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RevenueSA webinar:

Stamp duty relief for eligible first home buyers

July & August 2023

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Department of Treasury
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Acknowledgement of Country

We acknowledge Aboriginal people as the state's first peoples, nations and Traditional Owners of South Australian land and waters. We recognise that their unique cultural heritage, customs, spiritual beliefs and relationship with the land are of ongoing importance today, and we pay our respects to Elders past, present and emerging leaders of the future.



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Stamp duty relief for eligible first home buyers

applies to a contract to purchase entered into on or after 15 June 2023



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- stamp duty reduced to zero where the dutiable value of the:
 - **new home** is \$650,000 or less; or
 - **vacant land** is \$400,000 or less
- Stamp duty partially reduced where the dutiable value of the:
 - **new home** is above \$650,000 but under \$700,000; or
 - **vacant land** is above \$400,000 but under \$450,000

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New Home



A new home is a home (includes a house, flat, unit, townhouse or apartment) that has not been previously occupied or sold as a place of residence.

Stamp duty relief for eligible first home buyers (new home)

applies to a contract to purchase entered into on or after 15 June 2023



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First Home Buyer
enters into a contract
to purchase an
established home on
or after 15 June 2023

Settlement occurs

The home is
knocked down a
new home built

Moves into
new home

Stamp duty relief for eligible first home buyers (new home) does not apply

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Substantially Renovated Home

Must be purchased from a developer

Developer must:

- have undertaken significant renovations, not just purely cosmetic changes
- be registered for GST purposes for developing the property
- claimed GST offsets on the renovations of the home

ATO Goods & Services Tax Ruling (GSTR 2003/3)

Stamp duty relief for eligible first home buyers (new home)

applies to a contract to purchase entered into
on or after 15 June 2023



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Established
home
purchased by
developer



The home is
substantially renovated
in accordance with the
Goods & Services Tax
Ruling (GSTR 2003/3)



Developer
lists the home
for sale



First Home Buyer
enters into a contract
to purchase on or
after 15 June 2023

Stamp duty relief for eligible first home buyers (new home) may apply

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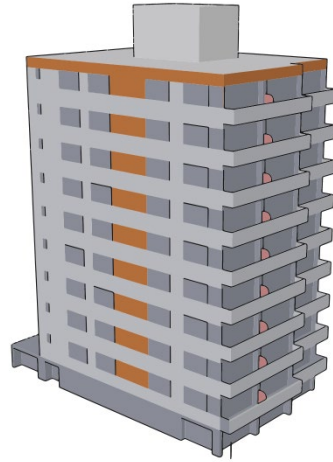


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Off-the-plan apartment



Stamp duty relief for eligible first home buyers (new home)

applies to a contract to purchase entered into
on or after 15 June 2023



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House and land package



Stamp duty relief for eligible first home buyers (vacant land)

applies to a contract to purchase entered into
on or after 15 June 2023



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Vacant land



Stamp duty relief for eligible first home buyers (vacant land)



Applies to a contract to purchase entered into on or after **15 June 2023**.

Applicants must intend to build their home on the land.

Building must be completed and a Certificate of Occupancy issued within 36 months of settlement.

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What is the dutiable value?

New home, off-the-plan apartment and vacant land

The dutiable value is:

- the consideration; or
 - the market value of the property;
- whichever is greater at the date of transfer.



Who is eligible?



Applicant(s) must be:

- a natural person
- at least 18 years of age

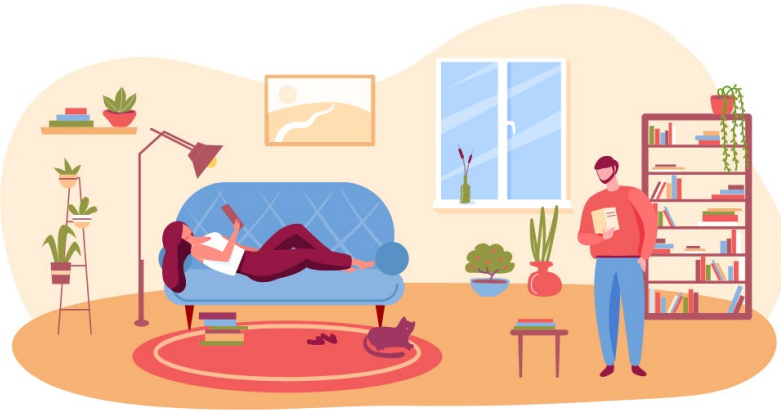
At least one applicant must be:

- an Australian citizen or have permanent residency in Australia.
- New Zealand citizens permanently residing in Australia who hold Special Category Visas may also apply.



