

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 4 December, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1973.

An Act to make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith.

BE

Stamp Duties (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Stamp Duties Short title. (Amendment) Act, 1973".

2. The Stamp Duties Act, 1920, is amended—

Amendment
of Act No.
47, 1920.

10 (a) by inserting at the end of section 101D (4) (c) the following new subparagraph :—

Sec. 101D.
(Death duty
—local
domicile—
estates of
certain
persons.)

15 (viii) This paragraph shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—

20 (a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;

25 (b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent

30

Stamp Duties (Amendment).

dependent widower father or
the wholly dependent widowed
mother”;

5 (ii) in the same subparagraph there
were inserted after the words
“such child” the words “or
wholly dependent widower
father or wholly dependent
widowed mother”;

10 (iii) in subparagraph (ii) of this
paragraph there were inserted
after the words “twenty-one
years” the words “or were
15 wholly dependent adult
children, or to the wholly
dependent widower father or
the wholly dependent widowed
mother”; and

20 (c) subparagraphs (iii), (iv), (v), (vi)
and (vii) of this paragraph were
omitted therefrom.

(b) by inserting next after section 101D (4) the
following new subsection :—

25 (4A) The reference in paragraph (a) of
subparagraph (viii) of paragraph (c) of subsection
(4) of this section to the prescribed amount is a
reference—

(a) except as provided in paragraph (b) of
this subsection, to fifty thousand dollars; or

30 (b) where the deceased leaves surviving two or
more persons, being the widow or widower
of the deceased, or a child of the deceased
who, at the time of death of the deceased,
was under the age of twenty-one years or

was

Stamp Duties (Amendment).

5 was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between—

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

10 (c) by inserting next after section 112C (3E) the following new subsection :—

Sec. 112c.
(Abatement
in favour of
widow, &c.,
in certain
cases.)

15 (3F) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

20 (a) the words “seven thousand five hundred pounds” wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words “sixty-eight thousand dollars” were inserted instead;

25 (b) in subsections (1) and (2) of this section there were inserted after the words “twenty-one years” wherever occurring the words “or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”;

(c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :—

30 (3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :—

35 Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

Stamp Duties (Amendment).

passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.

5 Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.

Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.

10 Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.

Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.

15 Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.

Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.

20 Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.

Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.

25 (3AA) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—

35 (a) the product obtained by multiplying four thousand dollars by the number of such persons; and

(b) four thousand dollars; and

(d)

Stamp Duties (Amendment).

(d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.

5 (d) (i) by omitting from section 112D the word "Where" and by inserting instead the matter "(1) Where";

Sec. 112D.
(Non-aggregated property—exemption from duty in certain cases.)

(ii) by omitting from section 112D the words "This section" where firstly occurring and by inserting instead the matter "(2) Subsection (1) of this section";

10 (iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter "(3) Subsection (1) of this section";

15 (iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter "(4) Subsection (1) of this section";

20 (v) by omitting from section 112D the words "This section" where fourthly occurring and by inserting instead the matter "(5) Subsection (1) of this section";

25 (vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter "(6) Subsection (1) of this section";

(vii) by inserting at the end of section 112D the following new subsection :—

30 (7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

35 (a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and

(b)

Stamp Duties (Amendment).

5 (b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.

(e) by inserting next after section 112H (2) the following new subsection :—

Sec. 112H.
(Reduction
of death
duty—
rural
property.)

10 (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection
15 (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

20 (f) by inserting next after section 112I (2) the following new subsection :—

Sec. 112I.
(Reduction
of death
duty—
rural
property
(non-
aggre-
gated).)

25 (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read
30 and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

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PROOF

STAMP DUTIES (AMENDMENT) BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to increase the exemption from death duty in respect of property passing to certain persons from \$30,000 to \$50,000 increased by \$4,000 for each relative, except one, who is the widow or the widower, a child of the deceased under twenty-one years of age, a wholly dependent adult child, the wholly dependent widower father or the wholly dependent widowed mother;
- (b) to increase the amount at which concessional rates for relatives referred to in paragraph (a) cease from \$40,000 to \$68,000 increased in the manner referred to in paragraph (a);
- (c) to provide for a further reduction in certain circumstances of the death duty payable in respect of certain property of a primary producer that passes on his death to his or her spouse, child, parent, brother or sister; and
- (d) to make other provisions of a minor or ancillary nature.

PROOF

No. , 1973.

A BILL

To make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith.

