

Schedule 1 — When liability for transfer duty on a dutiable transaction arises and the person liable to pay it

[s. 19 and 20]

| Column 1 Provision of section 11 | Column 2 Dutiable transaction | Column 3 When liability for transfer duty arises | Column 4 Person liable to pay transfer duty |
|---|--|---|--|
| s. 11(1)(a) | Transfer | When the property is transferred | Transferee |
| s. 11(1)(b) | Agreement for transfer | When the agreement is made | Purchaser or transferee |
| s. 11(1)(c) | Declaration of trust | When the declaration is made | Person making the declaration |
| s. 11(1)(d)(i) | Vesting by statute law | When the vesting takes place | Person in whom the property is vested |
| s. 11(1)(d)(ii) | Vesting by court order | When the order is made | Person in whom the property is vested |
| s. 11(1)(e) | Foreclosure of mortgage | When the foreclosure order is made | Mortgagee |
| s. 11(1)(f) | Acquisition of new dutiable property | The earlier of the following — (a) when the property is acquired; or | Person that acquires the property |

Duties Act 2008

Schedule 1 When liability for transfer duty on a dutiable transaction arises and the person liable to pay it

| Column 1 | Column 2 | Column 3 | Column 4 |
|--------------------------------|--|---|--|
| Provision of section 11 | Dutiable transaction | When liability for transfer duty arises | Person liable to pay transfer duty |
| s. 11(1)(g) | Surrender of special dutiable property | (b) if an instrument evidences the acquisition, when the instrument is executed When the surrender takes place | Person to whom the interest is surrendered; or in the case of a surrender referred to in section 18(caa), the person to whom the new lease is, or is to be, granted in accordance with the agreement, arrangement or understanding; or |

| Column 1 | Column 2 | Column 3 | Column 4 |
|--------------------------------|--|---|---|
| Provision of section 11 | Dutiable transaction | When liability for transfer duty arises | Person liable to pay transfer duty |
| | | | <p>in the case of a surrender referred to in section 18(f), the person to whom the mining tenement is granted in accordance with the agreement; or</p> <p>in the case of a surrender referred to in section 18(g), (ga), (gb) or (gc), the person that paid the consideration for the surrender</p> |
| s. 11(1)(h) | A trust acquisition or trust surrender | When the interest in the trust is acquired or surrendered | Person that is the trustee of the discretionary trust |

Duties Act 2008

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| Column 1 | Column 2 | Column 3 | Column 4 |
|--------------------------------|------------------------------------|--|---|
| Provision of section 11 | Dutiable transaction | When liability for transfer duty arises | Person liable to pay transfer duty |
| s. 11(1)(i) | A partnership acquisition | The earlier of the following — (a) when the partnership interest is acquired; or (b) if the acquisition is evidenced by an instrument, when the instrument is executed | Person that acquires the partnership interest |
| s. 11(1)(j) | A concessional farm-in transaction | When the concessional farm-in transaction is made | The farmee |

[Schedule 1 amended: No. 12 of 2019 s. 130; No. 37 of 2022 s. 13; No. 4 of 2023 s. 119.]

Schedule 2 — Rates of transfer duty

[s. 3, 9, 26 and 184]

[Heading amended: No. 16 of 2022 s. 24(1).]

Division 1 — General rate

[Heading inserted: No. 16 of 2022 s. 24(2).]

| Dutiable value (<i>rounded down to nearest whole dollar</i>) | General rate of duty |
|---|--|
| \$0 — \$120 000 | \$1.90 per \$100 or part of \$100 |
| \$120 001 — \$150 000 | \$2 280 + \$2.85 per \$100 or part of \$100 above \$120 000 |
| \$150 001 — \$360 000 | \$3 135 + \$3.80 per \$100 or part of \$100 above \$150 000 |
| \$360 001 — \$725 000 | \$11 115 + \$4.75 per \$100 or part of \$100 above \$360 000 |
| \$725 001 and upwards | \$28 453 + \$5.15 per \$100 or part of \$100 above \$725 000 |

[Division 1 inserted: No. 16 of 2022 s. 24(2).]

Division 2 — Concessional rates

[Heading inserted: No. 16 of 2022 s. 24(2).]

| Concessional transaction | Dutiable value (<i>rounded down to nearest whole dollar</i>) | Concessional rate of duty |
|---------------------------------|---|--|
| s. 143 First home owners | | |
| If the property includes a home | \$0 — \$430 000 | Nil |
| | \$430 001 — \$530 000 | \$19.19 per \$100 or part of \$100 above \$430 000 |

Duties Act 2008

Schedule 2 Rates of transfer duty

Division 3 Nominal duty

| Concessional transaction | Dutiable value (<i>rounded down to nearest whole dollar</i>) | Concessional rate of duty |
|---|---|---|
| If the property does not include a home | \$0 — \$300 000 | Nil |
| | \$300 001 — \$400 000 | \$13.01 per \$100 or part of \$100 above \$300 000 |
| s. 147 Residential or business property | \$0 — \$120 000 | \$1.50 per \$100 or part of \$100 |
| | \$120 001 — \$200 000 | \$1 800 + \$4.04 per \$100 or part of \$100 above \$120 000 |

[Division 2 inserted: No. 16 of 2022 s. 24(2).]

Division 3 — Nominal duty

The amount of nominal duty is \$20.00.