

## AUSTRALIAN CAPITAL TERRITORY STAMP DUTY

Ian McMahon

### ACT Stamp Duty Rates 1969-1990 – Rate Tables

#### RATES OF STAMP DUTY FROM 1 JULY 1969

First Column Item No.	Second Column Class of Instruments	Third Column Rate of Stamp Duty
1	Cheque drawn or made on a banker at a branch of the banker in the Territory	5 cents
2	Bill of exchange or promissory note (not being a cheque) drawn, made, negotiated, presented for payment, or paid, in the Territory	5 cents
3	Hire-purchase agreement entered into by the owner in the Territory	1¼ per centum of the purchase price under the agreement
4	Transfer, or an agreement for a transfer, of an estate in fee simple in land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the value of the interest in the land transferred or agreed to be transferred
5	Transfer, or an agreement for a transfer, of a Crown lease for a term exceeding five years of land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the value of the interest in the land transferred or agreed to be transferred
6	Lease of land situated in the Territory.....	\$1 for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease, and 30 cents for every \$100, and for any fractional part of \$100, of the total amount or value of the consideration by way of rent for the term of the lease specified in the lease
7	Transfer or assignment, or an agreement for a transfer or assignment, of a lease, other than a Crown lease for a term exceeding five years, of land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment
8	Transfer of a marketable security that is registered in a register kept by a company in the Territory	5 cents for every \$12.50, and for any fractional part of \$12.50, of the unencumbered value of the marketable security

#### SECOND SCHEDULE

Section 6.

#### EXEMPTIONS FROM STAMP DUTY

Item No.	Class of Exempt Instruments
1	Cheque drawn on a form supplied or used by a banker in pursuance of an authority granted under Division 2 of Part III. of the <i>Australian Capital Territory Taxation (Administration) Act 1969</i>
2	Bill of exchange or promissory note drawn or made by a Department of State of the Commonwealth

#### SECOND SCHEDULE—*continued*

Item No.	Class of Exempt Instruments
3	Bill of exchange or promissory note drawn or made by the Governor-General
4	Bill of exchange or promissory note drawn or made by or on behalf of a public hospital, public benevolent institution, religious institution or public educational institution
5	Bill of exchange or promissory note drawn or made by a person who is— (a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on bills of exchange and promissory notes or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or (b) a member of his family forming part of his household, being a person who is not an Australian citizen and is not ordinarily resident in Australia
6	Hire-purchase agreement under which the purchase price does not exceed \$100
7	Hire-purchase agreement under which the owner is a registered owner
8	Hire-purchase agreement under which the hirer is a public hospital, public benevolent institution, religious institution or public educational institution

- 9 Hire-purchase agreement under which the hirer is—  
 (a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on hire-purchase agreements or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or  
 (b) a member of his family forming part of his household,  
 being a person who is not an Australian citizen or is not ordinarily resident in Australia
- 10 Conveyance by or in the name of the Commonwealth
- 11 Conveyance granted to the Commonwealth
- 12 Conveyance by which an estate or interest in land is transmitted by way of mortgage or security only or consequent on the death, bankruptcy or insolvency of the holder of the estate or interest
- 13 Conveyance of land on a sale by the Director of War Service Homes in pursuance of Part IV. of the *War Service Homes Act 1918-1968*
- 14 Conveyance to a person in pursuance of an order of a court under section 86 of the *Matrimonial Causes Act 1959-1966* or under section 22 of the Married Women's Property Act, 1901 of the State of New South Wales in its application to the Territory
- 15 Conveyance to, or to trustees upon trust for, a public hospital, public benevolent institution, religious institution or public educational institution
- 16 Conveyance to the government of a country other than Australia
- 17 Conveyance to a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on conveyances or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption, being a person who is not an Australian citizen and is not ordinarily resident in Australia, where the land is to be used as premises for the purposes of the diplomatic mission or as the residence of the member of the diplomatic mission
- 18 Conveyance to a representative in Australia of the government of another country that does not impose stamp duty or any similar tax on conveyances or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption, being a person who is not an Australian citizen and is not ordinarily resident in Australia, where the land is to be used as premises for the purposes of a consular post, or as the residence of the head of a consular post, in Australia of the other country
- 19 Transfer of a marketable security where the instrument of transfer bears statements made in respect of the sale and of the purchase of the marketable security to which the transfer relates under the *Australian Capital Territory Taxation (Administration) Act 1969* or under a law of a State or another Territory of the Commonwealth relating to the imposition of stamp duty on transfers of marketable securities to the effect that stamp duty, if payable, has been or will be paid
- 20 Transfer of a marketable security issued by a municipal council or other local governing body or by a public authority constituted under a law of the Commonwealth or of a State or Territory of the Commonwealth
- 21 Transfer of a marketable security to, or to trustees upon trust for, a public hospital, public benevolent institution, religious institution or public educational institution
- 22 Transfer of a marketable security made in consequence of the appointment or retirement of a trustee or other change in trustees in order to vest the marketable security in the trustees for the time being entitled to hold it
- 23 Transfer of a marketable security from an executor of a deceased person's will or administrator of a deceased person's estate to another executor of that will or administrator of that estate

SECOND SCHEDULE—*continued*

Item No.	Class of Exempt Instruments
24	Transfer of a marketable security to a beneficiary entitled to it under a will or to a person entitled to it under an intestacy
25	Transfer of a marketable security from a trustee to a person who contributed the purchase money for the transfer by which the trustee acquired the marketable security, where— (a) any stamp duty (whether under this or another Act or under a law of a State or another Territory of the Commonwealth) on the transfer by which the trustee acquired the marketable security has been paid; (b) the instrument of transfer by which the trustee acquired the marketable security bears statements made in respect of the sale and of the purchase of the marketable security to which the transfer relates under the <i>Australian Capital Territory Taxation (Administration) Act 1969</i> or under a law of a State or another Territory of the Commonwealth relating to the imposition of stamp duty on transfers of marketable securities to the effect that stamp duty, if payable, has been or will be paid; (c) stamp duty (whether under this or another Act or under a law of a State or another Territory of the Commonwealth) on the transfer by which the trustee acquired the marketable security was not payable; or (d) the trustee so acquired the marketable security upon its first issue
26	Transfer of a marketable security to a trustee to be held solely as trustee of the transferor without change in beneficial ownership, and a transfer by way of re-transfer to the transferor
27	Transfer of a marketable security made solely for the purpose of— (a) qualifying the transferee as the director of a company to act and vote, as directed, on behalf of another company; or

