



## Queensland duties

(As at 1 January 2007)

The Office of State Revenue (OSR) is responsible for the administration of the *Duties Act 2001* ("the Duties Act"). Under this Act, duty is collected on certain transactions and instruments. We also administer the *Taxation Administration Act 2001* ("the Taxation Administration Act"), which contains administrative provisions applying to the Duties Act. This booklet is intended as a general guide to rates of duty and does not attempt to provide comprehensive information on the Act. To assist you in meeting your obligations, OSR is committed to providing easy access to quality information. Information sheets, practice directions, revenue rulings, brochures and approved forms have been developed and can be accessed from our website or by contacting the Client Contact Centre on 1300 300 734.

Copies of the Duties Act and the Taxation Administration Act can be purchased from Sales and Distribution Services (SDS) at:

Address: 371 Vulture Street  
WOOLLOONGABBA QLD 4012

Telephone: (07) 3246 3399 (Brisbane area)  
1800 679 778 (outside Brisbane area)

Email: [retail@goprint.qld.gov.au](mailto:retail@goprint.qld.gov.au)

Facsimile: (07) 3246 3534

# Important information

## Lodgement

The Duties Act imposes duty on certain instruments and transactions. An instrument/s can be lodged in person at one of our service centres or by mail. If an instrument is not available, a statement in the approved form may be lodged instead.

The Department of Natural Resources, Mines and Water has been authorised to stamp documents and accept payment for 'cottage conveyances' - purchases of houses, units and vacant land.

Most solicitors' firms have also been authorised to stamp documents and accept payment on a wide variety of instruments and transactions.

Instruments lodged with OSR:

- Routine instruments (e.g. standard mortgages and conveyances of houses, home units and vacant land) lodged in person will be assessed while you wait.
- Non-routine instruments that cannot be assessed at the service centre will normally be assessed within five working days of lodgement.

If instruments are to be returned by post, an additional charge of \$3.70 for the first (or only) instrument and \$1.05 for each additional instrument or duplicate is payable.

Locations of the various OSR service centres can be found on the last page of this brochure.

## Liability and timing of lodgement

In most cases, particularly for transfer duty, all parties to an instrument or transaction are liable to account for the duty. Exceptions include mortgage duty, insurance duty and duty imposed on transfers of marketable securities in a land rich corporation.

You should ensure that instruments (or statements in the approved form) are lodged on time. Ordinarily, instruments and statements must be lodged within 30 days after the liability for duty arises. However, the lodgement period may commence at a different point in time. For example, for corporate trustee duty, a corporate trustee duty statement must be lodged within 30 days of the acquisition being made.

Failure to comply with an information or lodgement requirement is an offence and may incur a monetary penalty expressed in penalty units. A person giving a false or misleading statement, whether orally or in writing, also commits an offence and may also incur a penalty.

Penalty units are \$75.00 each (section 5, *Penalties and Sentences Act 1992*)

## Payment requirements

Payment can be made by:

- cash
- money order or bank cheque
- solicitor's trust account cheque

or

- credit union or building society's own cheque (not drawn on customer's account).

If other types of cheques for \$100 or more are used, OSR will hold your documents five working days to allow the cheque to clear.

## Valuation requirements

To calculate duty, OSR may:

- require a valuation of property prepared by a registered valuer, or other appropriate evidence of value
- have property valued by an approved valuer
- rely on a valuation of property prepared by a registered valuer for any purpose.

**Note:** OSR may recover the cost of obtaining a valuation from the person/s liable for duty.

## Exemptions

Requests for exemption from duty must be made in writing to OSR.

For exemption criteria, please visit our website or contact the Client Contact Centre on 1300 300 734.

## Unpaid tax interest

Unpaid tax interest is imposed under the Taxation Administration Act until unpaid duty is paid in full. Duty may be unpaid as a result of late lodgement (including failure to disclose all relevant information at the time of lodgement), failure to provide information upon request or because of late payment.

Unpaid tax interest may start accruing before the assessment due date stated in the assessment notice. This will occur where there has been previous non-compliance with an information or lodgement requirement.

The date by which full payment must be made to prevent interest from accruing will also be specified in the assessment notice.

Depending on the period of non-compliance, interest may actually start to accrue before an assessment is issued.

In most cases where a reassessment increasing the amount of duty payable is made, interest will usually be charged on the increased amount from the due date of the original assessment, or an earlier date if there have been preceding periods of non-compliance, until the correct amount of duty is paid in full.

An information sheet on unpaid tax interest is available on our website.

### Penalty tax

As an alternative to prosecution, penalty tax may be imposed under the Taxation Administration Act where a taxpayer has failed to comply with their obligations.

Penalty tax may be imposed where:

- OSR makes a default assessment due to failure by the taxpayer to lodge an instrument, provide information or make a self assessment as required
- OSR makes a reassessment of a default assessment issued as above

or

- A reassessment is made increasing the amount of primary duty from that stated in the original assessment.

## Rates of duty

### (As at 1 January 2007)

#### Transfer duty

Transfer duty is calculated on the dutiable value (i.e. either the unencumbered value or consideration, whichever is higher) of the transaction.

