty concession						
Vehicle Emission Reduction Scheme	7,547°	7,064ª	8,919ª	8,223°	7,356ª	
Rebates for owners of hail-damaged cars ¹	-	-	44 ^a	14ª	O ^a	
Total	8,489	8,086	9,880	9,626 ^r	8,945	

a - Actual costs. Other costs are estimated.

People with disabilities

People with certain disabilities are eligible for a partial duty exemption on purchases of disability modified vehicles. The value of the modification is exempt from duty. Veterans with certain disabilities are eligible for a full exemption.

The charitable sector

The charitable sector is exempt from duty on purchases of motor vehicles. This includes charities and organisations that have a beneficial organisation determination approved.

Veteran, vintage and historic vehicles

Veteran, vintage, or historic vehicles are exempt from Motor Vehicle Duty.

r – Revised. Estimate revised to reflect updated data sources.

^{1.} Rebates for owners of hail-damaged cars has ceased on 31 October 2020.

A veteran vehicle is a motor vehicle built before 1919 and a vintage vehicle is a motor vehicle built between 1918 and 1931. A historic vehicle is a motor vehicle other than a veteran vehicle or a vintage vehicle and built more than 30 years before it was registered.

Vintage vehicles are often affiliated to car clubs. The Government exempts these vehicles from duty to recognise that they are used purely as a hobby and on a limited basis.

Caravans and camp trailers

Non-motorised caravans and camp trailers are exempt from duty.

Vehicle Emission Reduction Scheme

This scheme establishes the marginal rates of Motor Vehicle Duty based on the vehicle's performance rating, which is applied according to the vehicle's emission level.

Table 11 shows the performance rating scale.

Table 11: Vehicle Performance Ratings Under the Vehicle Emissions Reduction Scheme

Vehicle Performance Rating	Description	Carbon Dioxide (CO ₂) emissions in grams per kilometre (g/km)
Α	Environmental leading-edge models	0-130
В	Models with significantly above-average environmental performance	131-175
С	Models with average environmental performance	176-220
D	Models with below-average environmental performance	221 and above

In terms of the duty rate, A-rated vehicles are duty free, while vehicles rated B, C and D are taxed at increasing rates.

Costing of this tax expenditure has been undertaken using Rating C as the benchmark given this rating applies to most vehicles. The tax rates applied to C-rated vehicles have been used as the standard tax rates for calculating the duty forgone from greener vehicles (i.e. vehicles with Rating A or Rating B) that pay concessional duties.

It should be noted that while the tax rates of Rating D are higher than Rating C, Rating D is not considered an appropriate benchmark as tax rates of this rating are effectively a surcharge that discourages purchases of higher emission cars.

The value of duty forgone from the Vehicle Emission Reduction Scheme is calculated as the total of:

- duty forgone on A-rated vehicles relative to Rating C; and
- duty forgone on B-rated vehicles relative to Rating C.

Rebates for owners of hail-damaged cars

The ACT Government provided a motor vehicle duty rebate of up to \$100 for vehicles with a value of \$10,000 or less that were purchased to replace a vehicle written-off as a result of the hailstorm occurred in January 2020. The rebates applied to privately registered vehicles in the ACT and was in place from late February 2020 until 31 October 2020. This support was no extended further and ceased as on 31 October 2020.

Motor vehicle registration fees

Motor vehicle registration fees are payable upon the renewal of a registration. They are calculated based on the tare weight of the vehicle and the length of the registration. Vehicle owners can register for 3, 6 or 12 months.

Table 11 shows that the Territory's tax expenditure on motor vehicle registration fees was \$13.1 million in 2021-22, an increase of 5.9 per cent (or \$0.7 million) from 2020-21. This increase in revenue forgone for motor vehicle registration fees was largely due to an increase in concessions provided to gas and electrical vehicles particularly due to the introduction of the Zero Emission Vehicle Scheme.

