

FACT SHEET

Duties Amendment Bill 2022

- The Duties Amendment Bill 2022 will amend the *Duties Act 2001* to:
 - introduce provisions to recognise non-interest based purchases of property, such as those undertaken in Islamic finance arrangements, for the purposes of conveyance duty. The provisions will ensure that from 1 July 2022 property purchases funded by these types of finance are subject to duty only once;
 - clarify that commercial residential properties such as hotels, boarding houses, housing provided by or on behalf of an educational institution, residential care services and retirement villages are not subject to the Foreign Investor Duty Surcharge (FIDS). These changes will apply retrospectively from 1 July 2018, the date the FIDS commenced;
 - remove uncertainty regarding the application of the FIDS to self-managed superannuation funds and the treatment of property purchases by testamentary estates by clarifying that:
 - members of self-managed superannuation funds have a beneficial interest in the assets of the fund; and
 - beneficiaries of testamentary estates have a beneficial interest in the assets of the trust.

These changes will also apply retrospectively from 1 July 2018; and

- introduce FIDS relief from 1 July 2022 for Tasmanian-based foreign developers that significantly add to the State's housing supply, by building at least 50 residential dwellings in a 12 month period.