

Stamp Duty on Conveyances

Methodologies as at 7 January 2010

Key Points:

- Stamp duty rates applicable to property purchases differ, not only across States and Territories, but for first home buyers and repeat purchasers.
- Generally speaking, the calculations are governed by State legislation.

- New South Wales

Non-First Home Buyers

The stamp duty rates for non-first home buyers are set out below.

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE - NSW

Value of Home	Rate of Duty
\$0 - \$14,000	\$1.25 for every \$100 or part of the dutiable value
\$14,001 - \$30,000	\$175 plus \$1.50 for every \$100 or part, by which the dutiable value exceeds \$14,000
\$30,001 - \$80,000	\$415 plus \$1.75 for every \$100 or part, by which the dutiable value exceeds \$30,000
\$80,001 - \$300,000	\$1,290 plus \$3.50 for every \$100 or part, by which the dutiable value exceeds \$80,000
\$300,001 - \$1,000,000	\$8,990 plus \$4.50 for every \$100 or part, by which the dutiable value exceeds \$300,000
over \$1,000,000	\$40,490 plus \$5.50 for every \$100 or part, by which the dutiable value exceeds \$1,000,000

Source: NSW Office of State Revenue

> NSW Housing Construction Acceleration Plan (HCAP)

On 1 July 2009, the NSW Government introduced a housing stimulus initiative for people outside the first home buyer market, cutting stamp duty by 50 per cent for people buying newly constructed properties with a value not exceeding \$600,000. The concession ends on 31 December, 2009. A table with example calculations is shown below:

Purchase price (\$)	Usual duty (\$)	HCAP duty (\$)	Savings (\$)
250,000	7,240	3,620	3,620
300,000	8,990	4,495	4,495
350,000	11,240	5,620	5,620
400,000	13,490	6,745	6,745
450,000	15,740	7,870	7,870
500,000	17,990	8,995	8,995
550,000	20,240	10,120	10,120
600,000	22,490	11,245	11,245

First Home Buyer Source: NSW Office of State Revenue



First Home Buyers

First home buyers do not have to pay duty on the purchase of a home up to \$500,000. For home buyers who face a purchase price between \$500,000 and \$600,000, stamp duty payable equals the purchase price multiplied by 0.2249, minus \$112,500. For purchase prices above \$600,000, there is no stamp duty concession.

FIRST HOME BUYER CONCESSIONS – NSW

Dwelling price	Duty Payable No concession	Concession	Duty Payable With concession	Total saving
\$100,000	\$1,990	\$1,990	\$0	\$1,990
\$200,000	\$5,490	\$5,490	\$0	\$5,490
\$300,000	\$8,990	\$8,990	\$0	\$8,990
\$400,000	\$13,490	\$13,490	\$0	\$13,490
\$500,000	\$17,990	\$17,990	\$0	\$17,990
\$600,000	\$22,490	\$0	\$22,490	\$0
\$700,000	\$26,990	\$0	\$26,990	\$0

Source: NSW Office of State Revenue

- **Victoria**

Non-First Home Buyers

The stamp duty rates for non-first home buyers are set out below (assumes a dwelling on the land at the point of contract).

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE - VIC

Value of Home	Rate of Duty
\$0 - \$25,000	1.4 per cent of the dutiable value of the property
\$25,001 - \$130,000	\$350 plus 2.4 per cent of the dutiable value in excess of \$25,000
\$130,001 - \$440,000	\$2870 plus 5 per cent of the dutiable value in excess of \$130,000
\$440,001 - \$500,000	\$18,370 plus 6 per cent of the dutiable value in excess of \$440,000
\$550,001 - \$870,000	\$28,070 + 6 per cent of the dutiable value in excess of \$550,000
More than \$960,000	5.5 per cent of the dutiable value

Source: VIC State Revenue Office

The Victorian Government currently provides assistance to eligible pensioners and concession cardholders through full and partial duty exemptions on home purchases. Individuals holding a Pensioner Concession card, a Centrelink Health Card, or a Department of Veteran Affairs Gold card are all eligible for the concession, provided the applicant has not previously received any exemption or concession from stamp duty.