(b) re-transferring the marketable security from that director to the other company,  
being another company that—

(c) controls the appointment or removal of all or a majority of the board of directors of that first-mentioned company;

(d) controls more than one-half of the voting power in that first-mentioned company; or

(e) beneficially owns more than one-half of the paid-up capital of that first-mentioned company

28 Transfer of a marketable security made solely for the purpose of rectifying a clerical error in an instrument of transfer

29 Transfer of a marketable security made solely by way of security or by way of re-transfer to a person from another person who held the marketable security by way of security

30 Transfer of a marketable security by a broker to a person (not being a broker) who had, for the purpose of enabling the broker to fulfil a contract to sell marketable securities in the ordinary course of his business as a broker, transferred a marketable security of the same description to the broker in pursuance of an undertaking by the broker, in consideration of that transfer to the broker, subsequently to transfer a marketable security of the same description to that person

31 Transfer of a marketable security to—

(a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on transfers of marketable securities or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or

(b) a member of his family forming part of his household,  
being a person who is not an Australian citizen and is not ordinarily resident in Australia

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## 1972

On 18 October 1972 the rate for duty on transfer of marketable security was increased from 5c per \$12.50 or part thereof to 15c per \$25 or part thereof. On 19 August 1981 the rates of duty for cheques and for bills of exchange or promissory notes was increased to 10c. In addition, the duty rates for transfers and land leases were significantly increased. Further changes to stamp duty rates for transfers and land leases were made effective 16 December 1985. In addition, duty was now imposed on Loan securities connected with the ACT. Further changes to stamp duty on transfers and leases were made effective 11 December 1986. These included the introduction of duty on Crown Leases. The Stamp Duties and Taxes Ordinance 1987 replaced the 1969 acts just prior to self-government with the stamp duty rates as shown in Table 3.

## AMENDMENTS OF FIRST SCHEDULE 1981

This Act shall be deemed to have come into operation on 19 August 1981.

4. The First Schedule to the Principal Act is amended—

- (a) by omitting from Item 1 “5 cents” and substituting “10 cents per instrument”;
- (b) by omitting from Item 2 “5 cents” and substituting “10 cents per instrument”; and
- (c) by omitting Items 4, 5, 6 and 7 and substituting the following Items:

- “4 Transfer, or an agreement for a transfer, of an estate in fee simple in land situated in the Territory
  - (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$1.75 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$50,000;
  - (d) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$50,000 but does not exceed \$100,000;
  - (e) \$2.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000 but does not exceed \$250,000; and
  - (f) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$250,000
- 5 Transfer, or an agreement for a transfer, of a Crown lease for a term exceeding 5 years of land situated in the Territory
  - (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$1.75 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$50,000;
  - (d) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$50,000 but does not exceed \$100,000;
  - (e) \$2.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000 but does not exceed \$250,000; and
  - (f) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$250,000
- 6 Lease of land situated in the Territory
  - 35 cents for every \$100, and for any fractional part of \$100, of the total amount or value of the consideration by way of rent for the term of the lease specified in the lease plus—
    - (a) \$ 1.25 for every \$ 100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that does not exceed \$14,000;
    - (b) \$ 1.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that exceeds \$14,000 but does not exceed \$30,000;
    - (c) \$1.75 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that exceeds \$30,000 but does not exceed \$50,000;
    - (d) \$2.00 for every \$ 100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that exceeds \$50,000 but does not exceed \$100,000;

7 Transfer or assignment, or an agreement for a transfer or assignment, of a lease, other than a Crown lease for a term exceeding 5 years, of land situated in the Territory

- (e) \$2.25 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that exceeds \$100,000 but does not exceed \$250,000; and
- (f) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease that exceeds \$250,000
- (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that does not exceed \$14,000:
  - (b) \$1.50 for every \$100, and for any fractional part of \$ 100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$1.75 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$30,000 but does not exceed \$50,000;
  - (d) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$50,000 but does not exceed \$100,000;
  - (e) \$2.25 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$100,000 but does not exceed \$250,000; and
  - (f) \$2.50 for every \$100, and for any fractional part of \$ 100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$250,000”.

#### **Application of amendments**

**5. (1)** The amendments made by sections 3 and 4 have effect in relation to—

- (a) a cheque drawn or made on or after the day on which this Act comes into operation;
- (b) a bill of exchange or promissory note (not being a cheque), other than a bill of exchange or promissory note that, before the day on which this Act comes into operation, has been duly stamped by reason of its drawing, making, presentment for payment or negotiation; and
- (c) an instrument (not being a bill of exchange or promissory note) executed on or after the day on which this Act comes into operation.

**(2)** For the purposes of sub-section (1)—

- (a) where a cheque is dated, the cheque shall, unless the contrary is shown, be deemed to have been drawn or made on that date; and
- (b) an instrument (not being a bill of exchange or promissory note) shall be deemed to have been executed on the date on which the last party to the instrument appears to have executed it.

