

**AUSTRALIAN CAPITAL TERRITORY  
TAXATION (ADMINISTRATION) ACT 1987  
STAMP DUTY (INTERESTS IN LAND)  
DETERMINATION 1991**

No 88 of 1991

I ROSEMARY FOLLETT, Treasurer for the ACT in accordance with subsection 99(1) of the Taxation (Administration) Act 1987, make the following determination.

**Citation**

1. This Determination may be cited as the Stamp Duty (Interests in Land) Determination 1991.

**Commencement**

2. This Determination commences to have effect on 1 October 1991.

**Revocation**

3. The Stamp Duties (Conveyances) Determination (No.3) made on the 21st day of September 1987 is hereby revoked.

**Interpretation**

4. In this Determination:

"Crown lease" means a lease of land granted by or in the name of the Commonwealth;

"lease" means a lease of land other than a Crown lease;

"residential lease" means a lease for residential purposes only;

"Schedule" means a Schedule to this Determination; and

"the Act" means the Stamp Duties and Taxes Act 1987.

**Use of Schedules**

5. A reference in this Determination to an amount set out in a Schedule means an amount calculated by applying the formula appearing in Column 2 of the relevant Schedule, opposite and in relation to the appropriate range of value of consideration specified in Column 1 or that Schedule, to the value of the interest granted, transferred or agreed to be transferred, or to the consideration given or agreed to be given, as the case may be, in respect of:

(a) a transfer, or an agreement for a transfer, of an estate in fee simple;

- (b) a Crown lease, a transfer of a Crown lease or an agreement for a transfer of a Crown Lease; or
- (c) a transfer or an assignment of a lease, an agreement for a transfer or an assignment of a lease

as the case may be.

#### **Value of interest in respect of Crown lease**

- 6. In this Determination, the value of the interest granted or transferred by a Crown lease, a transfer of a Crown lease, or an agreement for a transfer of a Crown lease, as the case may be, is the capital sum that might be expected to have been offered for the Crown lease subject to the terms and conditions upon which it is held, it being assumed that:
  - (a) the rent payable under the Crown lease is a nominal rent; and
  - (b) the lessee is not obliged by any provision of the Crown lease to carry out or cause to be carried out capital works on or near the Crown lease.

#### **Conveyance of fee simple**

- 7. The determined amount of stamp duty for the purposes of section 17(a) of the Act for a transfer, or an agreement for the transfer, of an estate in fee simple is the amount set out in Schedule 1.

#### **Crown Lease or Transfer of Crown Lease**

- 8. The determined amount of stamp duty of the purposes of section 17(b) of the Act for a Crown lease, a transfer of a Crown lease or an agreement for a transfer of a Crown Lease, is the amount set out in Schedule 1.

#### **Lease (other than a residential lease)**

- 9. The determined amount of stamp duty for the purposes of paragraph 17(c) of the Act for a lease other than residential lease is an amount calculated by multiplying the sum of 50 cents by the number of amounts of \$100.00 (including a single remaining part of \$100.00) included in the amount of the consideration payable for the lease.

#### **Transfer of Lease**

- 10. The determined amount of stamp duty for the purposes of section 17(d) of the Act for a transfer or an assignment of a lease, or an agreement for a transfer or an assignment of a lease, is the amount set out in Schedule 2.

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**SCHEDULE 1**

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<b>Column 1</b> <b>Value of interest in land</b>	<b>Column 2</b> <b>Amount</b>
up to and including \$14,000.00	\$1.25 per \$100.00 or part of \$100.00 of the value of the interest
exceeding \$14,000.00 but not exceeding \$30,000.00	\$175.00 plus \$1.50 per \$100.00 or part of \$100.00 by which the value of the interest exceeds \$14,000.00
exceeding \$30,000.00 but not exceeding \$60,000.00	\$415.00 plus \$2.00 per \$100.00 or part of \$100.00 by which the value of the interest exceeds \$30,000.00
exceeding \$60,000.00 but not exceeding \$100,000.00	\$1,015.00 plus \$2.50 per \$100.00 by which the value of the interest exceeds \$60,000.00
exceeding \$100,000.00 but not exceeding \$300,000.00	\$2,015.00 plus \$3.50 per \$100.00 or part of \$100.00 by which the value of the interest exceeds \$100,000.00
exceeding \$300,000.00 but not exceeding \$1,000,000.00	\$9,015.00 plus \$4.50 per \$100.00 or part of \$100.00 by which the value of the interest exceeds \$300,000.00
exceeding \$1,000,000.00	\$40,515.00 plus \$5.50 per \$100.00 or part of \$100.00 by which the value of the interest exceeds \$1,000,000.00

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**SCHEDULE 2**

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Column 1 Consideration	Column 2 Amount
Up to and including \$14,000.00	\$1.25 per \$100.00 or part of \$100.00 of the consideration
exceeding \$14,000.00 but not exceeding \$30,000.00	\$175.00 plus \$1.50 per \$100.00 by which the consideration exceeds \$14,000.00
exceeding \$30,000.00 but not exceeding \$60,000.00	\$415.00 plus \$2.00 per \$100.00 or part of \$100.00 by which the consideration exceeds \$30,000.00
exceeding \$60,000.00 but not exceeding \$100,000.00	\$1,015.00 plus \$2.50 per \$100.00 or part of \$100.00 by which the consideration exceeds \$60,000.00
exceeding \$100,000.00 but not exceeding \$300,000.00	\$2,015.00 plus \$3.50 per \$100.00 or part of \$100.00 by which the consideration exceeds \$100,000.00
exceeding \$300,000.00 but not exceeding \$1,000,000.00	\$9,015.00 plus \$4.50 per \$100.00 or part of \$100.00 by which the consideration exceeds \$300,000.00
exceeding \$1,000,000.00	\$40,515.00 plus \$5.50 per \$100.00 or part of \$100.00 by which the consideration exceeds \$1,000,000.00

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Dated this *fourteenth*

day of September 1991

*Rosemary Follett*

**ROSEMARY FOLLETT**  
Chief Minister and Treasurer  
for the Australian Capital  
Territory