

(No. 39.)



1866.

T A S M A N I A.

LEGISLATIVE COUNCIL.

S U C C E S S I O N D U T I E S.

REPORT OF THE COMMISSIONER.

Laid upon the Table by Mr. Whyte, and ordered by the Council to be printed,
August 21, 1866.



REPORT upon the SUCCESSION DUTIES DEPARTMENT, for the information of the Honorable the Colonial Treasurer.

THE amount of property that has passed under Wills and Successions during the half year ending 30th June, 1866, is estimated at £250,000.

The amount of Duty that has accrued during the same six months is about £1500.

Property to the amount of about £80,000 has passed to the Widow during the same period, either absolutely or for her life. The Duty upon this amount has been lost by the alteration in the Act, amounting to £800.

The whole of this amount must eventually come under the Act by Succession; and as other Successions fall in arising from previous years, irrespective of any fresh Wills, the amount of Duty must necessarily increase up to a certain point with every succeeding year.

If it maintains the same ratio as the first six months, the Duty accruing for the first year will be £3000,—but there is at present every prospect that this amount will be exceeded.

If the Act had remained as originally framed when the first calculation of the amount of Duty was made, the first year would have shown as the amount to be received about £4600; and taking the amount of property that has passed during the first half year as a basis, and the Duty at the low average of $1\frac{1}{2}$ per cent., the returns must eventually reach upon £500,000 the sum of £7500,—but cases have occurred which tend to show that the average may be much higher.

It is not possible to give exact amounts in this Report, as that cannot be ascertained till the accounts are finally closed.

During the six months above mentioned there have arisen 130 cases in which it has been necessary to institute enquiries as to the disposition of property; of these 40 estates, involving property to the amount first mentioned, have been brought under the operation of the Act, and others are still in abeyance.

The investigation of these matters involves a large amount of trouble, and occupies a considerable amount of time. Information has to be obtained from all parts of the Colony, and as the cases increase in number they will necessitate an extended amount of correspondence.

The whole of the duty has been carried on by the Commissioner of Succession Duties,—no Clerk having yet been employed, or clerical assistance, with the exception of the copying of Wills in the Office of the Registrar of the Supreme Court.

The Act being quite new to the Colony, and very little understood at the outset, it became necessary to obtain information as to the efficient working of it, and it was thought advisable to follow the precedent of the course pursued on the introduction of "The Lands' Title Act," and to authorise the Commissioner to proceed to Sydney to make himself acquainted with the Registers and Books required to be kept in the Department, the use of the necessary Forms, and the general mode of procedure under the Act. This has been satisfactorily done, and the Department is now in working order.

JOSH. PENNY,
Commissioner of Succession Duties.

Hobart Town, August 10th, 1866.