

17. Liability to pay duty

- (1) The person liable to pay duty on an instrument is —
 - (a) if a person is specified in the Second Schedule as the person liable to pay the duty on the instrument — that person;
 - (b) if another person is expressly liable under any other provision of a stamp Act to pay the duty — that other person;
 - (c) if the instrument is a dutiable statement — the person required to lodge the dutiable statement; or
 - (d) in any other case — the party to the instrument by whom or on whose behalf it is held.
- (2) Nothing in this section is to be taken —
 - (a) to exonerate any other person from any liability imposed on the person under a stamp Act; or
 - (b) to exempt any instrument or matter from any duty to which it is liable under a stamp Act.
- (3) A person who is liable to pay duty is also liable to pay any penalty tax, interest or other amount payable under a stamp Act in connection with the duty.

[Section 17 inserted by No. 2 of 2003 s. 9; amended by No. 66 of 2003 s. 6.]