



ANNO TRICESIMO NONO

ELIZABETHAE II REGINAE

A.D. 1990

No. 4 of 1990

An Act to amend the Stamp Duties Act, 1923.

[Assented to 29 March 1990]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Stamp Duties Act Amendment Act, 1990*.
- (2) The *Stamp Duties Act, 1923*, is referred to in this Act as "the principal Act".

Insertion of s. 17

2. The following section is inserted after section 16 of the principal Act:

Duty payable in respect of instruments conditionally executed

17. (1) Subject to subsection (2), an instrument that is executed conditionally by one or more parties is liable to duty as if it had been executed unconditionally.

(2) If—

- (a) duty is paid on or in respect of an instrument that was executed conditionally by one or more of the parties;
- (b) the Commissioner is satisfied that, by reason of non-fulfilment of the condition, or recall of the execution, the instrument will never come into force,

the Commissioner will, on application by a party who paid the duty and production of the instrument, cancel any stamp on the instrument and refund the amount of the duty paid.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

C. L. LAUCKE, Governor's Deputy