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Applicants will not be eligible if they or their spouse/domestic partner have...



owned an Australian residential property and lived in that property as their place of residence for a continuous period of 6 months or longer.

previously received stamp duty relief for eligible first home buyers (or equivalent) in any state or territory of Australia.



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Do applicants have to live in the home?

At least one applicant

Must move into the home within 12 months from:

- settlement, for new homes.
- the date the Certificate of Occupancy is issued or 36 month from settlement, whichever occurs first, for vacant land.

And must live in the home:

- as their principal place of residence **for at least 6 continuous months.**

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How to apply

Must be lodged
for an Assessment
by the
Commissioner of
State Taxation
(Opinion)

Stamp Duty on Land Home
Page

Rate of stamp duty

Calculate stamp duty

Stamp Duty Relief for
Eligible First Home Buyers

Real Property (Land)

Foreign Ownership
Surcharge

Real Property (Land) -
Partnership Transfers

Partnership Interests

Land Holder

Unit Trusts

River Murray Floods Tax
Relief

Bushfire Relief

Commonwealth Reporting

Stamp Duty Document
Guide


Glossary of Terms


Residential Property Buyer
Tool

RevenueSA Online

Forms & Publications

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 **RevenueSA**
DEPARTMENT OF TREASURY AND FINANCE
ABN 19 040 349 865
Stamp Duties Act 1923

 **Government of South Australia**

Application for Stamp Duty Relief for Eligible First Home Buyers

Use this application to apply for the stamp duty relief for eligible first home buyers. Please answer all questions, including details regarding your spouse/domestic partner if applicable.

There are significant penalties for making a false or misleading statement, as well as possible prosecution.

Please provide a completed copy of this application, along with any relevant supporting documentation to the representative managing the settlement for your property purchase (for example, conveyancer or solicitor).

Eligibility is determined as at the date the applicants enter into the contract. All applicants and their spouse/domestic partner must be considered when answering eligibility questions.

For more information please see revenue.sa.gov.au/stamp-duty/first-home-buyer-relief

SECTION 1 Property & Transaction Details

Date of Contract / / 20 Certificate of Title/
Crown Lease Register Book

Street Address

Suburb Post Code

What type of transaction does this application refer to? Please tick one:

☐ **New Home** ☐ **Off-the-plan** ☐ **Contract to build** ☐ **Vacant Land**

Purchase Price Purchase Price Land Value Land Value

\$ \$ \$ \$

Please Note: If the purchase price/market value exceeds \$700,000 for new homes or \$450,000 for vacant land, you will not be eligible for stamp duty relief.

Does the transaction relate to the purchase or construction of a new home on a genuine farm? ☐ Yes ☐ No

If yes please advise the value of the home and curtilage area \$

SECTION 2 Applicant (Purchaser) Details

It is essential that ALL applicants complete this section. If there are more than 2 applicants, please complete and attach an additional application form.

Each applicant must sign the 'Declaration by Applicant' at Section 4

Applicant 1 **Applicant 2**

First Name

Middle Name(s)

Surname

Have you ever used any names other than the name(s) declared above? ☐ Yes - list name(s) below ☐ No ☐ Yes - list name(s) below ☐ No

SD_FHB_0023

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What documentation needs to be provided?

Proof of identity

Each applicant(s) **and** their spouse/domestic partner

Proof of citizenship or permanent residency

Transaction Type

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Contract to purchase a new home or off-the-plan apartment

- a copy of the Contract for Sale, dated and signed by the vendor and purchaser
- a copy of the transfer of land (T1)
- a written statement from the vendor confirming the home has not previously been sold or occupied as a place of residence (new home only)
- a copy of the Certificate of Occupancy (off-the-plan apartment only)

Contract to build (Comprehensive Building Contract)

- a copy of the Contract to build dated and signed by all parties
- a copy of the transfer of land (T1)

Contract to purchase vacant land

- a copy of the Contract for Sale, dated and signed by the vendor and purchaser
- a copy of the transfer of land (T1)



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What documentation needs to be provided?

