



Landholder Duty – Acquisition Statement

Section 87 *Duties Act 1999* (ACT)

Part 2 of the *Duties Act 1999* (the ‘Duties Act’) imposes landholder duty on relevant acquisitions in a landholder. A relevant acquisition occurs if a person (or other legal entity) acquires an entitlement to 50 per cent or more of the landholder’s property. This form must be lodged within 90 days of a relevant acquisition, and any duty must be paid within this period, or a tax default will occur. This may result in the transaction being subject to the application of penalty tax and interest.

The ACT Revenue Office does not require the completion of an Acquisition Statement if the relevant acquisition occurs from 1 October 2023 and the landholder has landholdings in the ACT with a market value below the tax-free threshold which is \$1.8 Million, as at 1 July 2023. Note, the dutiable value threshold has changed in history. It should be noted that the ACT Revenue Office will review the applicability of all relevant exemptions.

For further information regarding landholder duty, please refer to the Duties Act, available at <https://www.legislation.act.gov.au/a/1999-7/>.

If there is insufficient space in a particular field, please provide an attachment referencing the section number you are addressing.

To lodge the completed form or if you have any queries, please email: landholder@act.gov.au

1. Acquirer’s details

Name of the acquirer: _____

Acquirer is an:

Individual – Date of Birth is: _____

Company – Name (ACN/ABN) is: _____

A trustee for: Unit Trust Discretionary Trust Bare Trust

Superfund Other

Name of Trust/Fund: _____

ABN of Trust/Fund: _____

Contact details for the acquirer of the interest:

Name: _____

Address line 1: _____

Address line 2: _____

Suburb: _____ State: _____ Postcode: _____

Phone: _____ Email: _____

2. Details of the Landholder

Name of entity: _____

Type of Entity: Company Private Unit Trust

ABN/ACN of Entity: _____

How is the acquirer linked to the landholder? (shareholder or unitholder)

Provide details of the landholder's interest (include beneficial interests and uncompleted contracts of sale) in lands in the ACT:

Name of Holding Entity	Property Address / Legal Description	Was the land held directly or indirectly	% of interest held by landholder	Market value of holding

3. Details of Acquisition / Land Use Entitlement

Date of the relevant acquisition / Land Use Entitlement: ____ / ____ / ____

How was the acquisition made or Land Use Entitlement Granted?

(For example, purchase, gift, alteration of right attached to a share, transfer by will, etc.)

Was a beneficial interest acquired? Yes No

(If not beneficially acquired, provide details)

Complete table – include relevant acquisition and all acquisitions in past three years

Date of acquisition	Acquired by	Unencumbered Market value	Interest Acquired (%)	Total Interest in landholder (%) by acquirer and any associated person	Was ACT duty paid on this acquisition? Y / N Amount

4. Exemptions

Was the acquisition(s) subject to an exemption under the Duties Act? Yes No
(If No, go to Question 5: 'Declaration')

If yes, provide a summary of why an exemption applies:

Under what section of the Duties Act was the acquisition(s) exempt? _____

Provide details and attach copies of relevant documents to support your claim.

5. Declaration

NOTE THAT GIVING FALSE OR MISLEADING INFORMATION IS A SERIOUS OFFENCE.

Under Part 3.4 (Giving false or misleading statements, information and documents) of the *Criminal Code 2002*, the maximum level of punishment is 100 penalty units and/or imprisonment for 1 year.

Details of the person completing this statement:

Name: _____

Authorised Agent/Legal Representative to Act on Behalf of an Entity:

Relationship to person/s acquiring interest: _____

Address line 1: _____

Address line 2: _____

Suburb: _____ State: _____ Postcode: _____

Phone: _____ Email: _____

Please complete the appropriate declaration:

I _____ (individual) declare and affirm all the information and supporting documentation provided is true and correct.

I _____ (name) am the interest acquirer's authorised agent/solicitor. The information and supporting documentation provided is information provided to me by the applicant.

Signature: _____ Date: ____/____/____

6. Documents to include

Provide any further documents that may assist the ACT Revenue Office to assess your acquisition statement.

An Organisation chart indicating the relationship between the acquirer and the landholder covering any other related/linked entities and their landholding/s in the ACT.

Identification Documents for individuals (any of the following):

- A copy of Birth Certificate
- A copy of Australian Passport Number
- A copy of Australian Citizenship Certificate
- A copy of Foreign Passport

Documents covering the Landholder

If the Landholder is a company:

- Constitution of the company (if there are more than one share class)
- A copy of the share register from the date of incorporation to present
- Financial Statements in the year before and after the acquisition

If the Landholder is a private unit trust scheme:

- Copy of the trust deed and any amending deeds
- A copy of the Unit Register from the date of establishment to present
- Custody Agreement (if applicable)
- Financial Statements in the year before and after the acquisition

Relevant Acquisition

- Share transfer form / Unit transfer form
- Provide a copy of the transfer, agreement for transfer or other documentation pursuant to Relevant Acquisition or Land Use Entitlement

Valuation Report / Information to support the unencumbered value of all the landholdings including, the landholdings of linked entities (and deemed constructive ownership). Note ACT Revenue Office does not require a valuation if a full exemption is applicable for the transaction.

If you would like to claim an exemption:

Include supporting legal documents (i.e., full and complete copies of wills, probate orders, codicil, family court orders etc).

Contact details



(02) 6207 0028

(Monday, Tuesday, Thursday, Friday 9:00am to 5:00pm, Wednesday 10:30am to 5:00pm)



landholder@act.gov.au



www.revenue.act.gov.au



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