

Western Australia

## **Duties Amendment Act 2011**

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As at 11 Jul 2011

No. 27 of 2011

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Western Australia

## **Duties Amendment Act 2011**

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**No. 27 of 2011**

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**An Act to amend the *Duties Act 2008*.**

*[Assented to 11 July 2011]*

The Parliament of Western Australia enacts as follows:

**s. 1**

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**1. Short title**

This is the *Duties Amendment Act 2011*.

**2. Commencement**

This Act comes into operation as follows —

- (a) sections 1 and 2 come into operation on the day on which this Act receives the Royal Assent (*assent day*);
- (b) the rest of the Act —
  - (i) comes into operation on 1 July 2011 if assent day is not later than that day; or
  - (ii) is deemed to have come into operation on 1 July 2011 if assent day is later than that day.

**3. Act amended**

This Act amends the *Duties Act 2008*.

**4. Section 244A inserted**

After section 243 insert:

**244A. Transfers between spouses or de facto partners**

- (1) In this section —  
*de facto partners of 2 years* has the meaning given in section 9.
- (2) Duty is not chargeable on the transfer of a licence for a vehicle if subsections (3), (4), (5) and (6) apply.
- (3) This subsection applies if the person from whom, and the person to whom, the licence is transferred are married to each other or are de facto partners of 2 years.

- (4) This subsection applies if neither the person from whom, nor the person to whom, the licence is transferred holds the vehicle as trustee of a trust.
  - (5) This subsection applies if the fee that would have been payable under the Road Traffic Act for the grant of a licence to the transferee for the vehicle on the day of the transfer would have been reduced under section 19(3) of that Act for the reason, or for reasons that include the reason, that the vehicle is used exclusively for social, domestic or pleasure purposes and not for the carriage of passengers or goods, for hire or reward or in any business, trade or profession.
  - (6) This subsection applies if the application for the transfer of the licence is accompanied by, or includes, a declaration in the approved form to the effect that the circumstances described in subsections (3), (4) and (5) apply.
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