



ANNO DECIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1967

No. 48 of 1967

An Act to amend the Stamp Duties Act, 1923-1967.

[Assented to 19th October, 1967]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Stamp Duties Act Amendment Act, 1967". Short titles.
- (2) The Stamp Duties Act, 1923-1967, as amended by this Act, may be cited as the "Stamp Duties Act, 1923-1967".
- (3) The Stamp Duties Act, 1923-1967, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Subsection (1) of section 90c of the principal Act is amended— Amendment of principal Act, s. 90c—
Sales and purchases to be recorded.
 - (a) by striking out from subparagraph (vi) the passage "particulars thereof being included in any";
 - and
 - (b) by inserting after the word "Act" lastly occurring in that subparagraph the passage "which relates to that sale or purchase".

4. Section 90d of the principal Act is amended— Amendment of principal Act, s. 90d—
Returns to be lodged and duty paid.
 - (a) by striking out from paragraph (a) of subsection (1) the passage "in duplicate":

(b) by striking out from paragraph (b) of subsection (1) the passage "shown in the return" and inserting in lieu thereof the passage "to which the return relates";

(c) by striking out from subsection (2) the passage "set out particulars" and inserting in lieu thereof the passage "contain a certificate in the prescribed form";

and

(d) by inserting in subsection (2) after the passage "the return is lodged" the passage "and the total stamp duty payable on the return in respect of those sales and purchases".

Amendment of
principal Act,
s. 90f—

Power of dealer
to recover duty
paid by him.

5. Section 90f of the principal Act is amended by striking out therefrom the passage "shown in such return" and inserting in lieu thereof the passage "to which the return relates".

Amendment of
principal Act,
Second
Schedule.

6. The second schedule to the principal Act is amended—

(a) by striking out from paragraph (aa) of the item entitled "CONVEYANCE OR TRANSFER" the passage "such sale is not shown in";

(b) by inserting after the word "Act" lastly occurring in paragraph (aa) of that item the passage "does not relate to such sale";

(c) by inserting after paragraph (aa) of that item the following paragraph :—

(ab) In the case of a conveyance or transfer of any mortgage of land used or to be used solely as a dwelling house constructed or in course of construction on the land. 3.00

(d) by striking out therefrom the whole of the item entitled "MORTGAGE, BOND, DEBENTURE, COVENANT, WARRANT OF ATTORNEY to confess and enter up judgment" including the *Exemption* thereto, and inserting in lieu thereof the following item and exemption :—

MORTGAGE, BOND, DEBENTURE,
COVENANT, WARRANT OF ATTORNEY
to confess and enter up judgment—

(a) Being a security for the payment or repayment of money not being a security of a kind referred to in paragraph (c) of this item—

For every \$200 or fractional part of \$200 (not reckoning any money to be advanced for the insurance of any property comprised in the security against damage by fire)..... 0.50

(b) Where any further money is added to the money already secured. } The same duty as a principal security for such further money.

(c) Being a mortgage of an existing mortgage of land used or to be used solely as a dwelling-house constructed or in the course of construction on the land 3.00

Exemption—

Every collateral or auxiliary or additional or substituted security or security by way of further assurance for the above-mentioned purpose, where the principal or primary security is chargeable with duty as a mortgage, bond, debenture, covenant or warrant of attorney to confess and enter up judgment and is duly stamped as such.

(e) by striking out from the item entitled "RETURN" the passage "showing sales and purchases made by him after the commencement of the Marketable Securities Transfer Act, 1967";

and

(f) by striking out from the item entitled "RETURN" and from paragraphs 1 and 2 of the *Exemptions* thereto the passage "shown in the return" and inserting in lieu thereof in each case the passage "to which the return relates".

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

EDRIC BASTYAN, Governor.