

STAMP DUTIES.

No. 46 of 1971.

AN ACT to amend the *Stamp Duties Act 1931*.

[14 October 1971.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Stamp Duties Act 1971*.

Short title, citation, and commencement.

(2) The *Stamp Duties Act 1931*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The provisions of—

(a) sections six and seven of this Act; and

(b) paragraphs (a), (b), (g), (m), (n), and (o) of section eight of this Act,

shall commence on a day to be fixed by proclamation.

2 Section three of the Principal Act is amended—

Interpretation.

(a) by inserting in subsection (1), after the definition of “borrower”, the following definition:—

“‘broadcast receiver’ has the same meaning as it has in the *Broadcasting and Television Act 1942-1971* of the Commonwealth;”

(b) by omitting from the definition of “broker” in that subsection the numerals “1967” and substituting therefor the numerals “1971”;

(c) by omitting from the definition of “broker’s agent” in that subsection the numerals “1967” and substituting therefor the numerals “1971”; and

(d) by inserting in that subsection, after the definition of “Tasmanian dealer”, the following definition:—

“‘television receiver’ has the same meaning as it has in the *Broadcasting and Television Act 1942-1971* of the Commonwealth;”.

3 Section eleven of the Principal Act is amended by omitting from subsection (4A) the words “thirty days after the stamps used to denote the duty payable thereon are affixed thereto,” and substituting therefor the words “the appropriate time prescribed in paragraph (a) of subsection (1) of section fifteen,”.

Denoting of duties.

4 Section thirteen of the Principal Act is amended by inserting after subsection (1) the following subsection:—

“(1A) Where pursuant to subsection (1) of this section a person submits to an assessor an instrument effecting a settlement, gift, or declaration of trust of or in relation to real property (being a settle-

Method of stamping instruments with impressed stamps.

ment, gift, or declaration to which item 28 of the second schedule applies) that person shall also submit to the assessor, with that instrument, a certificate under section forty-one of the *Land Valuation Act* 1950 specifying the value of that property as at the date of the making of the settlement, gift, or declaration.”.

Special provisions relating to contracts of sale.

5 Section seventy of the Principal Act is amended by omitting from subsection (11) the word “ nine ” and substituting therefor the word “ fifteen ”.

Duty on cheques.

6 Section seventy-two of the Principal Act is amended by omitting from subsection (4) the word “ five ” and substituting therefor the word “ six ”.

Duty on bankers' drafts, bankers' letters of credit, &c.

7 Section seventy-three of the Principal Act is amended by omitting from subsection (5) the word “ five ” and substituting therefor the word “ six ”.

The second schedule.

8 The second schedule to the Principal Act is amended—

- (a) by omitting from the third column of that schedule, opposite paragraph (a) of item 5, the numerals “ 0.05 ” and substituting therefor the numerals “ 0.06 ”;
- (b) by omitting from that column, opposite paragraph (c) of that item, the numerals “ 0.05 ” and substituting therefor the numerals “ 0.06 ”;
- (c) by omitting from that column, opposite paragraph (b) of item 7, the numerals “ 1.00 ” and substituting therefor the numerals “ 3.00 ”;
- (d) by omitting from that column, opposite item 9, the numerals “ 1.00 ” and substituting therefor the numerals “ 3.00 ”;
- (e) by omitting from that column, opposite item 11, the numerals “ 1.00 ” and substituting therefor the numerals “ 3.00 ”;
- (f) by omitting from that column, opposite paragraphs (c) and (d) of item 13, the numerals “ 1.00 ” (wherever occurring) and substituting therefor, in each case, the numerals “ 3.00 ”;
- (g) by omitting from that column, opposite item 17, the numerals “ 0.05 ” and substituting therefor the numerals “ 0.06 ”;
- (h) by omitting from that column, opposite paragraph (b) of item 23, the numerals “ 1.00 ” and substituting therefor the numerals “ 3.00 ”;
- (i) by omitting from that column, opposite item 25, the numerals “ 1.00 ” and substituting therefor the numerals “ 3.00 ”;