Table 12: Motor vehicle registration fee – tax expenditures

		Revenue forgone (\$'000)									
	2017-18ª	2018-19ª	2019-20 ^a	2020-21 ^a	2021-22ª						
Exemption											
Pensioners	9,832	11,242	11,704	11,918	12,007						
Concessions											
Gas and electric vehicles	273	245	262	447 ^r	1,092						
Primary producers	13	13	12	11	10						
Total	10,117	11,500	11,978	12,376 ^r	13,109						

a - Actual costs.

Pensioners

Holders of a current Centrelink pensioner concession card; a Department of Veterans' Affairs pensioner concession card; or a Repatriation Health Card ('gold card') issued by the Department of Veteran's Affairs (where the card does not indicate that the card holder is a dependant) are eligible for a 100 per cent discount on the registration of one vehicle in the card holder's name.

Holders of a Seniors Card are eligible for 10 per cent discount on the registration of one vehicle in the card holder's name.

Gas and electric vehicles

Gas, electric, plug-in hybrid or hydrogen fuel cell powered vehicles are entitled to 20 per cent discount on the registration. Where a Seniors Card holder owns such a vehicle, a 28 per cent discount applies. The value also includes the Zero Emission Vehicle Scheme which provides two years free registration to eligible Electric Vehicles (EV) and Hydrogen Fuel Cell Electric Vehicles (HFCEV). The scheme will run from 24 May 2021 to 30 June 2024 (inclusive) and applies to both private and business registration fees.

Primary producers

Motor vehicles used in primary production receive a 45 per cent discount on the motor vehicle registration fee. The concession can only be applied to two goods carrying vehicles, one goods carrying or fixed load trailer and one vehicle with a body type of 'tractor.'

r – Revised. Estimate revised to reflect updated data sources.

If the vehicle is gas, electric, plug-in hybrid or hydrogen fuel cell powered, it receives a 55 per cent discount on the motor vehicle registration fee.

Lease Variation Charge

The value of a lease associated with a block of land is likely to increase when the lease holder seeks to vary the permitted use of the lease to allow new or additional development. The Lease Variation Charge is levied on this value uplift to capture any increase in development rights. The charge is assessed as part of the development approval process.

There are two types of chargeable variations:

- Section 276E codified lease variation. The Lease Variation Charge for a variety of variations is set under a fee schedule. The set charge represents the value uplift to be expected from the particular variation given the type and location of proposed development.
- Section 277 non-codified lease variation. These variations apply to more complex developments such as mixed residential and commercial developments. For a section 277 variation, the Lease Variation Charge is levied based on 75 per cent of the value uplift that has been determined by valuations assessed before and after the proposed variation.

Since the Lease Variation Charge was introduced in 2011, the Government has offered a range of remissions and exemptions to achieve positive development and economic outcomes. The remissions are payable once determined notwithstanding the termination of the Disallowable Instrument.

The concessions offered on the Lease Variation Charge are tax expenditures. Table 12 shows that the Territory's tax expenditure on the Lease Variation Charge was \$17.5 million in 2021-22 representing a significant rise from 2020-21. This increase was mainly due to increase in the economic stimulus and remissions paid to non-codified lease variations and a rise in the COVID-19 support payment provided to the construction sector.

Table 13: Lease Variation Charge – tax expenditures

		Reven	ue forgone ((\$'000)	
	2017-18 ^a	2018-19ª	2019-20 ^a	2020-21 ^a	2021-22a
Affordable rental development concession	-	-	0	0	0
S276E – Codified variation					
Housing assistance – extra 25 per cent remission	112	10	111	14	103
Economic stimulus – residential – extra 30 per cent remission	0	94	-	-	-
S277 – Non-codified variation					
Environmental remediation of former service station	551	0	0	0	1,305
Economic stimulus – extra 25 per cent remission ¹	5,156	11,596	969	7,689	0
Environmentally sustainable development ² / Economic stimulus – sustainable or adaptable building design ¹	3,417	14,944	2,992	6,674	450
COVID-19 support					
Construction sector - 25 per cent remission	-	-	-	2,740	95
Construction sector – 50 per cent remission	-	-	0	402	0
Total	9,236	26,644	4,072	17,519	1,953

a - Actual costs.