BE

Stamp Duties (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Stamp Duties Short title. (Amendment) Act, 1973".

2. The Stamp Duties Act, 1920, is amended—

Amendment of Act No. 47, 1920.

10 (a) by inserting at the end of section 101D (4) (c) the following new subparagraph :—

Sec. 101D. (Death duty—local domicile—estates of certain persons.)

15 (viii) This paragraph shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—

20 (a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;

30 (b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent

Stamp Duties (Amendment).

dependent widower father or
the wholly dependent widowed
mother”;

5 (ii) in the same subparagraph there
were inserted after the words
“such child” the words “or
wholly dependent widower
father or wholly dependent
widowed mother”;

10 (iii) in subparagraph (ii) of this
paragraph there were inserted
after the words “twenty-one
years” the words “or were
15 wholly dependent adult
children, or to the wholly
dependent widower father or
the wholly dependent widowed
mother”; and

20 (c) subparagraphs (iii), (iv), (v), (vi)
and (vii) of this paragraph were
omitted therefrom.

(b) by inserting next after section 101D (4) the
following new subsection :—

25 (4A) The reference in paragraph (a) of
subparagraph (viii) of paragraph (c) of subsection
(4) of this section to the prescribed amount is a
reference—

(a) except as provided in paragraph (b) of
this subsection, to fifty thousand dollars; or

30 (b) where the deceased leaves surviving two or
more persons, being the widow or widower
of the deceased, or a child of the deceased
who, at the time of death of the deceased,
was under the age of twenty-one years or

was

Stamp Duties (Amendment).

5 was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between—

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

10 (c) by inserting next after section 112C (3E) the following new subsection :—

Sec. 112c.
(Abatement
in favour of
widow, &c.,
in certain
cases.)

15 (3F) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

20 (a) the words “seven thousand five hundred pounds” wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words “sixty-eight thousand dollars” were inserted instead;

25 (b) in subsections (1) and (2) of this section there were inserted after the words “twenty-one years” wherever occurring the words “or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”;

(c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :—

30 (3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :—

35 Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

Stamp Duties (Amendment).

passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.

5 Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.

Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.

10 Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.

Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.

Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.

15 Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.

Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.

20 Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.

(3AA) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—

25 (a) the product obtained by multiplying four thousand dollars by the number of such persons; and

(b) four thousand dollars; and

(d)

Stamp Duties (Amendment).

- (d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.
- (d) (i) by omitting from section 112D the word "Where" and by inserting instead the matter " (1) Where";
- (ii) by omitting from section 112D the words "This section" where firstly occurring and by inserting instead the matter " (2) Subsection (1) of this section";
- (iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter " (3) Subsection (1) of this section";
- (iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter " (4) Subsection (1) of this section";
- (v) by omitting from section 112D the words "This section" where fourthly occurring and by inserting instead the matter " (5) Subsection (1) of this section";
- (vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter " (6) Subsection (1) of this section";
- (vii) by inserting at the end of section 112D the following new subsection :—
- (7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—
- (a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and
- (b)

Sec. 112D.
(Non-aggregated property—exemption from duty in certain cases.)

Stamp Duties (Amendment).

5 (b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.

(e) by inserting next after section 112H (2) the following new subsection :—

Sec. 112H.
(Reduction
of death
duty—
rural
property.)