#### **Formal amendments**

**6.** The Principal Act is amended as set out in the Schedule to this Act.

**AMENDMENTS OF SCHEDULE 1 1985** [Assented to 16 December 1985]

6. Schedule 1 to the Principal Act is amended—

(a) by omitting Items 4 and 5 and substituting the following Items:

- “4 Transfer, or an agreement for a transfer, of an estate in fee simple in land situated in the Territory
- (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$60,000; and
  - (d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000

- 5 Transfer, or an agreement for a transfer, of a Crown lease for a term exceeding 5 years of land situated in the Territory
- (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$60,000; and
  - (d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000”;

(b) by omitting Item 7 and substituting the following Item:

- “7 Transfer or assignment, or an agreement for a transfer or assignment, of a lease, other than a Crown lease for a term exceeding 5 years, of land situated in the Territory
- (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$30,000 but does not exceed \$60,000; and
  - (d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$60,000”;

(c) by inserting in Item 8 “or unit trust” after “company”; and

(d) by adding at the end the following Item:

- “9 Loan security that is connected with the Territory
- (a) Where the amount payable or repayable under or secured by the loan security does not exceed \$15,000 or, if that amount is not fixed, where the maximum amount that is or may become payable or repayable under or that is secured by the loan security does not exceed \$15,000—\$5; or
  - (b) where that amount or maximum amount exceeds \$15,000—\$5 for the first \$15,000 and 40 cents for every \$100, and for any fractional part of \$100, in excess of the first \$15,000”.

**Amendments of Schedule 2**

7. Schedule 2 to the Principal Act is amended—

(a) by omitting Item 12 and substituting the following Item:

“12 Conveyance by which an estate or interest in land is transmitted—

(a) (otherwise than under the Real Property Ordinance) by way of mortgage where—

(i) an instrument constituting or evidencing the mortgage has been duly stamped; or

(ii) no duty is payable in respect of such an instrument;

(b) by way of discharge of mortgage; or

(c) consequent on the death, bankruptcy or insolvency of the holder of the estate or interest"; and

(b) by adding at the end the following Items:

“32 Loan security where the amount payable or repayable under or secured by the loan security does not exceed \$500 or, if that amount is not fixed, where the maximum amount that is or may become payable or repayable under or that is secured by the loan security does not exceed \$500

33 Loan security under which the borrower is the Commonwealth

34 Loan security under which the borrower is, or is a trustee of, a public hospital, public benevolent institution, religious institution or public educational institution

35 Loan security under which the borrower is—

(a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on loan securities or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or

(b) a member of the family of such a member of a diplomatic mission forming part of the household of the last-mentioned member,

being a person who is not an Australian citizen and is not ordinarily resident in Australia”.

**AMENDMENTS OF SCHEDULE 1 1986** Assented to 11 December 1986

4. Schedule 1 to the Principal Act is amended—

- (a) by omitting from paragraph (c) set out in column 3 of Item 4 “and” (last occurring);
- (b) by omitting paragraph (d) set out in column 3 of Item 4 and substituting the following paragraphs:
  - “(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000 but does not exceed \$100,000; and
  - (e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000”;
- (c) by omitting from paragraph (c) set out in column 3 of Item 5 “and” (last occurring);
- (d) by omitting paragraph (d) set out in column 3 of Item 5 and substituting the following paragraphs:
  - “(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000 but does not exceed \$100,000; and
  - (e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000”;
- (e) by omitting Item 6 and substituting the following Items:
  - “6 Lease (other than a Crown lease) of land situated in the Territory
    - (a) 35 cents for every \$100, and for any fractional part of \$100, of the total amount or value of the consideration by way of rent in respect of the lease for the term of the lease specified in the lease; and
    - (b) 35 cents for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease

- 6A Crown lease of land situated in the Territory
  - (a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that does not exceed \$14,000;
  - (b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$14,000 but does not exceed \$30,000;
  - (c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$30,000 but does not exceed \$60,000;
  - (d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$60,000 but does not exceed \$100,000; and
  - (e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$100,000”;
- (f) by omitting from paragraph (c) set out in column 3 of Item 7 “and” (last occurring);
- (g) by omitting paragraph (d) set out in column 3 of Item 7 and substituting the following paragraphs:
  - “(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$60,000 but does not exceed \$100,000; and
  - (e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$100,000”;
- (h) by omitting from column 2 of Item 8 “that is” and substituting “, being a marketable security that, immediately before the date on which the instrument of transfer was executed, was”.

## Amendments of Schedule 2

5. Schedule 2 to the Principal Act is amended—

(a) by omitting Item 10;

(b) by inserting after Item 18B the following Items:

“18C Crown lease to a non-commercial Commonwealth authority

18D Crown lease granted to the lessee of a previous Crown lease because of the surrender of the previous Crown lease, where the surrender was in connection with any one or more of the following:

(a) changing the purpose for which the parcel of land to which the Crown lease relates may be used;

(b) reducing rent to an amount not exceeding 5 cents per annum;

(c) granting a single lease in respect of the parcel of land to which the previous Crown lease related and another parcel, or other parcels, of land to which another surrendered Crown lease, or other surrendered Crown leases, related;

(d) granting separate leases in respect of separate parts of the parcel of land to which the previous Crown lease related;

(e) changing a covenant requiring the carrying out of works on, or on unleased land adjacent to, the parcel of land to which the Crown lease relates;

(f) granting a lease of a longer term;

(g) correcting errors or omissions

18E Crown lease granted under the Australian Capital Territory Rental Housing Scheme

18F Transfer or assignment, or an agreement for a transfer or assignment, of a lease by or in the name of the Commonwealth”;

(c) by inserting in paragraph (a) of Item 25 “, or any tax under the *Australian Capital Territory Tax (Transfers of Marketable Securities) Act 1986* on the registration of,” after “on”; and

(d) by omitting paragraph (c) of Item 25 and substituting the following paragraph:

“(c) no stamp duty (whether under this or another Act or under a law of a State or another Territory) was payable on, and no tax under the *Australian Capital Territory Tax (Transfers of Marketable Securities) Act 1986* was payable on the registration of, the transfer by which the trustee acquired the marketable security; or”.