Dutiable value	Duty rate
Up to \$20,000	\$1.50 for each \$100 or part of \$100
\$20,001 to \$50,000	\$300 + \$2.25 for every \$100 or part of \$100 over \$20,000
\$50,001 to \$100,000	\$975 + \$2.75 for every \$100 or part of \$100 over \$50,000
\$100,001 to \$250,000	\$2,350 + \$3.25 for every \$100 or part of \$100 over \$100,000
\$250,001 to \$500,000	\$7,225 + \$3.50 for every \$100 or part of \$100 over \$250,000
\$500,001 to \$700,000	\$15,975 + \$4.00 for every \$100 or part of \$100 over \$500,000
More than \$700,000	\$23,975 + \$4.50 for every \$100 or part of \$100 over \$700,000

If you are buying a residence that is intended to be your home, the concessional rate of transfer duty is calculated as follows:

Purchase price/value	Duty payable
Up to \$320,000	\$1.00 per \$100 or part of \$100
\$320,001 to \$500,000	\$3200 + \$3.50 per \$100 or part of \$100 over \$320,000
\$500,001 to \$700,000	\$9,500 + \$4.00 per \$100 or part of \$100 over \$500,000
More than \$700,000	\$17,500 + \$4.50 per \$100 or part of \$100 over \$700,000

## Queensland duties - a general guide

If the home will be your first home, an additional concession is available.

To claim the first home transfer duty concession, you must be at least 18 years of age. However, the Commissioner of State Revenue may exempt someone from this requirement in some circumstances.

Purchase price/value	Concession Amount
Up to \$329,999	\$3,200
\$330,000 to \$339,999	\$3,000
\$340,000 to \$349,999	\$2,800
\$350,000 to \$359,999	\$2,600
\$360,000 to \$369,999	\$2,400
\$370,000 to \$379,999	\$2,200
\$380,000 to \$389,999	\$2,000
\$390,000 to \$399,999	\$1,800
\$400,000 to \$409,999	\$1,600
\$410,000 to \$419,999	\$1,400
\$420,000 to \$429,999	\$1,200
\$430,000 to \$439,999	\$1,000
\$440,000 to \$449,999	\$800
\$450,000 to \$459,999	\$600
\$460,000 to \$469,999	\$400
\$470,000 to \$479,999	\$300
\$480,000 to \$489,999	\$200
\$490,000 to \$499,999	\$100
\$500,000 or more	Nil

If you are buying vacant land and you meet the conditions for the first home vacant land concession, the duty is calculated as follows:

Purchase price/value	Duty payable
Up to \$150,000	Nil
\$150,001 to \$299,000	Duty calculated at the transfer duty rates (the first table in this publication), less the concession amount shown in the table hereunder.
\$300,000 or more	Duty calculated at the transfer duty rates (the first table in this publication).

Dutiable value of the vacant land	Concession Amount
Not more than \$159,999	\$3,975
\$160,000 to \$169,999	\$3,750
\$170,000 to \$179,999	\$3,500
\$180,000 to \$189,999	\$3,250
\$190,000 to \$199,999	\$3,000
\$200,000 to \$209,999	\$2,750
\$210,000 to \$219,999	\$2,500
\$220,000 to \$229,999	\$2,250
\$230,000 to \$239,999	\$2,000
\$240,000 to \$249,999	\$1,750
\$250,000 to \$259,999	\$1,500
\$260,000 to \$269,999	\$1,200
\$270,000 to \$279,999	\$900
\$280,000 to \$289,999	\$600
\$290,000 to \$299,999	\$300
\$300,000 or more	Nil

**Land rich duty**

Refer to *Transfer duty*

**Corporate trustee duty**

Refer to *Transfer duty*

**Mortgage duty**

The rate is 40c for each \$100, or part of \$100, of the amount secured by the mortgage.

Duty is \$5 for a transaction that is the transfer, or agreement for transfer, of an existing right of a holder in:

- a mortgage solely over land in Queensland, or
- another mortgage that is incidental to, and transferred in connection with (a) above, where that mortgage is a principal security.

### Insurance duty

For compulsory third party (CTP) insurance - 10c.

For accident insurance - 5 per cent of the net premium.

For general insurance:

- class 1 general insurance
  - 8.5 per cent of the premium paid for premiums paid before 1 August 2004
  - 7.5 per cent of the premium paid for premiums paid on or after 1 August 2004

or

- class 2 general insurance - 5 per cent of the premium paid.

**Note:** Class 1 general insurance is general insurance other than CTP or class 2 general insurance.

Class 2 general insurance is general insurance for, or relating to, professional indemnity, a motor vehicle (other than CTP insurance), a first home mortgage, a life insurance rider or personal injury relating to aircraft travel.

### Vehicle registration duty

Special vehicles - \$25. All other vehicles - \$2 for each \$100, or part of \$100, of the dutiable value of the vehicle.

**Note:** For a vehicle not previously registered, the dutiable value is the total of the vehicle's list price and list prices of all items of optional equipment not included in the list price.

For a vehicle previously registered, or a vehicle with no list price, the dutiable value is the greater of either the market value or the total consideration payable for the vehicle.

## More Information

For details on transfer duty concessions please refer to the information sheets *Transfer duty concessions for homes and concessions for homes - what's changed*. These information sheets are available from our website at [www.osr.qld.gov.au](http://www.osr.qld.gov.au) or by contacting the Client Contact Centre on 1300 300 734.

The Office of State Revenue provides revenue rulings, practice directions, information sheets and approved forms to assist you in meeting your taxation obligations. You can access these publications through our website [www.osr.qld.gov.au](http://www.osr.qld.gov.au) or by contacting our Client Contact Centre on 1300 300 734.

### Queensland Office of State Revenue locations:

Brisbane Upper Plaza 33 Charlotte Street (GPO Box 2593) Brisbane 4001	Rockhampton Level 3 209 Bolsover Street (PO Box 1276) Rockhampton 4700	Townsville Level 1 187-209 Stanley Street (PO Box 988) Townsville 4810	Cairns Level 9 15 Lake Street (PO Box 2378) Cairns 4870
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**Client Contact Centre for all offices:** Ph: 1300 300 734

For access to further information and forms relating to this and other State taxation subjects, visit the Queensland Office of State Revenue Website at: [www.osr.qld.gov.au](http://www.osr.qld.gov.au)