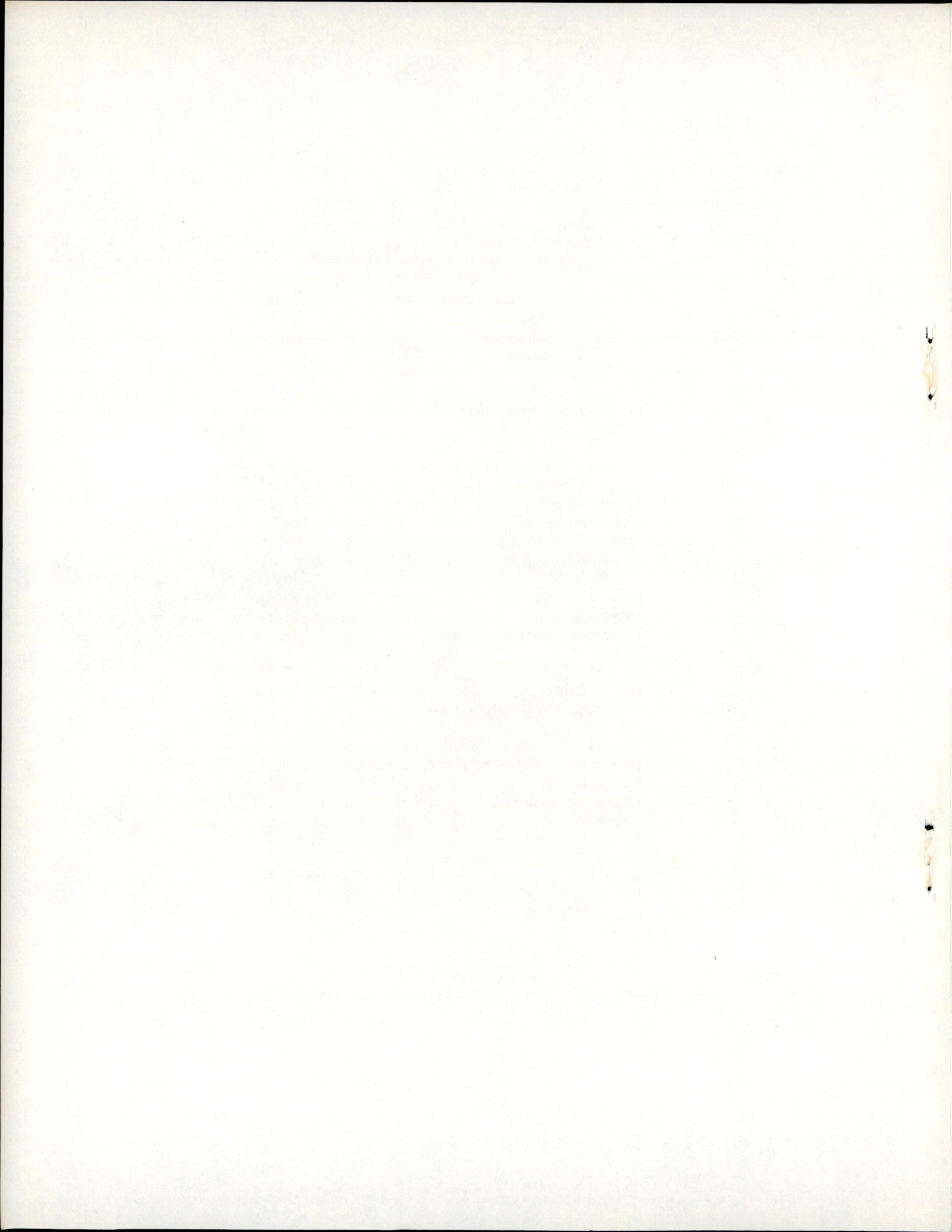
10 (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection
15 (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

20 (f) by inserting next after section 112I (2) the following new subsection :—

Sec. 112I.
(Reduction
of death
duty—
rural
property
(non-
aggre-
gated).)

25 (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection
30 (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

BY AUTHORITY



New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 79, 1973.

An Act to make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith. [Assented to, 20th December, 1973.]

BE

Stamp Duties (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Stamp Duties (Amendment) Act, 1973".

Amendment
of Act No.
47, 1920.

2. The Stamp Duties Act, 1920, is amended—

Sec. 101D.
(Death duty
—local
domicile—
estates of
certain
persons.)

(a) by inserting at the end of section 101D (4) (c) the following new subparagraph :—

(viii) This paragraph shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—

(a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;

(b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly

dependent

Stamp Duties (Amendment).

dependent widower father or the wholly dependent widowed mother”;

(ii) in the same subparagraph there were inserted after the words “such child” the words “or wholly dependent widower father or wholly dependent widowed mother”;

(iii) in subparagraph (ii) of this paragraph there were inserted after the words “twenty-one years” the words “or were wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”; and

(c) subparagraphs (iii), (iv), (v), (vi) and (vii) of this paragraph were omitted therefrom.

(b) by inserting next after section 101D (4) the following new subsection :—

(4A) The reference in paragraph (a) of subparagraph (viii) of paragraph (c) of subsection (4) of this section to the prescribed amount is a reference—

(a) except as provided in paragraph (b) of this subsection, to fifty thousand dollars; or

(b) where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of death of the deceased, was under the age of twenty-one years or

was

Stamp Duties (Amendment).

was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between—

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

Sec. 112c.
(Abatement in favour of widow, &c., in certain cases.)