## Stamp Duty Rates 1987

Column 1	Column 2	Column 3
Item No.	Class of Instruments	Amount of Stamp Duty
1	Cheque drawn or made on a banker at a branch of the banker in the Territory	10 cents per instrument
2	Bill of exchange or promissory note (not being a cheque) drawn, made, negotiated, presented for payment, or paid, in the Territory	10 cents per instrument
3	Hire-purchase agreement entered into by the owner in the Territory	1 1/4 % of the purchase price under the agreement
4	Transfer, or an agreement for a transfer, of an estate in fee simple in land situated in the Territory	<p>(a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;</p> <p>(b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;</p> <p>(c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$60,000;</p> <p>(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000 but does not exceed \$100,000; and</p> <p>(e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000</p>
5	Transfer, or an agreement for a transfer, of a Crown lease for a term exceeding 5 years of land situated in the Territory	<p>(a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that does not exceed \$14,000;</p> <p>(b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$14,000 but does not exceed \$30,000;</p> <p>(c) \$2.00 for every \$100, and for any fractional part of \$100, of</p>

Column 1 Item No.	Column 2 Class of Instruments	Column 3 Amount of Stamp Duty
		the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$30,000 but does not exceed \$60,000;
		(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$60,000 but does not exceed \$100,000; and
		(e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land transferred or agreed to be transferred that exceeds \$100,000
6	Lease (other than a Crown lease) of land situated in the Territory	(a) 35 cents for every \$100, and for any fractional part of \$100, of the total amount or value of the consideration by way of rent in respect of the lease for the term of the lease specified in the lease; and
		(b) 35 cents for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease
6A	Crown lease of land situated in the Territory	(a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that does not exceed \$14,000;
		(b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$14,000 but does not exceed \$30,000;
		(c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$30,000 but does not exceed \$60,000;
		(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$60,000 but does not exceed \$100,000; and
		(e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the value of the interest in the land granted that exceeds \$100,000

Column 1	Column 2	Column 3
Item No.	Class of Instruments	Amount of Stamp Duty
7	Transfer or assignment, or an agreement for a transfer or assignment, of a lease, other than a Crown lease for a term exceeding 5 years, of land situated in the Territory	<p>(a) \$1.25 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that does not exceed \$14,000;</p> <p>(b) \$1.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$14,000 but does not exceed \$30,000;</p> <p>(c) \$2.00 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$30,000 but does not exceed \$60,000;</p> <p>(d) \$2.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$60,000 but does not exceed \$100,000; and</p>

Column 1	Column 2	Column 3
Item No.	Class of Instruments	Amount of Stamp Duty
		(e) \$3.50 for every \$100, and for any fractional part of \$100, of the part of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment that exceeds \$100,000;
8	Transfer of a marketable security, being a marketable security that, immediately before the date on which the instrument of transfer was executed, was registered in a register kept by a company or unit trust in the Territory	15 cents for every \$25, and for any fractional part of \$25, of the unencumbered value of the marketable security
9	Loan security that is connected with the Territory	(a) Where the amount payable or repayable under or secured by the loan security does not exceed \$15,000 or, if that amount is not fixed, where the maximum amount that is or may become payable or repayable under or that is secured by the loan security does not exceed \$15,000—\$5; or (b) where that amount or maximum amount exceeds \$15,000—\$5 for the first \$15,000 and 40 cents for every \$100, and for any fractional part of \$100, in excess of the first \$15,000

## Note Printing Branch Printing Instrument Requisitions

All Printing Instruments used at the Note Printing Branch required a Requisition Form to be filled out for transmission to the Governor of the Bank (or their delegate) to obtain authority for its manufacture. The Requisition Books form the NP-IR series of files under their Reserve Bank of Australia designation with some in the P-4 series, apparently the Note Printing Branch designation. The books comprise either 50 or 100 numbered requisition forms. These Requisition Books were established by the Note Printer consist of several separate series, depending on the nature of the Printing Instruments. The information provided on the 'instruments', that is the plates, were the file number, Date of Placement of the requisition, Instrument Number and Date of Requisition into stock. Information on the approval dates was given for the destruction of plates was also provided. The requisition orders go up to the mid-70s.

The ACT Duty Stamps were printed by offset and offset requisitions are currently available in two Books (NP-IR-160, 163, 170, 171 and 172), comprising Requisition Nos. 1 to 599. The instruments are numbered in the "OA" series. The requisition and destruction records for ACT Duty Stamps known to date (up to mid 1974) were provided by Geoff Kellow.

The plate requisition data are not printing records and their interpretation can be difficult but the following comments can be made on the requisition of plates for the ACT Duty Stamps:

1. The Note Printing Branch had 'Litho' (lithographic) plates prepared for the ACT Duty Stamps over the period October 1967; Instruments OA030 to OA057 in denominations 5c to \$1 (although the 75c plate was cancelled) which appear to have been intended to be used to produce stamps in a single colour. Approved for destruction in November 67 – March 1968.
2. A series of 'Litho' plates with a 'main plate' and value patches in denominations 5c to \$1 prepared October - December 1967; Instruments OA062 to OA097 which were approved for destruction in November 1967 – March 1968.
3. A series of 'Wet Offset' plates with a 'main plate' and plates in denominations 5c to \$1 prepared in March 1968; Instruments OA126 to OA133 which were approved for destruction in April-May 1968.
4. A series of 'Wet Offset' plates were prepared in April 1968 in denominations 5c to \$1 and a 'main design'; plate numbers OA144 to 161 most of which were destroyed in August-September 1969. However, the 75c plate (OA149) was not approved for destruction until 18 May 1973.
5. A series of litho plates in denominations 5c to \$10 (except for 10c and 75c) including a main design plate (and cheque paid and exempt duty plates) were prepared July-October 1969, instruments OA 338 to 395 – not listed for destruction.
6. Two new 75c wet offset plates 'value and ACT' were produced on 15 May 1973 and 17 May 1973; instruments OA 770 and OA 771 – not listed for destruction.
7. Two 8c experimental plates were prepared in 1966. This does not indicate an intent to produce an 8c value as experimental plates were used for printing trial and training purposes

The information on plate requisitions seem to indicate that:

1. The plates 030-133 were destroyed before the introduction of stamp duty in the ACT.
2. A decision appears to have been made in late 1967 to produce bicolour stamps rather than single colour stamps.
3. The plates 144-161 are likely to have been used to produce the stamps issued for the introduction of duty on 1 July 1969 (5c to \$1).
4. After the introduction of stamp duty in the ACT, new plates, 338-395, were prepared and presumably used for further printings of values other than the 10c and 75c. As plates for the \$2, \$5 and \$10 values were not prepared until after the introduction of the stamp duty in the ACT, these values were not available on 1 July 1969 and were issued later. Three of the plates were 'main plates' with the coat of arms designs. These would have been needed as they were used for all values and therefore wore out much more rapidly than the individual value plates.
5. New plates had to be prepared for the 75c value in 1973.