Affordable rental development concession¹²

The ACT Government introduced a 25 per cent remission on the Lease Variation Charge for registered community housing providers to encourage the development of more affordable rental housing for low to moderate income households. The remission applies to both a section 276E or a section 277 lease variation.

The remission commenced on 1 October 2019 and will be available for an initial period expiring on 30 June 2022. There was no take-up for the remission in 2020-21.

Economic stimulus – residential lease variations – extra 30 per cent remission¹³

As part of the ACT Government's economic stimulus package to increase dwellings, a section 276E residential lease variation was eligible for an extra 30 per cent remission on the Lease Variation Charge, should such a lease variation seek to increase the number of dwellings permitted on the block. This stimulus package ceased on 30 June 2018.

^{1.} While this stimulus measure ceased on 6 March 2018, remissions are payable once determined notwithstanding the termination of the Disallowable Instrument.

^{2.} While this stimulus measure ceased on 30 June 2019, remissions are payable once determined notwithstanding the termination of the Disallowable Instrument.

¹² See Disallowable Instrument DI2019-229. This instrument took effect on 1 October 2019 and will expire on 30 June 2022.

¹³ This stimulus measure took effect through Disallowable Instrument DI2014-201 on 1 July 2015. It was extended to 30 June 2018 via Disallowable Instrument DI2017-208.

Housing assistance – extra 25 per cent remission¹⁴

The ACT Government provides an additional 25 per cent remission where the purpose of the lease variation is for the provision of housing assistance. The remission applies if the lease was granted to the housing commissioner for a term beginning prior to 17 December 1987 and the housing commissioner is the lessee.

Economic stimulus – extra 25 per cent remission¹⁵

As part of the ACT Government's economic stimulus package for environmental sustainability, a section 277 variation may be eligible for a 25 per cent remission on the Lease Variation Charge, provided there is a development approval, and that the development approval relates to the construction of a building on the land. This stimulus package ceased on 6 March 2018; however, remissions were payable once determined notwithstanding the termination of the Disallowable Instrument.

Environmentally sustainable development¹⁶ / Economic stimulus – sustainable or adaptable building design¹⁷

The Lease Variation Charge levied on a section 277 variation may be eligible for a remission of up to 25 per cent, provided that the building development to which the variation relates complies with the requirements for energy efficiency of:

- a Green Star rating of 5 or 6 for the commercial sector; or
- a Nationwide House Energy Rating Scheme (NatHERS) rating of 6.5 or more for the residential sector.

The objective of this policy was to support high-level environmentally sustainable outcomes for the ACT by encouraging developers to deliver higher sustainability outcomes above the industry norm.

This policy was a continuation of the environmental sustainability remission component of the *Economic stimulus – sustainable or adaptable building design*, which provided an additional remission of up to 25 per cent to buildings that comply with either the abovementioned energy efficiency requirements (i.e., the environmental sustainability remission component) or the Australian standard for adaptable housing.

The Economic stimulus – sustainable or adaptable building design ceased on 6 March 2018, while the Environmentally sustainable development ceased on 30 June 2019 but some remissions were paid in 2020-21.

¹⁴ See Disallowable Instruments DI2011-318 and DI2018-93.

¹⁵ This stimulus measure took effect through Disallowable Instrument DI2014-48 on 6 March 2014. It was extended via Disallowable Instrument DI2016-28 which expired on 6 March 2018.

¹⁶ This environmental sustainability remission for the lease variation charge was introduced by the Planning and Development (Remission of Lease Variation Charges - Environmental Sustainability) Determination 2018 (No.1) (DI2018-40) on 7 March 2018. It was later extended by Disallowable Instrument DI2018-89 which expired on 30 June 2019.

¹⁷ This stimulus measure was announced along with the *Economic stimulus – 25 per cent remission* and ceased on 6 March 2018.

Environmental remediation of former service stations¹⁸

A lease variation involving rehabilitation of the site of a former service station receives a full Lease Variation Charge exemption.