- (c) by inserting next after section 112C (3E) the following new subsection :—

(3F) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

- (a) the words “seven thousand five hundred pounds” wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words “sixty-eight thousand dollars” were inserted instead;
- (b) in subsections (1) and (2) of this section there were inserted after the words “twenty-one years” wherever occurring the words “or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”;
- (c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :—

(3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :—

Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

Stamp Duties (Amendment).

passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.

Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.

Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.

Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.

Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.

Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.

Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.

Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.

Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.

(3AA) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—

(a) the product obtained by multiplying four thousand dollars by the number of such persons; and

(b) four thousand dollars; and

(d)

Stamp Duties (Amendment).

(d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.

Sec. 112D.
(Non-aggregated property—exemption from duty in certain cases.)

(d) (i) by omitting from section 112D the word “Where” and by inserting instead the matter “(1) Where”;

(ii) by omitting from section 112D the words “This section” where firstly occurring and by inserting instead the matter “(2) Subsection (1) of this section”;

(iii) by omitting from section 112D the words “This section” where secondly occurring and by inserting instead the matter “(3) Subsection (1) of this section”;

(iv) by omitting from section 112D the words “This section” where thirdly occurring and by inserting instead the matter “(4) Subsection (1) of this section”;

(v) by omitting from section 112D the words “This section” where fourthly occurring and by inserting instead the matter “(5) Subsection (1) of this section”;

(vi) by omitting from section 112D the words “This section” where fifthly occurring and by inserting instead the matter “(6) Subsection (1) of this section”;

(vii) by inserting at the end of section 112D the following new subsection :—

(7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

(a) the words “seven thousand five hundred pounds” were omitted therefrom and the words “sixty-eight thousand dollars” were inserted instead; and

(b)

Stamp Duties (Amendment).

(b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.

(e) by inserting next after section 112H (2) the following new subsection :—

Sec. 112H.
(Reduction
of death
duty—
rural
property.)

(2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

(f) by inserting next after section 112I (2) the following new subsection :—

Sec. 112I.
(Reduction
of death
duty—
rural
property
(non-
aggre-
gated).)

(2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

BY AUTHORITY

Group Dates (Assignment)

(b) the words "on grounds" were omitted here and the words "independent" and "widow" were added to the list of words to be used in the composition.

(c) by inserting next to the word "widow" the following new definition: -

(17) This section of the book is a group of words which are used in the same sense as the word "widow" (American Book Co. 1911) and explained as the word "widow" in the "widow" section of the book. The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book. The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book.

(18) The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book.

The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book. The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book. The words "widow" and "widow" are used in the same sense as the word "widow" in the "widow" section of the book.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 December, 1973.*

New South Wales.



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 79, 1973.

An Act to make further provisions with respect to exemptions from, and concessional rates applicable to, death duties; to make provisions with respect to the reduction of death duty upon estates of certain persons; for these purposes to amend the Stamp Duties Act, 1920; and for purposes connected therewith. [Assented to, 20th December, 1973.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Stamp Duties (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Stamp Duties (Amendment) Act, 1973".

Amendment of Act No. 47, 1920. **2.** The Stamp Duties Act, 1920, is amended—

Sec. 101D.
(Death duty
—local
domicile—
estates of
certain
persons.)

(a) by inserting at the end of section 101D (4) (c) the following new subparagraph :—

(viii) This paragraph shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, whether in New South Wales or elsewhere and who was at the date of his death domiciled in New South Wales, be read and construed as if—

(a) the words "one thousand pounds" and "two thousand five hundred pounds" wherever occurring in subparagraphs (i) and (ii) of this paragraph were omitted therefrom and the words "two thousand dollars" and "the prescribed amount" were respectively inserted instead;

(b) (i) in subparagraph (i) of this paragraph there were inserted after the words "twenty-one years" the words "or were wholly dependent adult children, or to the wholly dependent

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dependent widower father or the wholly dependent widowed mother”;

(ii) in the same subparagraph there were inserted after the words “such child” the words “or wholly dependent widower father or wholly dependent widowed mother”;

(iii) in subparagraph (ii) of this paragraph there were inserted after the words “twenty-one years” the words “or were wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”; and

(c) subparagraphs (iii), (iv), (v), (vi) and (vii) of this paragraph were omitted therefrom.

(b) by inserting next after section 101D (4) the following new subsection :—

(4A) The reference in paragraph (a) of subparagraph (viii) of paragraph (c) of subsection (4) of this section to the prescribed amount is a reference—

(a) except as provided in paragraph (b) of this subsection, to fifty thousand dollars; or

(b) where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of death of the deceased, was under the age of twenty-one years or

was

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was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, to the aggregate of fifty thousand dollars and the difference between—

- (i) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (ii) four thousand dollars.

