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**Australian Capital Territory Stamp Duty Amendment Act 1982**

**No. 126 of 1982**

**An Act to amend the *Australian Capital Territory Stamp Duty Act 1969***

[*Assented to 13 December 1982*]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title, &c.**

**1.** **(1)** This Act may be cited as the *Australian Capital Territory Stamp Duty Amendment Act 1982.*

**(2)** The *Australian Capital Territory Stamp Duty Act 19691* is in this Act referred to as the Principal Act.

**Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Amendments of Schedule 2**

**3.** Schedule 2 to the Principal Act is amended—

(a) by inserting after item 17 the following items:

“18 Transfer or assignment of a lease of, or transfer of an estate in fee simple in, land, being a lease, or an estate in fee simple, as the case may be, held on trust, where the transfer or assignment—

(a) is made in consequence of the appointment or retirement of a trustee of the trust or other change in trustees of the trust, in order to vest the lease, or the estate in fee simple, as the case

may be, in the trustees of the trust who are for the time being entitled to hold it; and

(b) is not made in connection with a scheme to avoid or reduce stamp duty

“18a Transfer or assignment of a lease of, or transfer of an estate in fee simple in, land, where the transfer or assignment—

(a) is from a trustee to a person who contributed the purchase money for the conveyance of the land to the trustee; and

(b) is not made in connection with a scheme to avoid or reduce stamp duty

“18b Conveyance of land held on trust, where—

(a) the conveyance is made by the trustee to a beneficiary of the trust otherwise than for valuable consideration, and does not constitute a breach of trust;

(b) stamp duty on the conveyance of the land to the trustee has been paid or was not payable; and

(c) the first-mentioned conveyance is not made in connection with a scheme to avoid or reduce stamp duty”;

(b) by omitting item 22 and substituting the following item:

“22 Transfer of a marketable security held on trust, where the transfer—

(a) is made in consequence of the appointment or retirement of a trustee of the trust or other change in trustees of the trust, in order to vest the marketable security in the trustees of the trust who are for the time being entitled to hold it; and

(b) is not made in connection with a scheme to avoid or reduce stamp duty”;

(c) by adding at the end of item 25 “, and the transfer is not made in connection with a scheme to avoid or reduce stamp duty”; and

(d) by adding at the end of item 26 “, and the transfer is not made in connection with a scheme to avoid or reduce stamp duty”.

**Application of amendments**

**4. (1)** The amendments made by section 3 have effect in relation to an instrument executed on or after 14 October 1982.

**(2)** For the purposes of sub-section (1), an instrument shall be deemed to have been executed on the date on which the last party to the instrument appears to have executed it.

**NOTE**

1. No. 48, 1969, as amended. For previous amendments, see Nos. 68 and 94, 1972; No. 216, 1973; and No. 124, 1981.