First-home buyers

> *Principal Place Of Residence*

A Principal Place of Residence (PPR) concession is a concessional rate of duty that applies to transfers of property where the land purchased is intended to be occupied as a PPR. The applicable concessional rate of duty depends on the dutiable value of your PPR and the date on which the contract to purchase the PPR was entered into.

For contracts entered into on or after 6 May 2008:

Dutiable value of the PPR	Reduced rate of duty	Standard rate of duty	Difference
> \$130,000 to \$440,000	\$2,870 plus 5% of amount > \$130,000	\$2,870 plus 6% of amount > \$130,000	Rate reduction of 1%
> \$440,000 to \$550,000	\$18,370 plus 6% of amount > \$440,000		Duty reduction of \$3,100

> *First Home Owner with Family*

If you are a first home owner with a family and you purchased your home on or after 1 January 2006, you may be entitled to an exemption or concession from duty. To qualify, you must:

- be purchasing the land for market value and intend to live in the home as your principal place of residence;
- have a dependant child at the date of:
- the contract of sale or within 11 months of that date if there was a home on the land when the contract of sale was entered into
- the building contract or the date on which building commenced (whichever is the earlier), or within 11 months of that date if there was no home on the land when the contract was entered into.
- not have previously owned a home anywhere in Australia which was used as your principal place of residence.

If you purchased a home with your spouse/partner, the exemption or concession is available only if each of you satisfy the eligibility criteria.

For first home owners who meet the eligibility criteria, a full exemption from duty is available where the total value of the home and land is not more than \$150,000. A concession from duty is available where the total value of the home and land is not more than \$200,000. If there was a home on the land at the time of the contract, the relevant value is the purchase price or the market value of the land and home (whichever is the greater). Where there was no home on the land at the time of the contract, and a home is built on the land before the transfer (or within three years after the transfer), the relevant value is the total of the purchase price or the market value of the land (whichever is the greater) and the cost of building the home.

- **Queensland**

Transfer duty is calculated on the dutiable value of a transaction. Generally, this is the greater of the consideration paid for, or the unencumbered value of, the property acquired.

Dutiable value	Duty rate
Up to \$5,000	Nil
\$5,000 to \$75,000	\$1.50 for each \$100, or part of \$100, by which the dutiable value is more than \$5,000
\$75,000 to \$540,000	\$1,050 plus \$3.50 for each \$100, or part of \$100, by which the dutiable value is more than \$75,000
\$540,000 to \$980,000	\$17,325 plus \$4.50 for each \$100, or part of \$100, by which the dutiable value is more than \$540,000
More than \$980,000	\$37,125 plus \$5.25 for each \$100, or part of \$100, by which the dutiable value is more than \$980,000

The home concession rates for transfer duty are listed in the table below:

Purchase price/value	Duty rate
Up to \$350,000	\$1.00 for each \$100 or part of \$100
\$350,001 to \$540,000	\$3,500 + \$3.50 for every \$100 or part of \$100 over \$350,000
\$540,001 to \$980,000	\$10,150 + \$4.50 for every \$100 or part of \$100 over \$540,000
More than \$980,000	\$29,950 + \$5.25 for every \$100 or part of \$100 over \$980,000

First-home buyers

First home concession rates are available to first home buyers from 1 September 2008. To find out how much duty you will pay, work out the amount of duty you would pay if you were claiming a home concession (see previous table) and then take away the further concession amount using the table below:

Purchase price/value	Concession
Not more than \$504,999.99	\$8,750
\$505,000 to \$509,999.99	\$7,875
\$510,000 to \$514,999.99	\$7,000
\$515,000 to \$519,999.99	\$6,125
\$520,000 to \$524,999.99	\$5,250
\$525,000 to \$529,999.99	\$4,375
\$530,000 to \$534,999.99	\$3,500
\$535,000 to \$539,999.99	\$2,625
\$540,000 to \$544,999.99	\$1,750
\$545,000 to \$549,999.99	\$875
\$550,000 or more	Nil

- **South Australia**

Non-First Home Buyers

The stamp duty rates for non-first home buyers are set out below.