COVID-19 support – construction sector remission¹⁹

As part of the ACT Government's Economic Survival and Recovery Package, a 50 per cent remission on the Lease Variation Charge (capped at \$250,000) has been provided where an application to enter the Lease Variation Charge deferred payment scheme was made between 25 June 2020 and 23 December 2020. To receive this remission, construction must commence by 31 March 2021 regardless of when the development application was lodged or approved. This stimulus measure has been extended by six months to 30 June 2021 at a lower remission rate of 25 per cent (capped at \$125,000), with the requirement to commence construction by 31 January 2022.

¹⁸ See Disallowable Instruments DI2018-92.

¹⁹ See Disallowable Instruments DI2020-224, DI2021-13 and DI2021-243.

Water Abstraction Charge

The Water Abstraction Charge is paid by users who are licensed to take water in the ACT. The charge reflects the value of water as a scarce resource, as well as the Territory's costs incurred in relation to water catchment management and environmental protection.

For 2021-22, the Water Abstraction Charge rate for non-potable water (surface and ground water) was \$0.314 per kilolitre of water. The tax expenditures reflect the ACT Government's concession schemes in relation to the extraction of non-potable water.

Table 13 shows that the Territory's tax expenditure on the Water Abstraction Charge was \$0.16 million in 2021-22, a decrease of 62.6 per cent from 2020-21, driven by a fall in the volume of water consumption because of high levels of rainfall.

Table 14: Water Abstraction Charge – tax expenditures

		Reven	ue forgone (\$'000)	
	2017-18 ^a	2018-19ª	2019-20 ^a	2020-21a	2021-22ª
Golf Clubs - Market Equity Scheme	193	193	161	106	68
Golf Clubs - Infrastructure Offset Scheme ¹	190	190	160	110	-
Agriculture - Competition Equalisation Payment Scheme	167	152	116	114	55
High-intensity Club Users – Non-potable Water Rebate ²	-	-	-	139	32
Total	550	536	438	469	155

a - Actual costs.

Golf Clubs - Market Equity Scheme

Under the scheme, ACT golf clubs receive a 50 per cent discount on the Non-potable Water Abstraction Charge incurred in relation to the extraction of non-potable water for the maintenance of golf courses.

This Scheme was introduced to provide parity between ACT and NSW golf clubs by providing the same support to all golf clubs regardless of their ability to invest in significant infrastructure upgrades to improve water efficiency.

Golf Clubs – Infrastructure Offset Scheme

Under the scheme, ACT golf clubs could claim an offset until the end of 2020 on their Non-potable Water Abstraction Charge liabilities for eligible capital expenditure invested into water saving infrastructure during the period 2002 to 2015.

If the available offset amount for a golf club was greater than its Non-potable Water Abstraction Charge bill, the liability was fully offset, such that no charge was payable.

Under the scheme golf clubs were required to demonstrate to the ACT Government how their capital spending was linked to improved water efficiency outcomes.

^{1.} The Infrastructure Offset Scheme has ceased in December 2020.

^{2.} The non-potable water rebate for High Intensity Club Users ceased on 31 December 2021.

Agriculture – Competition Equalisation Payment Scheme

Under the scheme, eligible ACT irrigators receive a 99 per cent rebate on Non-potable Water Abstraction for water used in primary production. This rebate reduces the cost of non-potable water for ACT irrigators to a level that is no more than that of the NSW irrigators operating in the surrounding region.

High-intensity Club Users – Non-potable Water Rebate

High-intensity club users of non-potable water can receive a rebate for charges incurred through this scheme. The rebate covers recycled water charges related to the Lower Molonglo Water Quality Control Centre, stormwater water charges related to the Inner North Reticulation Network, and the Non-potable Water Abstraction Charge for surface and ground water.

The Government put in place a temporary rebate for non-potable water usage by high-intensity club users from 1 July 2020 to 30 June 2021 and extended the rebate up to a capped amount until 31 December 2021 as part of the 2021-22 Budget.

ATTACHMENT A – WAIVERS

Section 131 of the *Financial Management Act 1996* (FMA) allows the Treasurer or his delegate to waive a debt owed to the Territory. A tax waiver releases a taxpayer from the obligation of paying a tax liability. Waivers are not tax expenditures. They are administrative actions taken on a case-by-case basis, whereas tax expenditures are government policies that are applied across taxpayers. The FMA does not specify criteria for assessing waiver requests; the power to provide waivers is discretionary in nature.

