CONCESSIONAL RATE FOR CERTAIN RESIDENTIAL LAND
 OR BUSINESS ASSETS
SECTION 147 OF THE DUTIES ACT 2008

APPLICATION FOR ASSESSMENT OR REASSESSMENT

A concessional rate of transfer duty may apply to purchases of business assets, or residential land that includes a dwelling house, where the total value of the dutiable property does not exceed $200,000.

This form must be completed by all taxpayers acquiring the residential land or business assets (other than a government body).

When completing this form, you should refer to Duties Fact Sheet ‘Transfer of Residential Land’ or Duties Fact Sheet ‘Business Acquisitions’, available from the Office of State Revenue (‘OSR’) website.

IMPORTANT

This application form must be submitted to the Office of State Revenue together with the transaction record (e.g. offer and acceptance and/or transfer of land).

If applying for a refund of duty, the transaction record on which the original duty stamp is printed, or to which the Certificate of Duty is attached, must be provided with this application.

All transactions involving the purchase or acquisition of land (or any interest in land), must be submitted with a completed Form FDA41 ‘Foreign Transfer Duty Declaration’ for each person or entity acquiring or receiving the land.

Taxpayer’s name(s)

(1) ____________________________________________ Date of Birth

Print full name

(2) ____________________________________________ Date of Birth

Print full name

If more than two taxpayers have acquired the property please attach a schedule of names and signatures.

Details of Residential Land

Street No. Street Suburb

Lot No. Plan/Diagram/Strata Plan No.

Certificate of Title No. Volume Folio

or

Details of business

Business name

Business address
1. **VALUE OF RESIDENTIAL LAND OR BUSINESS**

1.1 What price was paid for the residential land or business? $

1.2 Where residential land is being acquired in association with a government body, what is the interest being acquired by the taxpayers? %

2. **BUSINESS ASSETS**

Does the acquisition relate to business assets that is or includes a business undertaking which all of the taxpayers intend to carry on for an indefinite period after the purchase? Yes ☐ No ☐

*Note:* Taxpayer may be a corporation

If the answer to question 2 is YES, go to the signature panel below

3. **RESIDENTIAL LAND - TRUSTEES**

3.1 Is the residential land being acquired and is it intended to be held by the taxpayers as trustee for one or more disabled beneficiaries? Yes ☐ No ☐

If the answer to question 3.1 is NO, go to question 4

3.2 If the answer to question 3.1 is YES – show the full name(s) of the disabled beneficiary/beneficiaries:

Name: ____________________________________________

Name: ____________________________________________

3.3 Is the residential land being used, or after the purchase will it be used, as the principal place of residence of at least one of the disabled beneficiaries? Yes ☐ No ☐

4. **RESIDENTIAL LAND - INDIVIDUALS**

4.1 Do the taxpayers occupy, or after purchasing the property will they occupy, the dwellinghouse on the property as their principal place of residence, and do they intend to do so for an indefinite period? Yes ☐ No ☐

4.2 Are the taxpayers acquiring or intending to hold the property as agent, trustee or otherwise on behalf of another person (except as described in Q.3 above)?

*Note:* Individuals and beneficiaries must be natural persons.

Yes ☐ No ☐
IF RESIDENTIAL LAND IS VALUED AT MORE THAN $116,000

A taxpayer who has acquired a residential land may also qualify for the residential rate of duty under sections 147A-G of the Duties Act 2008 (‘Duties Act’). Where the value of the residential land exceeds $116,000, this rate will give a greater reduction of duty than the concessional rate under section 147 of the Duties Act.

Form ‘FDA11 ’Residential Rate’ is available from the OSR website. Alternatively, the Commissioner may treat this application as an application for the residential rate of duty.

Do you consent to the Commissioner treating this application as an   Yes ☐  No ☐  application under sections 147A to G of the Duties Act 2008?

If you answered YES to this question, please complete the following additional question.  
If NO, go to the signature panel below.

Is the dwellinghouse on the residential land one that may lawfully be used, is  Yes ☐  No ☐  suitable to be used and is intended by the taxpayer to be used, as a place of residence for one or more individuals?

IMPORTANT

A person who provides information to the Commissioner knowing it to be false or misleading in a material particular commits an offence under the Taxation Administration Act 2003. The penalty for the offence is:

a) $20,000; and

b) three times the amount of duty that was avoided or might have been avoided if the false or misleading information had been accepted as true.

I/We do solemnly and sincerely declare that the answers and information that I/we have given in this application are true, complete and correct.

Signature(s) of the taxpayer or agent

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CONTACT THE OFFICE OF STATE REVENUE

Complete this application form and submit it online if you wish to receive your refund by EFT.


Office  | Telephone
-------|---------
Office of State Revenue  | (08) 9262 1100
200 St Georges Terrace  | 1300 368 364
PERTH WA 6000  | (WA country STD callers only – local call charge)

Postal address  | Web Enquiry
----------------|-----------------
GPO Box T1600  |  
PERTH WA 6845  |  

Website  |  
www.osr.wa.gov.au