



## REVENUE RULING

# SUPERSEDED

DA 1.3

## DUTIES

## ASSESSMENT SERVICES AND PROCEDURES

## RULING HISTORY

Revenue Ruling	Issued
DA 1.0	July 2008
DA 1.1	March 2011
DA 1.2	February 2012
DA 1.3	June 2012

This revenue ruling only applies to transactions entered into on or after 1 July 2008. Revenue Ruling SD 5 applies to instruments executed and transactions entered into on or before 30 June 2008.

## INTRODUCTION

1. The purpose of this revenue ruling is to outline the services available for the assessment of routine and non-routine transactions and endorsement of transaction records.
2. The services available are:
  - Postal (Immediate) Assessment and Endorsement;
  - Public (Immediate) Assessment and Endorsement;
  - Endorsement of Dutiable Transactions – No Double Duty;
  - Urgent Assessments;
  - Non-immediate Assessment of Routine or Non-routine Transactions;
  - Assessments Requiring Valuations; and
  - Revenue Online – Immediate external assessment and endorsement of approved dutiable transactions.
3. Routine transactions are those that do not involve time consuming or complex assessments and do not require the exercise of discretion or judgement by the revenue officer and only involve parties who are at arm's length.

## **RULING**

### **4. Postal (Immediate) Assessment and Endorsement**

This service is provided for the immediate duty endorsement and return of transaction records for routine transactions that are sent by post to the Office of State Revenue.

- (a) Only transaction records for routine transactions should be included, but there is no limit on the number that may be submitted at any one time.
- (b) A completed Duties Document Lodgment and Assessment form must accompany all transaction records, together with a remittance covering the total duty payable.
- (c) The estimated amount of duty must be noted in the Duties Document Lodgment and Assessment form.
- (d) Transaction records that have been duty endorsed will be returned by post on the next working day after being endorsed, except in the case where a requisition is issued in relation to a dutiable transaction.

### **5. Public (Immediate) Assessment and Endorsement**

This service provides for the immediate duty endorsement of transaction records for routine transactions that are brought into the Office of State Revenue. The dutiable transactions are assessed and the transaction records endorsed and returned immediately.

- (a) No more than five transaction records for routine transactions will be accepted for immediate endorsement at any one time (not including transfers pursuant to duty endorsed transaction records).
- (b) Where transaction records for non-routine transactions are included for immediate duty endorsement, they will be lodged and an assessment notice issued for the dutiable transaction in due course.
- (c) A completed Duties Document Lodgment and Assessment form must accompany all transaction records, together with a remittance covering the total duty payable.

The Public (Immediate) endorsement service may only be used when it is intended that the liable party will pay the duty immediately.

### **6. Endorsement of Dutiable Transactions – No Double Duty**

The duty endorsed transaction record and subsequent transaction record for a dutiable transaction (for example, a transfer pursuant to an agreement to transfer) may be presented to a revenue officer on the Plaza level to be dealt with in the normal manner.

## 7. Urgent Assessments

When the urgent assessment of a transaction is required, a written submission must be made to the Principal Revenue Officer, Plaza Level using the Make an Enquiry web facility available in the [Contact Us](#) section at [www.osr.wa.gov.au](http://www.osr.wa.gov.au), or by fax on (08) 9226 0834.

The written request must include:

- the reason for urgency;
- the date by which the assessment is required; and
- an undertaking that the duty will be paid immediately on the issue of an assessment notice.

The assessment will be treated as urgent only if this procedure is followed.

When an urgent submission is accepted the transaction will be given priority according to its grounds of urgency. It should be noted that lodging an urgent request does not guarantee a duties notice will issue in the requested timeframe although where practicable all endeavours will be made to do so.

It should also be noted that all routine agreements to transfer dutiable property (for example, offer and acceptance contracts) are given priority and are assessed as soon as possible after lodgment. Therefore, it is usually unnecessary to request an urgent assessment for this type of dutiable transaction.

## 8. Non-immediate Assessment of Routine or Non-routine Transactions

Transaction records for non-routine or routine transactions for which immediate assessment is not required must be accompanied by a Duties Document Lodgment and Assessment form.

## 9. Assessments Requiring Valuations

Commissioner's Practice TAA 8 outlines when a transaction will be referred to the Valuer General for valuation. Where a transaction is referred to the Valuer General, it cannot be assessed and endorsed through the public or postal service.

Where the total value of the property involved does not exceed \$2 million, a valuation obtained from a valuer licensed under the *Land Valuers Licensing Act 1978* will usually be accepted without reference to the Valuer General. The valuation must be made within three months of the date of the dutiable transaction and, where the valuation was conducted for a purpose other than duties purposes, the valuer must provide written authorisation allowing the Commissioner to rely upon the valuation for the assessment of duty.

In any other case, to assist with the prompt processing of these transactions, lodging parties should attach a completed Duties Valuation form in addition to the Duties Document Lodgment and Assessment form so that the valuation can be requested immediately.

In addition to supplying the valuation form, parties are encouraged to submit any other information that may assist in the valuation process such as, but not limited to, real estate appraisals or a valuation by a licensed valuer where the total value of the property exceeds \$2 million.

Where a valuation has to be obtained from the Valuer General for a property in the metropolitan area, parties should generally allow 15 working days for the valuation and assessment process to be completed. As such, parties should ensure the transaction is lodged for assessment allowing sufficient time for the valuation and assessment process to occur. If a lodging party has not received an assessment notice within that period, they may contact the Office of State Revenue to check on the progress.

10. Information Required for Assessment Purposes

For certain types of transactions, the Commissioner requires additional information in order to make an assessment of duty.

The Duties Information Requirements provide what supporting documentation is required to be lodged to assist in the assessment of duty for certain dutiable transactions. A copy of the requirements booklet is available at [www.osr.wa.gov.au](http://www.osr.wa.gov.au).

The early provision of this information will assist in expediting the assessment process.

11. Revenue Online (Payment of Transfer Duty at Settlement)

Revenue Online is the Office of State Revenue's electronic self assessment system which facilitates the lodgment and self assessment of approved routine transactions by registered users.

Revenue Online allows users to duty endorse approved routine transactions and pay the assessed transfer duty at settlement, providing that a Special Tax Return Arrangement has been agreed between a Responsible Party (usually a conveyancer, lawyer or other party) and the Commissioner of State Revenue. Transactions lodged with the Office of State Revenue continue to require payment of the assessed transfer duty prior to the transaction being duty endorsed.

A list of registered Revenue Online clients is available on the Office of State Revenue's website.

For further information visit [www.osr.wa.gov.au](http://www.osr.wa.gov.au).