



# **Fringe Benefits Tax Act 1986**

## **Act No. 40 of 1986 as amended**

This compilation was prepared on 27 June 2006  
taking into account amendments up to Act No. 55 of 2006

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be  
affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra



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# **An Act to impose a tax in respect of the value of certain fringe benefits provided in respect of the employment of employees**

## **1 Short title** [see Note 1]

This Act may be cited as the *Fringe Benefits Tax Act 1986*.

## **2 Commencement** [see Note 1]

This Act shall come into operation on the day on which the *Fringe Benefits Tax Assessment Act 1986* comes into operation.

## **3 Incorporation**

The *Fringe Benefits Tax Assessment Act 1986* is incorporated and shall be read as one with this Act.

## **4 Act to bind Crown**

This Act binds the Crown in right of each of the States, of the Northern Territory and of Norfolk Island.

## **5 Imposition of tax**

Tax is imposed in respect of the fringe benefits taxable amount of an employer of a year of tax.

## **6 Rate of tax**

The rate of tax in respect of the fringe benefits taxable amount of an employer of a year of tax is 46.5%.

## **7 Severability**

It is the intention of the Parliament that if, but for this section, section 5 of this Act would impose a tax on property of any kind belonging to a State within the meaning of section 114 of the Constitution, section 5 of this Act shall have effect as if it did not impose that tax.



**Table of Acts****Notes to the *Fringe Benefits Tax Act 1986*****Note 1**

The *Fringe Benefits Tax Act 1986* as shown in this compilation comprises Act No. 40, 1986 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 19 June 2006 is not included in this compilation. For subsequent information *see* Table A.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Fringe Benefits Tax Act 1986</i>	40, 1986	24 June 1986	24 June 1986 (see s. 2)	
<i>Taxation Laws Amendment (Rates and Rebates) Act 1989</i>	70, 1989	21 June 1989	21 June 1989	S. 4
<i>Fringe Benefits Tax Amendment Act 1991</i>	213, 1991	24 Dec 1991	24 Dec 1991	S. 4
<i>Taxation (Deficit Reduction) Act (No. 2) 1993</i>	55, 1993	27 Oct 1993	Ss. 3–6: Royal Assent (a)	S. 6
<i>Fringe Benefits Tax Amendment Act 1995</i>	55, 1995	28 June 1995	Schedule 2: 1 Apr 1996 Remainder: Royal Assent	Sch. 1 (item 2) and Sch. 2 (item 2)
<i>Tax Laws Amendment (Personal Tax Reduction and Improved Depreciation Arrangements) Act 2006</i>	55, 2006	19 June 2006	Schedule 2: Royal Assent	Sch. 2 (item 2) [see Table A]

## **Act Notes**

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- (a) The *Fringe Benefits Tax Act 1986* was amended by sections 3–6 only of the *Taxation (Deficit Reduction) Act (No. 2) 1993*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

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**Table of Amendments**

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ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted	
Provision affected	How affected
S. 6.....	rs. No. 70, 1989 am. No. 213, 1991; No. 55, 1993; No. 55, 1995; No. 55, 2006

**Table A**

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**Table A**

**Application, saving or transitional provisions**

*Tax Laws Amendment (Personal Tax Reduction and Improved Depreciation Arrangements) Act 2006* (No. 55, 2006)

**Schedule 2**

**2 Application**

The amendment made by this Schedule applies in relation to the year of tax starting on 1 April 2006 and later years of tax.