While the plates OA338-395 may have been used for the white paper printings, it is also possible that later plates may have been prepared not covered by the available records. This is supported by the different appearance of the white paper issues. The watermarked paper issues all have a solid colour background while in the white paper issues the colour background is less solid with white patches (although the survey found that the 10c white paper issue existed in both forms).

The ACT duty stamps comprise a 'main design' of the coat of arms printed in colour and the 'ACT [value]' printed in black or red (\$values) – so the 5c value has the 'main design' in blue and 'ACT 5c' printed in black. Most likely the '5c' plate would have been just 'ACT and the value' and the main plate the coat of arms rather than comprised of both the main design and 'ACT 5c'.

The Note Printing Branch did not generally use lithography (or offset) for printing postage stamps but is thought to have used it as a quicker and cheaper means of applying the colour on banknotes. Up to 1982 when the Branch opted out of postage stamp production, no postage stamps were ever printed by lithography other than, possibly, the background tints of the Famous Australian and Prime Ministers booklets stamps of 1968-70.

Geoff Kellow has advised that he and Richard Breckon visited the Note Printing Branch and catalogued, on behalf of Australia Post, stamp material (both instruments and printed stamps) held there. They saw no ACT Stamp Duty printing instruments (though it was

possible they were not shown them because they did not belong to Australia Post) but recorded sheets of 100 of all values and single imperforate proofs of each of the values to \$1 mounted together on card.

**APPENDIX A Note Printing Branch Printing Instrument Requisitions for ACT Duty Stamps and Dates of Destruction**

File	Date of Instrument Placement	Instrument	Instrument No	Date of Requisition into Stock
P-4-197	8.9.1967	ACT Stamp Duty 5c Litho Plate (100-on)	OA 030	5.10.1967
	12.9.1967	ACT Stamp Duty 10c Litho Plate (100-on)	OA 031	3.10.1967
	12.9.1967	ACT Stamp Duty 15c Litho Plate (100-on)	OA 032	9.10.1967
	12.9.1967	ACT Stamp Duty 20c Litho Plate (100-on)	OA 033	9.10.1967
	12.9.1967	ACT Stamp Duty 50c Litho Plate (100-on)	OA 034	9.10.1967
	12.9.1967	ACT Stamp Duty 75c Litho Plate (100-on)	OA 035	9.10.1967
	12.9.1967	ACT Stamp Duty \$1 Litho Plate (100-on)	OA 036	9.10.1967
	6.10.1967	ACT Stamp Duty 10c Litho Plate (100-on)	OA 056	9.10.1967
	12.10.1967	ACT Stamp Duty 75c Litho Plate (100-on)	OA 057	cancelled
	24.10.1967	ACT Stamp Duty 5c Value Patches Litho Plate (100-on)	OA 062	26.10.1967
	24.10.1967	ACT Stamp Duty 10c Value Patches Litho Plate (100-on)	OA 063	26.10.1967
	24.10.1967	ACT Stamp Duty 15c Value Patches Litho Plate (100-on)	OA 064	26.10.1967
	24.10.1967	ACT Stamp Duty 20c Value Patches Litho Plate (100-on)	OA 065	26.10.1967
	24.10.1967	ACT Stamp Duty 50c Value Patches Litho Plate (100-on)	OA 066	26.10.1967
	24.10.1967	ACT Stamp Duty 75c Value Patches Litho Plate (100-on)	OA 067	26.10.1967
	24.10.1967	ACT Stamp Duty \$1 Value Patches Litho Plate (100-on)	OA 068	26.10.1967
	24.10.1967	ACT Stamp Duty Main Design Litho Plate (100-on no value)	OA 069	26.10.1967
	24.11.1967	ACT Stamp Duty 5c Value Patches Litho Plate (100-on) (to replace OA 062)	OA 070	2.11.1967
	24.10.1967	ACT Stamp Duty 2nd Amended Design Main Plate Wet Offset (to replace OA 062)	OA 085	27.11.1967
	24.10.1967	ACT Stamp Duty 2nd Amended Design 75c Wet Offset Plate	OA 086	27.11.1967
	13.12.1967	ACT Stamp Duty No Denomination Litho Plate (100-on)	OA 097	19.12.1967
P-4-199	6.3.1968	ACT Stamp Duty No Denomination Wet Offset Plate (100-on)	OA 126	8.3.1968
	6.3.1968	ACT Stamp Duty 5c Wet Offset Plate (100-on)	OA 127	8.3.1968
	6.3.1968	ACT Stamp Duty 10c Wet Offset Plate (100-on)	OA 128	8.3.1968
	6.3.1968	ACT Stamp Duty 15c Wet Offset Plate (100-on)	OA 129	8.3.1968
	6.3.1968	ACT Stamp Duty 20c Wet Offset Plate (100-on)	OA 130	8.3.1968
	6.3.1968	ACT Stamp Duty 50c Wet Offset Plate (100-on)	OA 131	8.3.1968
	6.3.1968	ACT Stamp Duty 75c Wet Offset Plate (100-on)	OA 132	8.3.1968
	6.3.1968	ACT Stamp Duty \$1 Wet Offset Plate (100-on)	OA 133	8.3.1968
	29.3.1968	ACT Stamp Duty 5c Wet Offset Plate (100-on)	OA 144	1.4.1968
	29.3.1968	ACT Stamp Duty 10c Wet Offset Plate (100-on)	OA 145	1.4.1968
	29.3.1968	ACT Stamp Duty 15c Wet Offset Plate (100-on)	OA 146	1.4.1968
	29.3.1968	ACT Stamp Duty 20c Wet Offset Plate (100-on)	OA 147	1.4.1968
	29.3.1968	ACT Stamp Duty 50c Wet Offset Plate (100-on)	OA 148	1.4.1968
	29.3.1968	ACT Stamp Duty 75c Wet Offset Plate (100-on)	OA 149	1.4.1968
	29.3.1968	ACT Stamp Duty \$1 Wet Offset Plate (100-on)	OA 150	1.4.1968
	23.4.1968	ACT Stamp Duty Main Design No Value Wet Offset Plate (100-on)	OA 161	23.4.1968
NP-IR-170	2.7.1969	ACT Stamp Duty Main Design (no value) Litho Plate 100-on	OA338	2.7.1969
	2.7.1969	ACT Stamp Duty 5c Litho Plate 100-on	OA339	2.7.1969
	3.9.1969	ACT Stamp Duty Background Litho Plate 100-on	OA351	3.9.1969
	3.9.1969	ACT Stamp Duty Background Litho Plate 100-on	OA352	3.9.1969
	3.9.1969	ACT Stamp Duty 20c Litho Plate 100-on	OA353	4.9.1969
	3.9.1969	ACT Stamp Duty 50c Litho Plate 100-on	OA355	4.9.1969
	3.9.1969	ACT Stamp Duty \$1 Litho Plate 100-on	OA356	3.9.1969

