

Revenue Ruling 2004

Public Ruling

Ruling Number	: PUB-DT-2004-6
Title	: Instruments Subject To Exemptions That Are Not Required To Be Lodged With The Commissioner For Stamping
Tax Line	: Duties
Legislative Reference	: <i>Duties Act 2001</i>
Previous Ruling	: PUB-DT-2003-4 (18 June 2003)
Date of Ruling	: 01 December 2004
Attachments	:

Preamble

This ruling is issued to provide guidance on when an exempt instrument need not be endorsed or stamped exempt.

Ruling

There are many specific exemptions contained in the *Duties Act 2001*. These exemptions relate to various instrument and transaction types. The following exempt instruments do not need to be lodged for stamping by the Commissioner of State Revenue (nor do they require endorsement pursuant to Part 6 of the *Taxation Administration Act 1997*) unless you wish to have the instrument endorsed or stamped exempt (for example where the instrument is required for litigation or is required to be lodged with another government department).

- An agreement for sale of land made under section 17 of the *Homes Act 1935* – subsection 53(b), *Duties Act 2001*
- An assent in relation to land under subsection 36(1) of the *Administration and Probate Act 1935* – subsection 53(j), *Duties Act 2001*
- A lease – subsection 53(d), *Duties Act 2001*
- A residential lease – item 16 Schedule 3 to *Stamp Duties Act 1931*

Enquiries in relation to this Revenue Ruling should be directed to the Revenue Advice and Audit Section on telephone (03) 6233 5437 or email at audithelp@treasury.tas.gov.au. Copies of this ruling may be obtained from our website at www.sro.tas.gov.au and follow the "Revenue Rulings" link.

All rulings must be read subject to Revenue Ruling PUB-GEN-2001-1.



Peter Coe
COMMISSIONER OF STATE REVENUE

Enquiries:
Telephone: (03) 6233 8070
Facsimile: (03) 6234 3357
E-mail: taxhelp@treasury.tas.gov.au
Internet: www.sro.tas.gov.au

By Correspondence:
The Commissioner of State Revenue, State Revenue Office
GPO Box 1374, HOBART Tas 7001

In Person: 4th Floor, 80 Elizabeth Street, Hobart

PUB-DT-2004-6