The annual financial statements of individual Directorates contain more information on tax waivers.²⁰

In 2021-22, 13 tax waivers were granted under section 131 of the FMA, totalling around \$1.1 million (Table A1).

Table A1: Tax waivers by revenue line¹

	2017-18		2018-	2018-19		2019-20		-21	2021-22	
	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000
Payroll Tax ²	3	1,500	4	1,820	0	0	5	5,922	2	625
Conveyance Duty	1	8	0	0	0	0	1	11	0	0
Land Tax ²	0	0	7	235	8	33	8	457	8	82
General Rates	0	0	3	89	1	100	52	1,427	1	107
Land Rent	0	0	1	45	0	0	1	52	0	0
Lease Variation Charge	1	394	0	0	1	7	1	10	2	273
Total	5	1,902	15	2,189	10	140	67	7,879	13	1,087

²⁰As of 2021-22, two Directorates had tax administration responsibilities: the Environment and Planning Directorate was responsible for the administration of the Lease Variation Charge, and the Chief Minister, Treasury and Economic Development Directorate (ACT Revenue Office and Access Canberra) was responsible for the administration of all other taxes.

Source: ACT Government

Notes:

- 1. The number for waivers represents the number of signed waiver instruments, not the number of taxpayers being granted the waiver.
- 2. From 2020-21, payroll tax waivers and land tax waivers in the form of residential tenancy relief were dispensed as a waiver, a form of expense.

Waivers of fees and charges

Additionally, Tables A2 and A3 show the waivers granted under section 131 of the FMA for major fees and charges in 2021-22.

Table A4 shows the waivers granted under section 15 of the Courts Procedures Act 2004 for court fees. Waivers for fees and charges are not treated as tax expenditures.

In 2021-22, the ACT Government provided 67 waivers of fees and charges in total, at the cost of \$699,000 (Table A2, A3 and A4).

Table A2: Chief Minister, Treasury and Economic Development Directorate (Access Canberra) – fee waivers

	2017-18		2018-19		2019-20		2020-21		2021-22	
	Number	\$'000								
Extension of Time fee ¹	1	9	5	17	3	742	2	757	4	606
Waiver for Application fee to register and withdraw a Homes for Homes caveat ²	405	106	40	6	0	0	0	0	0	0
Total	406	115	45	23	3	742	2	757	4	606

^{1.} In the Territory, lessees are required to build on their blocks within a prescribed timeframe. Payment of Extension of Time fees allows lessees extra time to build on a block. Extension of time fees are charged based on a block's general rates and commercial rates can be high.

^{2.} This waiver is provided to support the Homes for Homes scheme operations in the Territory. Participants under the scheme can contact Homes for Homes to remove the caveat put on the purchased property when they become the registered proprietor. Withdrawal of caveat fees are waived in this case to minimise barriers for participants who wish to exit the scheme.

Table A3: Environment, Planning and Sustainable Development Directorate – fee waivers

	2017-18		2018-19		2019-20		2020-21		2021-22	
	Number	\$'000								
Licence application fee	0	0	0	0	0	0	0	0	0	0
De-concessionalisation of lease fee	0	0	0	0	0	0	0	0	0	0
Development application fee	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Table A4: Justice and Community Safety Directorate – fee waivers

	2017-18		2018-19		2019-20		2020-21		2021-22	
	Number	\$'000								
Courts and Tribunal transcript fees ³	80	30	63	23	0	0	0	0	0	0
Courts and Tribunal fees ³	97	116	96	155	120	126	135	178	63	93
Total	177	146	159	178	120	126	135	178	63	93

^{3.} Waivers were provided by the Registrars of the Courts and the ACT Civil and Administrative Tribunal on a case-by-case basis, depending on the circumstances, under section 15 of the Court Procedures Act 2004. Cases of Courts and Tribunal transcript fee waivers and other Courts and Tribunal fee waivers may be related to the same applicant.