	18.9.1969	ACT Stamp Duty \$2 Litho Plate 100-on	OA369	22.9.1969
	18.9.1969	ACT Stamp Duty \$5 Litho Plate 100-on	OA370	22.9.1969
	18.9.1969	ACT Stamp Duty \$10 Litho Plate 100-on	OA371	22.9.1969
	21.10.1969	Cheque Tax Paid ACT Magnesium Block 4-on	OA394	22.10.1969
	21.10.1969	Exempt from Stamp Duty ACT Magnesium Block 4-on	OA395	22.10.1969
NP-IR-187				
	15.5.1973	75c Wet Offset Plate 100-on (value and ACT only)	OA770	15.5.1973
	16.5.1973	75c Wet Offset Plate 100-on (value and ACT only)	OA771	17.5.1973

Requisitions of experimental and practice steel dies, and other experimental instruments were recorded in a series of electrotype requisitions contained in a series of books NP-IR-40 to 52, 59, 68 and 69, 87 to 92, 140 to 153, and 164, and comprise Requisition Nos. 1 to 1400, 1501-3900.

NP-IR-164				
	25.3.1966	ACT Stamp Duty 8c Experimental Magnesium Plate 100-on	Q5829	29.4.1966
	25.3.1966	ACT Stamp Duty 8c Experimental Magnesium Plate 100-on	Q5830	1.9.1966

Table below lists the dates the ACT STAMP DUTY STAMPS Printing Instruments were approved for destruction (NP-a11-14).

<i>Instrument</i>	<i>Official No.</i>	<i>For Destruction</i>	<i>Destruction Advised</i>
Experimental Electro	Q5830	1.5.1974	
5c Litho Plate 100-on	OA 030, OA 062, OA 070	19.3.1968	
10c Litho Plate 100-on	OA 031, OA 056, OA 063	19.3.1968	
15c Litho Plate 100-on	OA 032, OA 064	19.3.1968	
20c Litho Plate 100-on	OA 033, OA 065	19.3.1968	
50c Litho Plate 100-on	OA 034	19.3.1968	
50c Litho Plate 100-on	OA 066	14.11.1967	
75c Litho Plate 100-on	OA 035	14.11.1967	
75c Litho Plate 100-on	OA 067, OA 086	19.3.1968	
\$1 Litho Plate 100-on	OA 036, OA 068	19.3.1968	
Main Design Litho Plate 100-on	OA 069, OA 097	19.3.1968	
Litho Plate	OA085	25.1.1968	
Main Design Wet Offset plate 100-on	OA 126	8.5.1968	
5c Wet Offset Plate	OA 127	2.4.1968	
10c Wet Offset Plate	OA 128	2.4.1968	
15c Wet Offset Plate	OA 129	2.4.1968	
20c Wet Offset Plate	OA 130	2.4.1968	
50c Wet Offset Plate	OA 131	2.4.1968	
75c Wet Offset Plate	OA 132	2.4.1968	
\$1 Wet Offset Plate	OA 133	2.4.1968	
5c Litho Plate	OA 144	29.8.1969	
10c Litho Plate	OA 145	7.7.1969	
15c Inner Litho Plate	OA 146	19.9.1969	
20c Inner Litho Plate	OA 147	19.9.1969	
50c Inner Litho Plate	OA 148	19.9.1969	
75c Offset Plate	OA 149	18.5.1973	
\$1c Inner Litho Plate	OA 150	19.9.1969	
Main Text Litho Plate	OA 161	29.8.1969	
Main Design Litho Plate	OA 338	19.9.1969	

For the record, [Geoff Kellow} stated that in the 1990s Richard Breckon and he were asked by Australia Post to go to the NPB and make a catalogue of all the stamp material (both instruments and printed stamps) held there because NPB no longer wanted it. In checking those lists they made, I can say that we saw no ACT Stamp Duty printing instruments (though it is possible they were not shown them because they did not belong to Australia Post). Regarding the stamps themselves the following were held:

<i>Description</i>	<i>Item</i>	<i>Location</i>	<i>Comments</i>
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**1969 Issue**

