
TREASURY AND FINANCE

TR301*

Duties Act 2008

Duties Amendment Regulations (No. 2) 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Duties Amendment Regulations (No. 2) 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Duties Regulations 2008*.

4. Regulation 4 replaced

Delete regulation 4 and insert:

4. Excluded transactions prescribed (Act s. 11(2))

- (1) For the purposes of section 11 of the Act, each of the following transactions is prescribed as an excluded transaction —
 - (a) the vesting of a security interest under the *Financial Sector (Business Transfer and Group Restructure) Act 1999* (Commonwealth) Part 3;
 - (b) a transaction the subject of which is an interest in a partnership, unless the transaction is a partnership acquisition under section 11(1)(i) of the Act;
 - (c) the temporary transfer of the whole or part of an entitlement under an authorisation in accordance with the *Fish Resources Management Act 1994* section 141, unless the transfer gives rise to the transfer of a beneficial interest in the authorisation;

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- (d) the transfer of dutiable property (other than land or a right in relation to land) that would, but for this paragraph, be a transfer on which duty is not chargeable under section 42(1) of the Act;
 - (e) the creation of an easement under the *Transfer of Land Act 1893* Part IVA;
 - (f) the surrender of an easement pursuant to the *Transfer of Land Act 1893* section 129C(1)(a) or 229A(2).
- (2) Subregulation (1)(b) applies to all transactions that take place on or after 1 July 2008, whether before or after the commencement of the *Duties Amendment Regulations (No. 2) 2009* regulation 4.
- (3) Subregulation (1)(d), (e) and (f) apply to all transactions that take place on or after 1 July 2008, whether before or after the commencement of the *Duties Amendment Regulations (No. 2) 2013* regulation 4.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.