- (j) by inserting in the second column of that schedule, after the words "Rental agreement", opposite item 27, the words "(other than a rental agreement to which item 27A of this schedule relates)";
- (k) by inserting after item 27 of that schedule the following item:—
- | | | | |
|-------|--|------|-------------------|
| " 27A | Rental agreement for the hire
of a broadcast receiver or
of a television receiver. | 0.50 | By the
owner.; |
|-------|--|------|-------------------|
- (l) by inserting in the second column of that schedule, opposite item 28, after the word "comprised", the words "(being, in the case of such a settlement, deed of gift, or declaration of trust as is referred to in subsection (1A) of section thirteen, the value specified in the certificate submitted to an assessor pursuant to that subsection)";
- (m) by omitting from the third column of that schedule, opposite paragraph (a) of item 36, the numerals "0.10" and "0.40" and substituting therefor respectively the numerals "0.14" and "0.60";
- (n) by omitting from that column, opposite paragraph (a) of item 37, the numerals "0.10" and substituting therefor the numerals "0.14"; and
- (o) by omitting from that column, opposite paragraph (b) of that item, the numerals "0.40" and substituting therefor the numerals "0.60".

9 The third schedule to the Principal Act is amended—

The third
schedule.

- (a) by omitting from sub-paragraph (i) of paragraph (a) of item 14 the numerals "\$200" (occurring in the second column of that schedule) and substituting therefor the numerals "\$100";
- (b) by inserting after paragraph (d) of item 17 (occurring in the second column of that schedule) the following paragraph:—
- "(da) drawn by an ambulance board constituted under the *Ambulance Act 1959*";
- (c) by inserting after paragraph (j) of that item (occurring in the second column of that schedule) the following paragraph:—
- "(ja) drawn on a bank in the United Kingdom for the purpose of paying any pension, superannuation payment, retiring allowance, or gratuity payable by the Treasury of the United Kingdom to a former servant of the Crown or to a dependant of a former servant of the Crown";
- (d) by omitting from paragraph (l) of item 17 (occurring in the second column of that schedule) the word "Part" and substituting therefor the word "schedule";
- (e) by omitting item 26; and

(f) by inserting in the second column of that schedule, immediately below the heading "*General—*", the following words:—

"Any instrument for effecting a surrender of any land to the Crown."

The fourth
schedule.

10 The fourth schedule to the Principal Act is amended by omitting the numeral and word "1. *Conveyances—*" (occurring under the heading "*A—In respect of particular items in the second schedule*"), and substituting therefor the numeral and words "1. *Conveyances and contracts for the sale of land—*".

HYDRO-ELECTRIC COMMISSION (CONTRIBUTIONS).

No. 47 of 1971.

AN ACT to require the Hydro-Electric Commission to make contributions in aid of the Consolidated Revenue and to provide for matters incidental thereto. [14 October 1971.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and
incorporation.

1—(1) This Act may be cited as the *Hydro-Electric Commission (Contributions) Act 1971*.

(2) This Act is incorporated, and shall be read as one, with the *Hydro-Electric Commission Act 1944* (in this Act referred to as the Principal Act).

Annual
contributions
to be made by
Commission
to the
Consolidated
Revenue.

Cf. No. 7441
(Vic.), s. 3.

2—(1) The Commission shall, in each financial year, pay to the Treasurer to the credit of the Consolidated Revenue a contribution at the rate of five per cent of the total revenue derived by the Commission from retail sales of electrical energy in the last preceding financial year.

(2) For the purposes of subsection (1) of this section, the total revenue derived by the Commission in any financial year is such amount as is determined in relation to that year by the Treasurer after consultation with the Commission, but does not include any revenue from the sale of electrical energy pursuant to special contracts under section fifty-four of the Principal Act.