5c violet 75c, \$1.	Proof	Loose	Imperforate on card with 10c, 15c, 20c, 50c,
10c green 75c, \$1.	Sheet of 100 (x3) Proof	Loose Loose	Imperforate on card with 5c, 15c, 20c, 50c,
15c pink 75c, \$1.	Sheet of 100 (x3) Proof	Loose Loose	Imperforate on card with 5c, 10c, 20c, 50c,
20c blue 75c, \$1.	Sheet of 100 (x3) Proof	Loose Loose	Imperforate on card with 5c, 10c, 15c, 50c,
50c claret 75c, \$1.	Sheet of 100 (3) Proof	Loose Loose	Imperforate on card with 5c, 10c, 15c, 20c,
75c orange-red 50c, \$1.	Sheet of 100 (x3) Proof	Loose Loose	Imperforate on card with 5c, 10c, 15c, 20c,
\$1 black-brown 50c, 75c.	Sheet of 100 (x3) Proof	Loose Loose	Imperforate on card with 5c, 10c, 15c, 20c,
\$2 orange	Sheet of 100 (x3)	Loose	
\$5 bright green	Sheet of 100 (x3)	Loose	
\$10 purple	Sheet of 100 (x3)	Loose	



# AUSTRALIAN CAPITAL TERRITORY STAMP DUTY

No. 48 of 1969

An Act relating to the Imposition of Stamp Duty on certain Instruments having a connection with the Australian Capital Territory.

[Assented to 14 June 1969]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

## Short title.

1. This Act may be cited as the *Australian Capital Territory Stamp Duty Act 1969*.

## Commencement.

2. This Act shall come into operation on a date to be fixed by Proclamation.

## Incorporation.

3. The *Australian Capital Territory Taxation (Administration) Act 1969* is incorporated and shall be read as one with this Act.

## Imposition of stamp duty.

4. Subject to this Act, stamp duty is imposed on the instruments included in the classes of instruments specified in the First Schedule to this Act.

## Rates of stamp duty.

5. The rate of stamp duty on an instrument included in a class of instruments specified in the second column of the First Schedule to this Act is the rate specified in the third column of that Schedule opposite to the reference to that class of instruments.

## Exemptions from stamp duty.

- 6.—(1.) Stamp duty is not imposed on an instrument included in a class of instruments specified in the Second Schedule to this Act.
  - (2.) Stamp duty is not imposed on an instrument for which an exemption from stamp duty is provided by the *Bankruptcy Act 1966-1968* or the *Commonwealth Inscribed Stock Act 1911-1966*.
  - (3.) Stamp duty is not imposed on an instrument included in a prescribed class of instruments executed by an authority of the Commonwealth or of a Territory prescribed for the purposes of this sub-section.
  - (4.) Stamp duty is not imposed on an instrument that is a counterpart or copy of another instrument that has been duly stamped.
  - (5.) Stamp duty is not imposed on a cheque drawn before the date of commencement of this Act.
  - (6.) Stamp duty is not imposed on a bill of exchange or promissory note (not being a cheque) by reason of its negotiation, presentment for payment or payment if it has already been duly stamped by reason of its drawing, making, presentment for payment or earlier negotiation.
  - (7.) Stamp duty is not imposed on a bill of exchange or promissory note (not being a cheque) drawn or made before the date of commencement of this Act by reason of its negotiation, presentment for payment or payment on or after that date.
  - (8.) Stamp duty is not imposed on an instrument (not being a bill of exchange or promissory note) executed before the commencement of this Act.
  - (9.) Stamp duty is not imposed on a lease, or on an instrument of transfer of an estate in fee simple in land or of a lease, for which an agreement in writing has been executed before the commencement of this Act.
  - (10.) For the purposes of this section—
    - (a) where a bill of exchange or promissory note is dated, the bill or note shall, unless the contrary is shown, be deemed to have been drawn or made on that date; and
    - (b) an instrument shall be deemed to have been executed on the date on which the last party to the instrument appears to have executed it.

## Adjustment of stamp duty.

7. Where an amount of stamp duty payable on a hire-purchase agreement is an amount that is not a multiple of Five cents, the amount of stamp duty payable is the nearest amount that is a multiple of Five cents, except where the amount of stamp duty is equally near to two amounts that are multiples of Five cents, in which case, the amount of stamp duty payable is the next lower amount that is a multiple of Five cents.

THE SCHEDULES

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## FIRST SCHEDULE

Section 5.

## RATES OF STAMP DUTY

First Column Item No.	Second Column Class of Instruments	Third Column Rate of Stamp Duty
1	Cheque drawn or made on a banker at a branch of the banker in the Territory	5 cents
2	Bill of exchange or promissory note (not being a cheque) drawn, made, negotiated, presented for payment, or paid, in the Territory	5 cents
3	Hire-purchase agreement entered into by the owner in the Territory	1¼ per centum of the purchase price under the agreement
4	Transfer, or an agreement for a transfer, of an estate in fee simple in land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the value of the interest in the land transferred or agreed to be transferred
5	Transfer, or an agreement for a transfer, of a Crown lease for a term exceeding five years of land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the value of the interest in the land transferred or agreed to be transferred
6	Lease of land situated in the Territory.....	\$1 for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration (not being rent) given or agreed to be given in respect of the lease, and 30 cents for every \$100, and for any fractional part of \$100, of the total amount or value of the consideration by way of rent for the term of the lease specified in the lease
7	Transfer or assignment, or an agreement for a transfer or assignment, of a lease, other than a Crown lease for a term exceeding five years, of land situated in the Territory	\$1 for every \$100, and for any fractional part of \$100, of the total amount or value of any consideration given or agreed to be given in respect of the transfer or assignment
8	Transfer of a marketable security that is registered in a register kept by a company in the Territory	5 cents for every \$12.50, and for any fractional part of \$12.50, of the unencumbered value of the marketable security

## SECOND SCHEDULE

Section 6.