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE -SA

Value of Home	Rate of Duty
\$0 - \$12,000	\$1.00 for every \$100 or part of \$100
\$12,001 - \$30,000	\$120 plus \$2.00 for every \$100 or part of \$100 over \$12,000
\$30,001 - \$50,000	\$480 plus \$3.00 for every \$100 or part of \$100 over \$30,000
\$50,001 - \$100,000	\$1,080 plus \$3.50 for every \$100 or part of \$100 over \$50,000
\$100,001 - \$200,000	\$2,830 plus \$4.00 for every \$100 or part of \$100 over \$100,000
\$200,001 - \$250,000	\$6,830 plus \$4.25 for every \$100 or part of \$100 over \$200,000
\$250,001 - \$300,000	\$8,955 plus \$4.75 for every \$100 or part of \$100 over \$250,000
\$300,001 - \$500,000	\$11,330 plus \$5.00 for every \$100 or part of \$100 over \$300,000
More than \$500,000	\$21,330 plus \$5.50 for every \$100 or part of \$100 over \$500,000

Source: Revenue SA

First-Home Buyers

For properties where the contract to purchase the first home is entered into on or after 5 June 2008 qualification for the First Home Bonus Grant (FHBG) may be feasible. (The FHBG has replaced the Stamp Duty First Home Concession Scheme.) The FHBG is an additional payment for first home buyers who qualify to receive a First Home Owner Grant where the market value of the property does not exceed \$450,000.

A FHBG of \$4,000 is available for first home purchases with a market value of up to \$400,000 and phases out for property with market values between \$400,000 and \$450,000 by \$8 for every \$100 in excess of \$400,000.

- **Western Australia**

Non-First Home Buyers

The stamp duty rates for non-first home buyers are set out below (assumes family home).

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE - WA

Value of Home	Rate of Duty
\$0 - \$80,000	\$2.00 Per \$100 or part thereof
\$80,001 - \$100,000	\$1,600 + \$3.00 Per \$100 or part thereof above \$ 80,000
\$100,001 - \$250,000	\$2,200 + \$4.00 Per \$100 or part thereof above \$100,000
\$250,001 - \$500,000	\$8,200 + \$5.00 Per \$100 or part thereof above \$250,000
More than \$500,000	\$20,700 + \$5.40 Per \$100 or part thereof above \$500,000

Source: WA Office of State Revenue

There are concessional rates for principal place of residence (only for those not attaining a first home buyer concession):

\$0 to 100,000	\$1.50 per \$100 or part thereof
\$100,001 to \$200,000	\$1,500 plus \$4.70 per \$100 or part thereof above \$100,000
\$200,001+	Normal rates apply

First Home Buyers

There is a full concession for property purchased to the value of \$500,000.

FIRST HOME BUYER CONCESSIONS – WA

Dwelling price	Duty Payable No concession	Duty Payable With Concession	Total saving
\$100,000	\$0	\$0	\$1,500
\$200,000	\$0	\$0	\$6,200
\$300,000	\$0	\$0	\$4,100
\$400,000	\$0	\$0	\$15,700
\$500,000	\$0	\$0	\$20,700
\$600,000	\$26,100	\$26,100	\$0
\$700,000	\$31,500	\$31,500	\$0

Source: WA Office of State Revenue

The new first homeowner exemption thresholds are:

> Home

Where the value of a home does not exceed \$500,000, no duty is payable.

Where value exceeds \$500,000 but does not exceed \$600,000, duty is payable at a rate of \$26.10 for every \$100 and any fractional part of \$100 by which the amount or value of the consideration exceeds \$500,000.

> Vacant Land

Where value of the vacant land does not exceed \$300,000, no duty is payable.

Where value exceeds \$300,000 but does not exceed \$400,000, duty is payable at a rate of \$15.70 for every \$100 and any fractional part of \$100 by which the amount or value of the consideration exceeds \$300,000.

- **Tasmania**

The stamp duty rates for all home buyers are set out below.