ATTACHMENT B – SOCIAL CONCESSIONS AND SUPPORTS

The ACT Government provides a range of social concessions and supports to individuals and households in need, as well as to community groups. These policy measures provide direct financial assistance to their beneficiaries, reducing the amount they would otherwise have to pay for an essential, non-tax related expense.

Government funded assistance schemes or programs that offer free-of-charge services to eligible individuals, households or community groups are excluded from this section. For example, the bulky waste collections scheme currently commissioned and funded by the ACT Government is not included as part of the social concessions and supports. This is because while the scheme provides free bulky waste collection services to eligible ACT residents, it does not reduce any of their financial liabilities.

These policy measures do not fall under the tax system and are not tax expenditures.

Table B1 outlines the social concessions and supports that result in revenue forgone, at a cost of \$190.3 million in 2021-22.

Table B2 further details the social concessions and supports that were provided by way of direct expenditure, at a cost of \$33.7 million in 2021-22.

The total cost of social concessions and supports was \$224.0 million in 2021-22, a decrease of \$8.7 million from 2020-21 (\$232.7 million)²¹.

²¹ Care should be taken when interpreting the total cost of \$224.0 million. The cost of concessions that involve revenue forgone (\$190.3 million) is estimated, while the cost of concessions that involve direct expenditures is an actual figure (\$33.7 million). They are two different measures and may not be like for like.

Table B1. ACT Government social concessions and supports – revenue forgone¹

	2017	-18	2018	-19	2019	-20	2020	-21	2021	-22
Social Concessions and Supports	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000
Concessional rent for community g	groups									
ACT Property Group properties ²	211	15,972	204	13,718	236	14,941	230	15,905	219	17,897
COVID-19 rent relief ³	-	-	-	-	3	12	65	150	19	52
Public housing										
Public housing rental rebate ^{4,5}	10,035 ^r	144,847	9,780 ^r	144,297	10,010 ^r	149,366	9,760 ^r	149,289	9,721	145,734
Public housing water consumption costs ⁶	-	7,303	-	7,102	-	7,045	-	6,077	-	5,913
Community housing providers rent relief ⁷	-	-	-	-	10,555	2,639	1,600	400	-	-
Stimulus payments for public housing tenants and stimulus payments to community organisations for the eligible households ⁸	-	-	-	-	631	1,224	679	2,424	0	0
Targeted assistance concessions										
Water and sewage rebate ⁹	-	7,298	81	5,255	0	0	77	5,468	74	5,361
ACTION bus concession ^{10,11}	7,200,000	10,245	7,144,500	11,078	5,005,087	7,395	3,699,512	5,790	2,777,338	3,972
Light rail concession ^{10,11}			285,759	443	1,179,333	1,742	896,807	1,404	654,634	963

	2017	-18	2018	2018-19		2019-20		-21	2021	-22
Social Concessions and Supports	Number	\$'000								
Special Needs Transport Program	394	5,991	353	5,874	363	6,162	360	7,228	356	7,584
Driver licence fee concession ¹²	8,132	1,736	8,418	1,993	8,083	1,849	8,413	1,183	7,786	1,947
Good Driver Discount ¹³	24,746	1,322	27,104	1,905	30,218	2,039	29,006	1,928	30,448	2,310
Ambulance transport fee exemption ¹⁴	4,295	3,522	3,816	3,227	3,794	3,315	3,764	3,186	3,875	3,438
Green Waste Bin Concession ¹⁵	4,279	214	15,882	794	2,743	137	2,488	124	1,871	94
Hailstorm rebate payments ¹⁶	-	-	-	-	3,331	247	1,963	129	0	0
Cost of social concessions and supports - revenue forgone		198,450		195,686		198,113		200,685		190,330

r – Revised. Estimate revised to reflect updated data sources.

