

STATE REVENUE

SX301

STAMP ACT 1921

STAMP AMENDMENT REGULATIONS 1997

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Stamp Amendment Regulations 1997*.

Commencement

2. (1) Subject to this regulation, these regulations come into operation on the date of publication in the *Gazette*.

(2) Regulations 4 and 8 are deemed to have come into operation on 15 July 1996.

(3) Regulations 6 and 10 are deemed to have come into operation on 30 November 1995.

Principal regulations

3. In these regulations the *Stamp Regulations 1979** are referred to as the principal regulations.

[* *Published in Gazette 7 December 1979, pp. 3780-7.*
For amendments to 6 January 1997 see 1995 Index to Legislation of Western Australia, Table 4, pp. 260-1, and Gazette 14 June and 17 September 1996.]

Regulation 5A inserted

4. After regulation 5 of the principal regulations the following regulation is inserted —

“

Prescribed securities (s. 4 (1): “right in respect of shares”)

5A. For the purposes of the definition of a “right in respect of shares” in section 4 (1) of the Act, a security, or a class of security, set out in the Sixth Schedule is prescribed.

”

Regulation 13AB inserted

5. After regulation 13AA of the principal regulations the following regulation is inserted —

“

Prescribed listed unit trusts (s. 112EA (1))

13AB. For the purposes of section 112EA (1) of the Act, a unit trust scheme set out in the Seventh Schedule is a prescribed listed unit trust if its units are listed on a prescribed stock exchange (as defined in s. 112A (1) of the Act).

”

Regulation 21 inserted

6. After regulation 20 of the principal regulations the following regulation is inserted —

“

Prescribed stock exchange (Act, Sch 3, item 2 (16))

21. For the purposes of item 2 (16) of the Third Schedule to the Act, a stock exchange set out in the Eighth Schedule is a prescribed stock exchange.

”

Fifth Schedule amended

7. The Fifth Schedule to the principal regulations is amended by deleting the heading “PRESCRIBED STOCK EXCHANGES” and substituting the following —

“

PRESCRIBED STOCK EXCHANGES
(s. 112A (1))

”

Sixth Schedule added

8. After the Fifth Schedule to the principal regulations the following Schedule is added —

“

SIXTH SCHEDULE

[Regulation 5A]

PRESCRIBED SECURITIES
(s. 4 (1))

1. An exchange traded option (as defined in section 112A (1) of the Act), including a warrant, issued in respect of a marketable security, unless the holder of the option or warrant —

- (a) is directly or indirectly entitled to dividends (or the franking credits attached to them) payable, or to rights issues made, in respect of the marketable security; or
- (b) is directly or indirectly entitled to exercise voting rights in respect of the marketable security.

2. A unit or sub-unit in a private unit trust scheme (as defined in section 63 (2) of the Act) the assets of which include a marketable security that is listed on a prescribed stock exchange (as defined in section 112A (1) of the Act).

”

Seventh Schedule added

9. After the Sixth Schedule to the principal regulations the following Schedule is added —

“

SEVENTH SCHEDULE

[Regulation 13AB]

PRESCRIBED LISTED UNIT TRUSTS
(s. 112EA (1))

Benchmark Australian All Ordinaries Index Trust created by deed dated 21 October 1996 between Benchmark Securities Management Ltd (ACN 069 933 991) and Perpetual Trustee Company Ltd (ACN 000 001 007).

”

Eighth Schedule added

10. After the Seventh Schedule to the principal regulations the following Schedule is added —

“

EIGHTH SCHEDULE

[Regulation 21]

PRESCRIBED STOCK EXCHANGES
(Act, Sch 3, item 2 (16))

London Stock Exchange

”

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.