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE - TAS

Value of Home	Rate of Duty
\$0 - \$1300	\$20
\$1301 - \$10,000	\$1.50 for every \$100, or part, of the dutiable value
\$10,001 - \$30,000	\$150 plus \$2 for every \$100, or part, by which the dutiable value exceeds \$10 000
\$30,001 - \$75,000	\$550 plus \$2.50 for every \$100, or part, by which the dutiable value exceeds \$30 000
\$75 001 - \$150,000	\$1 675 plus \$3 for every \$100, or part, by which the dutiable value exceeds \$75 000
\$150,000 - \$225,000	\$3 925 plus \$3.50 for every \$100, or part, by which the dutiable value exceeds \$150 000
More than \$225,000	\$6 550 plus \$4 for every \$100, or part, by which the dutiable value exceeds \$225 000

Source: TAS State Revenue Office

Exemption from Duty

Section 55 of the *Duties Act 2001* (the Act) provides that no duty is chargeable under Chapter 2 where the Commissioner of State Revenue is satisfied that –

- as a result of the transfer or agreement, the whole of the property is or will be held by the parties to a marriage or significant relationship or a caring partner
- as joint tenants; or
- as tenants in common in equal shares;

and

- the dutiable property –
- is land that has erected on it a private dwelling house and was solely used or principally used, as at the date of the transfer, as the principal place of residence of the parties; or
- is vacant land and the parties intend to use it as the site of a private dwelling house to be solely or principally used as their principal place of residence; or
- is shares that confer an entitlement to exclusive possession of a company title dwelling that was solely or principally used, as at the date of the transfer, as the principal place of residence of the parties;

and

- the parties to the transfer are the couple or caring partners and no other party is involved in the transfer.

- **Australian Capital Territory**

Non-First Home Buyers

Duty is calculated on the greater of the purchase price or market value (assumes ineligibility for home buyer concession).

NON-FIRST HOME BUYER - STAMP DUTY PAYABLE – ACT

Value of Home	Rate of Duty
\$0 - \$100,000	\$20 or \$2.00 per \$100 or part thereof, whichever is greater.
\$100,001 - \$200,000	\$2,000 plus \$3.50 per \$100 or part thereof by which the value exceeds \$100,000.
\$200,001 - \$300,000	\$5,500 plus \$4.00 per \$100 or part thereof by which the value exceeds \$200,000.
\$300,001 - \$500,000	\$9,500 plus \$5.50 per \$100 or part thereof by which the value exceeds \$300,000.
\$500,001 - \$1,000,000	\$20,500 plus \$5.75 per \$100 or part thereof by which the value exceeds \$500,000.
More than \$1,000,000	\$49,250 plus \$6.75 per \$100 or part thereof by which the value exceeds \$1,000,000.

Source: ACT Revenue Office

First Home Buyers

For property value of \$349,800 or less, the duty payable is \$20. For property value between \$349,800 and less than \$422,000, the duty payable is \$22.45 for each \$100 or part thereof by which the dutiable value exceeds \$349,800 (\$20 minimum). For a property value of \$422,000 or more, there is no concession.

FIRST HOME BUYER CONCESSIONS – Australian Capital Territory

Dwelling price	Duty Payable No concession	Concession	Duty Payable With Concession	Total saving
\$100,000	\$2,000	\$2,000	\$20	\$1,880
\$200,000	\$5,500	\$5,500	\$20	\$5,480
\$300,000	\$9,500	\$9,500	\$20	\$9,480
\$400,000	\$15,000	\$15,000	\$11,270	\$3,730
\$500,000	\$20,500	\$0	\$20,500	\$0
\$600,000	\$26,250	\$0	\$26,250	\$0
\$700,000	\$32,000	\$0	\$32,000	\$0

Source: ACT Revenue Office

- **Northern Territory**

Non-First Home Buyers

The calculation of stamp duty on conveyances in the Northern Territory is more complex than in the other states. Assuming eligibility for principal place of residence rebate, for property values of less than \$525,000, the duty payable equals $\{[0.065 \times (V/1000)^2] + 21(V/1000) - \$2,500\}$. For property values above \$525,000, stamp duty payable is 4.95 per cent of that amount minus \$2,500).

First Home Buyers

The Northern Territory Government provides a stamp duty concession to Territorians purchasing home or land to build a home that is their first home in Australia. From 6 May 2008, the concession increased and is an amount up to \$15 515.50 which represents the duty on the first \$385,000 of the purchase price of the property.