



ANNO TRICESIMO SECUNDO

**ELIZABETHAE II REGINAE**

**A.D. 1983**

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**No. 89 of 1983**

**An Act to amend the Stamp Duties Act, 1923.**

*[Assented to 1 December 1983]*

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

Short title.

1. (1) This Act may be cited as the "Stamp Duties Act Amendment Act (No. 2), 1983".

(2) The Stamp Duties Act, 1923, is in this Act referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on the first day of January, 1984.

Repeal of s. 31c and substitution of new section.

3. Section 31c of the principal Act is repealed and the following section is substituted:

Application of provisions dealing with credit and rental business.

31c. Notwithstanding any other provisions of this Act, the provisions of this Act falling under the heading of "*Credit and Rental Business*" shall not apply to or in relation to any credit business transacted on or after the first day of January, 1984.

Amendment of s. 31d—  
Persons carrying on rental business to be registered.

4. Section 31d of the principal Act is amended—

(a) by striking out from subsection (1) the passage "any credit business or";

and

(b) by striking out subsection (2) and substituting the following subsection:

(2) Any person who, in the course of any business, undertakes negotiations in South Australia with the object of transacting any rental business shall be deemed to carry on rental business in South Australia, whether or not he has an established place of business in South Australia.

5. Section 31e of the principal Act is amended by striking out subsection (2) and substituting the following subsection:

Amendment of s. 31e—  
Registration.

(2) A registered person who is no longer required to be registered may by notice in the prescribed form given to the Commissioner cancel his registration under this section.

6. Section 31f of the principal Act is amended by striking out from paragraph (a) of subsection (2) the passage “but not any credit business”.

Amendment of s. 31f—  
Statement to be lodged by registered person.

7. The following section is inserted after section 31m of the principal Act:

Insertion of new s. 31ma.

31ma. Notwithstanding any other provisions of this Act, the provisions of this Act falling under the heading of “*Instalment Purchase Agreements*” shall not apply to or in relation to any instalment purchase agreement entered into on or after the first day of January, 1984.

Application of provisions dealing with Instalment Purchase Agreements.

8. Section 31n of the principal Act is amended by inserting in subsection (1) after the passage “Stamp Duties Act Amendment Act (No. 3), 1968,” the passage “and before the first day of January, 1984”.

Amendment of s. 31n—  
Duty on instalment purchase agreements.

9. The following section is inserted after section 46 of the principal Act:

Insertion of new s. 46a.

46a. Notwithstanding any other provisions of this Act, duty shall not be chargeable in respect of a bill of exchange, other than a cheque, or promissory note issued on or after the first day of January, 1984.

Some duty not to be chargeable after 1st December, 1983.

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

Amendment of second schedule.

(a) by striking out the item commencing “BILL OF EXCHANGE (Cheque, Order, etc.)” and substituting the following items:

“BILL OF EXCHANGE payable on demand other than a cheque to which the following paragraph applies . . . . . 0.25

CHEQUE drawn on a registered financial institution within the meaning of the Financial Institutions Duty Act, 1983, on the Reserve Bank of Australia or on a bank that does not carry on business in South Australia . . . . . 0.10”;

(b) by striking out paragraph (ab) of the item “CONVEYANCE OR TRANSFER on sale of any property (not otherwise charged), including contract or agreement for sale”;

and

(c) by inserting after paragraph (b) of the item “CONVEYANCE OR TRANSFER on sale of any property (not otherwise charged), including contract or agreement for sale” the passage—

*"Exemption—*

Conveyance or transfer of any mortgage, being a conveyance or transfer made on or after the first day of January, 1984."

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

D. B. DUNSTAN, Governor