



**CIRCULAR 14**

**DUTIES ACT 2008**  
**TAXATION ADMINISTRATION ACT 2003**  
**COMMISSIONER'S PRACTICE TAA 30 'VALUATION**  
**OF LAND FOR DUTIES PURPOSES'**

Under section 26 of the *Duties Act 2008* ('Duties Act'), transfer duty is generally chargeable by reference to the dutiable value of a dutiable transaction. The dutiable value of a transaction will generally be the greater of the unencumbered value of the dutiable property or the consideration for the transaction.

The Commissioner requires a valuation of the dutiable property in circumstances including where:

- the parties are related or not otherwise dealing at arm's length;
- there is no consideration for the dutiable property, or the consideration appears to be inadequate or unascertainable; or
- there has been a reduction in consideration.

To determine the unencumbered value of dutiable property, section 22 of the *Taxation Administration Act 2003* ('TAA') provides the Commissioner may adopt any valuation of the property that the Commissioner considers appropriate.

Paragraphs 9 – 11 of Commissioner's Practice TAA 30 'Valuation of Land for Duties Purposes' ('CP TAA 30') provide the circumstances and criteria in which the Commissioner will accept a licensed valuation for residential or commercial land.

As of 1 March 2016, the Commissioner no longer requires the licensed valuation to have been conducted for duties assessment purposes. This applies to transactions lodged for an official assessment and transactions that are approved for self assessment through Online Duties.

The information contained in this circular is not an exhaustive explanation of the amendments, and reference should be made to the Commissioner's practice and the relevant Acts.

**FURTHER INFORMATION**

For additional information on these changes or other duty issues, please contact the Office of State Revenue by telephone on 9262 1100 or by making a web enquiry at [www.osr.wa.gov.au/DutiesEnquiry](http://www.osr.wa.gov.au/DutiesEnquiry).

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