Notes:

- 1. Revenue forgone is measured on a total Territory basis, considering transactions between the General Government Sector and the Public Trading Enterprises (such as Housing ACT and Icon Water).
- 2. The ACT Government, through the ACT Property Group, leases Territory owned premises to community groups and not-for-profit childcare centres, either free of charge (often involving a nominal rent such as 5 cents a year) or under concessional rental arrangements. In 2021-22, 140 concessional leases and 79 peppercorn (nominal cost) leases were provided to the community sector.
- 3. The ACT Government provided rent relief to Crown Lessees in the Territory who experienced financial hardship because of COVID-19.
- 4. Public housing rent rebate is also reported in the Community Service Directorate Annual Report 2021-22.
- 5. In 2021-22, the Government through Housing ACT, provided about 10,300 public housing tenancies to Canberrans in need. Additionally, the Government provided 798 subsidised dwellings to the community and homelessness housing sector, which are in turn leased at concessional rates to low-income households and those needing homelessness accommodation support.
- 6. The ACT Government does not pass on water consumption costs to public housing tenants. These costs are absorbed by the Government. This contrasts with private landlords in the ACT, who can recover water usage charges from their tenants, if separately metered.
- 7. In response to COVID-19, the ACT Government provided full rent relief for community housing providers between April 2020 and December 2020. No further rent relief has been provided since December 2020 and this concession has ceased since.
- 8. In response to COVID-19, the ACT Government provided a one-off \$250 payment to public housing households to support Canberrans most in need. No stimulus payments were made in 2021-22.
- 9. Water and sewerage rebate eligibility criteria: pensioners; Centrelink Low Income Health Care Card holders; Veterans Affairs Gold Card holders; or asylum seekers. From 2017-18, the energy and utility rebate has been combined with the water and sewerage rebate to become one concession known as Utilities Concession. As such no data is available for the period 2017-18. See Table B2 below for this new concession.

- 10. ACTION bus and light rail eligibility criteria for free travel: Children under 5; seniors over 70; Veterans Affairs Gold Card holders (totally and permanently disabled); passengers with a visual impairment or senior and concession MyWay card holders (excluding students and tertiary card holders) travelling off-peak period as part of a trial which started 14 January 2017. Eligibility for concessional travel: students; pensioners; Centrelink Health Care Card holders; or Veterans Affairs Gold Card holders. ACTION bus and light rail concessions are reported in Transport Canberra and City Services Directorate annual reports.
- 11. The revenue forgone figures are estimated based on the corresponding share of bus and light rail trips, given concessions are provided per eligibility, not transport form. The 2020-21 revenue forgone figures for concessions provided for bus and light rail trips are estimated based on the corresponding share of revenue forgone in 2019-20 due to reduction of patronage due to COVID-19..
- 12. Driver licence fee concession eligibility criteria: pensioners; Veterans Affairs Gold Card holders; and Centrelink Health Care Card holders who are unemployed.
- 13. ACT residents are eligible to receive a 30 per cent discount on their ACT driver licence renewals if they have no relevant traffic offences recorded in the previous 5 years.
- 14. Ambulance transport fee exemption eligibility criteria: school students; pensioners; and people who are injured in certain circumstances, e.g., motor vehicle accidents. The ACT Government provided 3,764 exempt ambulance trips in 2021-22, of which 3,827 exemptions were provided to Canberrans and 48 exemptions were provided to patients from other jurisdictions.
- 15. Under the Green Waste Bin Concession scheme, eligible Canberrans are exempt from the green waste bin registration fee. ACT residents holding one the following concession cards would be eligible for the Green Waste Bin Concession: ACTION Gold Card; Department of Veterans' Affairs Gold Card; Centrelink Pensioner Concession Card; MyWay Seniors Card (for people who are aged 70 years and above).
- 16. The hailstorm rebate payments are provided to people whose vehicles were impacted by the hailstorm occurred in January 2020. The rebate payments provide support for a range of fees including fees charged on cancellation and establishment of motor vehicle registrations and road worthy inspection fees. The hailstorm rebate payments were finalised by November 2020 and no further payments were made in 2021-22.

Table B2 shows the social concessions and supports funded by way of direct expenditure. The Government pays the respective service providers for the delivery of these programs.