Sec. 112c.
(Abatement
in favour of
widow, &c.,
in certain
cases.)

- (c) by inserting next after section 112c (3E) the following new subsection :—

(3F) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

- (a) the words “seven thousand five hundred pounds” wherever occurring in subsections (1) and (2) of this section were omitted therefrom and the words “sixty-eight thousand dollars” were inserted instead;
- (b) in subsections (1) and (2) of this section there were inserted after the words “twenty-one years” wherever occurring the words “or wholly dependent adult children, or to the wholly dependent widower father or the wholly dependent widowed mother”;
- (c) subsection (3) of this section were omitted therefrom and the following subsections were inserted instead :—

(3) The proportions referred to in subsections (1) and (2) of this section shall be as follows :—

Where the value of that portion of the final balance referred to in subsection (1) of this section or the value of the property passing

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passing to the persons referred to in subsection (2) of this section does not exceed \$52,000, one-tenth prescribed rate.

Exceeds \$52,000 but does not exceed \$54,000, two-tenths prescribed rate.

Exceeds \$54,000 but does not exceed \$56,000, three-tenths prescribed rate.

Exceeds \$56,000 but does not exceed \$58,000, four-tenths prescribed rate.

Exceeds \$58,000 but does not exceed \$60,000, five-tenths prescribed rate.

Exceeds \$60,000 but does not exceed \$62,000, six-tenths prescribed rate.

Exceeds \$62,000 but does not exceed \$64,000, seven-tenths prescribed rate.

Exceeds \$64,000 but does not exceed \$66,000, eight-tenths prescribed rate.

Exceeds \$66,000 but does not exceed \$68,000, nine-tenths prescribed rate.

(3AA) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, each amount of money specified in those subsections shall, where the deceased leaves surviving two or more persons, being the widow or widower of the deceased, or a child of the deceased who, at the time of the death of the deceased, was under the age of twenty-one years or was a wholly dependent adult child, or the wholly dependent widower father, or the wholly dependent widowed mother, of the deceased, be increased by the difference between—

- (a) the product obtained by multiplying four thousand dollars by the number of such persons; and
- (b) four thousand dollars; and
- (d)

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Sec. 112D.
(Non-
aggregated
property—
exemption
from duty
in certain
cases.)

(d) subsections (3A), (3B), (3C), (3D) and (3E) of this section were omitted therefrom.

(d) (i) by omitting from section 112D the word "Where" and by inserting instead the matter "(1) Where";

(ii) by omitting from section 112D the words "This section" where firstly occurring and by inserting instead the matter "(2) Subsection (1) of this section";

(iii) by omitting from section 112D the words "This section" where secondly occurring and by inserting instead the matter "(3) Subsection (1) of this section";

(iv) by omitting from section 112D the words "This section" where thirdly occurring and by inserting instead the matter "(4) Subsection (1) of this section";

(v) by omitting from section 112D the words "This section" where fourthly occurring and by inserting instead the matter "(5) Subsection (1) of this section";

(vi) by omitting from section 112D the words "This section" where fifthly occurring and by inserting instead the matter "(6) Subsection (1) of this section";

(vii) by inserting at the end of section 112D the following new subsection :—

(7) Subsection (1) of this section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if—

(a) the words "seven thousand five hundred pounds" were omitted therefrom and the words "sixty-eight thousand dollars" were inserted instead; and

(b)

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- (b) the words "or grandchildren" were omitted therefrom and the words "grandchildren, wholly dependent widower father or wholly dependent widowed mother" were inserted instead.
- (e) by inserting next after section 112H (2) the following new subsection :—
- Sec. 112H.
(Reduction
of death
duty—
rural
property.)
- (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.
- (f) by inserting next after section 112I (2) the following new subsection :—
- Sec. 112I.
(Reduction
of death
duty—
rural
property
(non-
aggre-
gated).)
- (2A) This section shall, in the case of every person who dies after the commencement of the Stamp Duties (Amendment) Act, 1973, be read and construed as if the words "thirty", "twenty-five", "twenty", "fifteen", "ten" and "five" in subsection (2) of this section were omitted therefrom and the words "fifty", "forty-one and two-thirds", "thirty-three and one-third", "twenty-five", "sixteen and two-thirds" and "eight and one-third" were respectively inserted instead.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

Government House,
Sydney, 20th December, 1973.

