

DIVISION P

*Calculation of Taxable Income: Dependant Deduction*

**38.** *Repealed by 1992-28.*

DIVISION PA

*Calculation of Taxable Income: Basic Deduction*

**38A.** *Repealed by 1992-28.*

**38B.** (1) In calculating the taxable income of an individual for an <sup>Allowances.</sup> income year, there shall be deducted from the assessable income of that <sup>1992-28.</sup> individual such of the following amounts as are applicable, that is to say:

- .(a) subject to paragraph (b), 2003-11.
- .(i) the amount of \$17 500 in respect of income year 2004;
- .(ii) the amount of \$20 000 in respect of income year 2005;
- .(iii) the amount of \$22 500 in respect of income year 2006;
- .(iv) the amount of \$25 000 in respect of income year 2007 and subsequent income years;
- .(b) in the case of an individual who is 60 years of age or over and in receipt of a pension, the amount of \$30 000 in respect of income <sup>1996-30.</sup> year 1998 and subsequent <sup>1998-8.</sup> years;
- .(c) in the case of an individual whose spouse during the year had no income and who during that year either wholly supported his spouse, or whose spouse was habitually living with him, \$3 000 in respect of income year 1995 and subsequent income years;
- .(d) in the case of an individual who, during the income year, supported his child or the child of his spouse,

- (i) in respect of income year 1993, \$500; and

(ii) in respect of income year 1994 and subsequent income years, \$1 000

in respect of each of not more than 2 children under the age of 18 years or who had attained the age of 18 years but had not attained the age of 25 years at the end of the income year and was during the income year receiving full time instruction at an educational establishment.

□.(2) In calculating the taxable income of an individual, only one deduction may be made under subsection (1) in respect of any person in respect of whom a deduction is made under that subsection.

□.(3) Where more than one individual is entitled to a deduction under subsection (1) in respect of the same person in the same income year, the aggregate amount that may be deducted by those individuals in respect of that person in that income year shall be the amount that one of those individuals would be entitled to deduct but for this subsection in respect of that person, and the part of that amount that each of those individuals may deduct in respect of that person in that income year may be agreed between them and, failing agreement, shall be fixed by the Commissioner.

□.(4) No deduction may be made in calculating the taxable income of a married woman habitually living with her husband in respect of the deductions allowed under subsection (1)(d) unless she furnishes to the satisfaction of the Commissioner evidence of the fact of her husband's relinquishing of his claim to those deductions.

□.(5) The amounts which may be deducted under subsection (1) in respect of a person mentioned in sub-paragraph (i) or (ii) of paragraph

□.(d) of that subsection shall not be reduced by any assessable income of that person which

□.(a) is salary, wages, overtime remuneration, bonuses, commissions or an amount in respect of services; and

□.(b) the Commissioner is satisfied is applied towards the cost of education of that person.

□.(6) For income year 1995 and subsequent income years a married person may claim the deduction allowed under subsection