## EXEMPTIONS FROM STAMP DUTY

Item No.	Class of Exempt Instruments
1	Cheque drawn on a form supplied or used by a banker in pursuance of an authority granted under Division 2 of Part III. of the <i>Australian Capital Territory Taxation (Administration) Act 1969</i>
2	Bill of exchange or promissory note drawn or made by a Department of State of the Commonwealth

SECOND SCHEDULE—*continued*

Item No.	Class of Exempt Instruments
3	Bill of exchange or promissory note drawn or made by the Governor-General
4	Bill of exchange or promissory note drawn or made by or on behalf of a public hospital, public benevolent institution, religious institution or public educational institution
5	Bill of exchange or promissory note drawn or made by a person who is— (a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on bills of exchange and promissory notes or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or (b) a member of his family forming part of his household, being a person who is not an Australian citizen and is not ordinarily resident in Australia
6	Hire-purchase agreement under which the purchase price does not exceed \$100
7	Hire-purchase agreement under which the owner is a registered owner
8	Hire-purchase agreement under which the hirer is a public hospital, public benevolent institution, religious institution or public educational institution

- 9 Hire-purchase agreement under which the hirer is—  
(a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on hire-purchase agreements or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or  
(b) a member of his family forming part of his household,  
being a person who is not an Australian citizen or is not ordinarily resident in Australia
- 10 Conveyance by or in the name of the Commonwealth
- 11 Conveyance granted to the Commonwealth
- 12 Conveyance by which an estate or interest in land is transmitted by way of mortgage or security only or consequent on the death, bankruptcy or insolvency of the holder of the estate or interest
- 13 Conveyance of land on a sale by the Director of War Service Homes in pursuance of Part IV. of the *War Service Homes Act 1918-1968*
- 14 Conveyance to a person in pursuance of an order of a court under section 86 of the *Matrimonial Causes Act 1959-1966* or under section 22 of the Married Women's Property Act, 1901 of the State of New South Wales in its application to the Territory
- 15 Conveyance to, or to trustees upon trust for, a public hospital, public benevolent institution, religious institution or public educational institution
- 16 Conveyance to the government of a country other than Australia
- 17 Conveyance to a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on conveyances or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption, being a person who is not an Australian citizen and is not ordinarily resident in Australia, where the land is to be used as premises for the purposes of the diplomatic mission or as the residence of the member of the diplomatic mission
- 18 Conveyance to a representative in Australia of the government of another country that does not impose stamp duty or any similar tax on conveyances or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption, being a person who is not an Australian citizen and is not ordinarily resident in Australia, where the land is to be used as premises for the purposes of a consular post, or as the residence of the head of a consular post, in Australia of the other country
- 19 Transfer of a marketable security where the instrument of transfer bears statements made in respect of the sale and of the purchase of the marketable security to which the transfer relates under the *Australian Capital Territory Taxation (Administration) Act 1969* or under a law of a State or another Territory of the Commonwealth relating to the imposition of stamp duty on transfers of marketable securities to the effect that stamp duty, if payable, has been or will be paid
- 20 Transfer of a marketable security issued by a municipal council or other local governing body or by a public authority constituted under a law of the Commonwealth or of a State or Territory of the Commonwealth
- 21 Transfer of a marketable security to, or to trustees upon trust for, a public hospital, public benevolent institution, religious institution or public educational institution
- 22 Transfer of a marketable security made in consequence of the appointment or retirement of a trustee or other change in trustees in order to vest the marketable security in the trustees for the time being entitled to hold it
- 23 Transfer of a marketable security from an executor of a deceased person's will or administrator of a deceased person's estate to another executor of that will or administrator of that estate

SECOND SCHEDULE—*continued*

Item No.	Class of Exempt Instruments
24	Transfer of a marketable security to a beneficiary entitled to it under a will or to a person entitled to it under an intestacy
25	Transfer of a marketable security from a trustee to a person who contributed the purchase money for the transfer by which the trustee acquired the marketable security, where—
	(a) any stamp duty (whether under this or another Act or under a law of a State or another Territory of the Commonwealth) on the transfer by which the trustee acquired the marketable security has been paid;
	(b) the instrument of transfer by which the trustee acquired the marketable security bears statements made in respect of the sale and of the purchase of the marketable security to which the transfer relates under the <i>Australian Capital Territory Taxation (Administration) Act 1969</i> or under a law of a State or another Territory of the Commonwealth relating to the imposition of stamp duty on transfers of marketable securities to the effect that stamp duty, if payable, has been or will be paid;
	(c) stamp duty (whether under this or another Act or under a law of a State or another Territory of the Commonwealth) on the transfer by which the trustee acquired the marketable security was not payable; or
	(d) the trustee so acquired the marketable security upon its first issue
26	Transfer of a marketable security to a trustee to be held solely as trustee of the transferor without change in beneficial ownership, and a transfer by way of re-transfer to the transferor
27	Transfer of a marketable security made solely for the purpose of—
	(a) qualifying the transferee as the director of a company to act and vote, as directed, on behalf of another company;
	or
	(b) re-transferring the marketable security from that director to the other company,
	being another company that—
	(c) controls the appointment or removal of all or a majority of the board of directors of that first-mentioned company;
	(d) controls more than one-half of the voting power in that first-mentioned company; or
	(e) beneficially owns more than one-half of the paid-up capital of that first-mentioned company
28	Transfer of a marketable security made solely for the purpose of rectifying a clerical error in an instrument of transfer
29	Transfer of a marketable security made solely by way of security or by way of re-transfer to a person from another person who held the marketable security by way of security
30	Transfer of a marketable security by a broker to a person (not being a broker) who had, for the purpose of enabling the broker to fulfil a contract to sell marketable securities in the ordinary course of his business as a broker, transferred a marketable security of the same description to the broker in pursuance of an undertaking by the broker, in consideration of that transfer to the broker, subsequently to transfer a marketable security of the same description to that person
31	Transfer of a marketable security to—
	(a) a member of a diplomatic mission in Australia of the government of another country that does not impose stamp duty or any similar tax on transfers of marketable securities or grants in relation to Australia an exemption from any such stamp duty or similar tax corresponding to this exemption; or
	(b) a member of his family forming part of his household, being a person who is not an Australian citizen and is not ordinarily resident in Australia