



<b>REVENUE CIRCULAR DAA001.2</b>
Concessions and Exemptions from Duty: Hospitals and Schools – <i>Duties Act 1999</i>
Issue Date: 25 November 2015
Status: Current – Effective 25 November 2015
Previous Circular: DAA001.1

### **Preamble**

1. The *Duties Act 1999* (the Act) provides for concessional duty and exemptions from duty for certain transactions executed by or on behalf of hospitals and schools.
2. The purpose of this Revenue Circular is to show how the concessional duty and exemptions apply.

### **Circular**

#### **Hospitals**

3. Under the dictionary to the Act, a hospital means a recognised hospital within the meaning of the *Health Insurance Act 1973* (Cwlth).

#### **Schools**

4. A 'school' is not defined in the Act. The Commissioner for ACT Revenue (the Commissioner) will treat a registered government or non-Government school under the *Education Act 2004* as a school for the purposes of the Act.

#### **Trustees**

5. Trustees receiving dutiable property in trust for hospitals or schools are eligible for the relevant concession or exemption under the following sections of the Act:

<b>Section</b>	<b>Concession or exemption</b>
62 (4)	Transfer of property from one superannuation fund to another
63 (3)	Transfers between trustees and custodians of superannuation funds or trusts
64 (2)	Transfer of land to certain authorities and other bodies
91 (1) (a)	Ch 3 transactions—concessional duty
201 (1) (f)	Insurance exempt from duty generally
210	Hospitals and schools

## Transactions

6. The transactions or instruments listed in the following table are eligible for a concession or an exemption:

Section	Transactions	Eligible applicants	Concession or Exemption
62 (4)	Transfer of property from one superannuation fund to another	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> </ul>	Concessional duty (\$20)
63 (4)	Transfers between trustees and custodians of superannuation funds or trusts	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> </ul>	Concessional duty (\$20)
64 (2)	Transfer of land to certain authorities and other bodies	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> <li>trustees holding the land in trust for a hospital or school</li> </ul>	Concessional duty (\$20)
91 (1) (a)	<p>Ch 3 transactions—concessional duty</p> <p>Any Chapter 3 transactions to the applicant:</p> <ul style="list-style-type: none"> <li>acquisition of interest in certain landholders</li> <li>entitlements arising from capital reductions or alternations of rights</li> <li>acquisition of land use entitlements by allotment of shares or issue of units</li> <li>allotment of shares by direction</li> </ul>	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> <li>a trustee who is to hold the property transferred in trust for a hospital or school</li> </ul>	Concessional duty (\$20)
201 (1) (f)	Insurance on property of or property held in trust for a hospital or school or other general insurance taken out by a hospital or school	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> <li>trustees holding the property in trust for a hospital or school</li> </ul>	Exemption
210	Registration of a motor vehicle by the applicant	<ul style="list-style-type: none"> <li>hospital</li> <li>school</li> <li>a person who holds a vehicle on behalf of a hospital or school</li> <li>a trustee for a hospital or school</li> </ul>	<p>Exemption</p> <p>Application can only be made at Access Canberra shopfronts or Motor Vehicle registry.</p>

SIGNED

Kim Salisbury  
 Commissioner for ACT Revenue  
 25 November 2015