Table B2. ACT Government social concessions and supports – direct expenditures¹

	2017-	-18	2018-	19	2019-	20	2020-	21	2021-	22
Social Concessions and Supports	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000	Number	\$'000
Utilities Concession ²	29,932	27,117	29,809	26,338	29,921	22,749	30,908	24,105	30,915	27,141
Life Support Rebate ³	2,714	330	2,911	354	3,180	392	3,510	487	3,783	472
Home Haemodialysis Rebate ⁴	64	18	61	18	63	19	77	20	74	18
Taxi Subsidy Scheme ⁵	101,196	2,383	104,532	2,214	94,576	2,122	90,217	2,473	85,108	2,565
Funeral Assistance Program ⁶	34	272	33	162	39	281	14	131	14	90
Spectacles subsidy ⁷	13,252	2,465	10,838	2,088	8,292	1,999	11,129	2,464	9,759	1,862
ACT Secondary Bursary Scheme ⁸	795	676	838	619	970	710	1057	779	715	714
Solar for Low Income Program ⁹	221	658	228	634	73	167	143	331	-	-
Home Energy Support Program – Solar Rebates ¹⁰	-	-	-	-	-	-	-	-	17	42.5
Interstate Patient Travel Assistance Scheme ¹¹	2,414	659	2,477	719	2,085	625	1,427	770	995	663
Act Of Grace Payments ¹²	2	211	122	61	175	1197	24	455	30	143
Cost of concessions and supports - direct expenditures		34,789		33,207		30,261		32,015		33,711

Notes:

- 1. Direct expenditures do not include the costs to the Government to run these programs, such as staffing and overheads.
- 2. The Government provides a Utilities concession (water and sewage rebate and energy and utility rebate) to eligible households, and to community organisations as part of our Community Service Obligations to assist them with their cost of living. From 2017-18, the energy and utility rebate has been combined with the water and sewerage rebate to become one concession known as *Utilities concession*.
- 3. The ACT Government provided a rebate on electricity bills (up to \$128 a year) to about 3,783 eligible Canberrans in 2021-22. This rebate supports Canberrans who require extra electricity usage for life support equipment at home.
- 4. The ACT Government provides financial assistance to eligible patients accessing home haemodialysis with their water costs for up to \$1,200 per annum. In 2021-22, the rebate benefited 19 eligible patients with 74 claims in total.
- 5. The ACT Government subsidises taxi travel for eligible Canberrans who have severe activity limitations. In 2021-22, the Government subsidised about 85,108 taxi trips.
- 6. The ACT Government subsidises the costs of funerals for households who are in a financial hardship. This program allows families to have simple dignified funerals.
- 7. Spectacle subsidy includes: the ACT Spectacles Subsidy Scheme, the ACT Senior Spectacles Scheme, and the Low Vision Aids Scheme. The ACT Spectacles Subsidy Scheme is available to pensioners and Centrelink Healthcare Card holders. The ACT Senior Spectacles Scheme is available to Seniors Card holders. The Low Vision Aids Scheme is available to Canberrans with degenerative eye conditions. The ACT Seniors Spectacle Scheme was abolished from 1 July 2018.
- 8. The ACT Secondary Bursary Scheme provides financial assistance to low-income families for education expenses of students in years 7-10. The students must be living with the applicant and be financially dependent upon the applicant, or in special government care that is paid for by the applicant.
- 9. The Solar for Low Income Program commenced in 2017-18 and finished on 30 June 2021. The Program required the participants to hold an Australian Government Pensioner Concession Card and be a homeowner in the ACT to be eligible for the program.
- 10. The Home Energy Support Program was launched on 31 March 2022. The program provides rebates of up to \$2,500 for eligible households to install rooftop solar panels. Rebates are available to homeowners who hold an Australian Government Pensioner Concession Card or a Department of Veterans' Affairs Gold Card.
- 11. The Government provides financial assistance towards travel and accommodation costs to Canberrans who are required to travel interstate for specialist medical and dental treatment that is not currently available in the ACT. COVID -19 restrictions to travel and for medical procedures to be undertaken and the temporary availability of telehealth for consultations reduced the number of patients travelling and the related costs in 2021-22.



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