Proof of identity

Each applicant(s) **and** their spouse/domestic partner

Proof of citizenship or permanent residency

Transaction Type

Additional supporting information

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Married: Copy of the marriage certificate.

Divorced: Copy of the divorce certificate.

Widowed: Copy of the death certificate of their spouse/domestic partner.

Separated: Statutory Declaration with the following information:

- the name of their former spouse/domestic partner
- spouse/domestic partner's date of birth
- the date they were married or commenced cohabiting in a domestic partnership
- the date they separated
- their former spouse/domestic partner's current address (if known); and
- a statement to the effect that they do not live together and have no intention of resuming cohabitation



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What documentation needs to be provided?

Proof of identity

Each applicant(s) **and** their spouse/domestic partner

Proof of citizenship or permanent residency

Transaction Type

Additional supporting information

For more information see:

revenuesa.sa.gov.au/FHOG/how-to-apply
revenuesa.sa.gov.au/stampduty/first-home-buyer-relief

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How is the stamp duty relief for eligible first home buyers calculated?

Stamp Duty Calculator



Stamp Duty on Land Home Page

Rate of stamp duty

Calculate stamp duty

Stamp Duty Relief for Eligible First Home Buyers

Real Property (Land)

Foreign Ownership Surcharge

Real Property (Land) - Partnership Transfers

Partnership Interests

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River Murray Floods Tax Relief

Bushfire Relief

Commonwealth Reporting

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Residential Property Buyer Tool

RevenueSA Online

Forms & Publications

Payment Options

Customer Education

Audit and Compliance

Objections and Appeals

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Calculate stamp duty

Value of Property \$ 640000 Enter whole dollars only. Do not use commas!

I am purchasing land (including vacant land) which is considered (by land use codeTM) to be used as:

- ☒ Residential
- ☐ Primary production
- ☐ Other (Including Commercial or Industrial)

Are you applying for stamp duty relief for [eligible first home buyers](#)?

- ☒ Yes
- ☐ No

I am purchasing a

- ☒ New Home
- ☐ Vacant Land

Are you a foreign purchaser

- ☐ Yes
- ☒ No

Calculate

Clear Form

Total Stamp Duty: 29030
Stamp Duty Relief: 29030
Total Payable*: 0



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How is the stamp duty relief for eligible first home buyers calculated for new homes?



Stamp duty relief is calculated on the total of the stamp duty **plus** (if applicable) the foreign ownership surcharge.

$$R = S \times \left(1 - \frac{MV - 650,000}{50,000} \right)$$

Where:

R is the amount of reduction in stamp duty

S is the total of stamp duty and foreign ownership surcharge that would apply if relief was not provided

MV is the market value of the new home (including the land on which the home is situated)

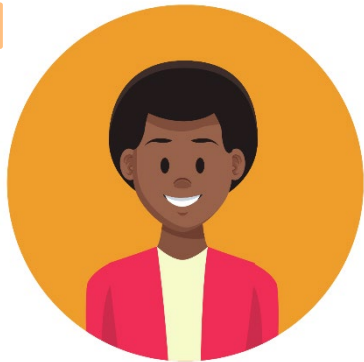
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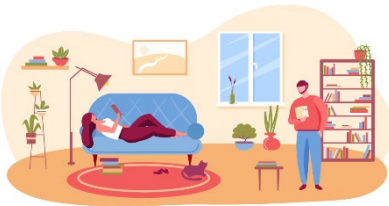
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Daniel



28 August 2023

Signs contract for new home

Home \$675,000

October 2023 - Settlement

Stamp duty on \$675,000: \$30,955.00

Less stamp duty relief: \$15,477.50

Stamp duty payable: \$15,477.50

December 2023

Daniel moves into their home as their principal place of residence for a continuous period of at least 6 months.

Residency requirement met

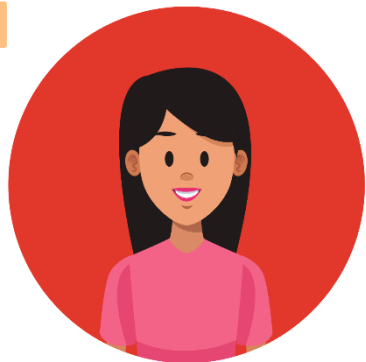
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Brooke



10 June 2023

Signs contract for new home

Home \$575,000

August 2023 - Settlement

No stamp duty relief as contract
signed before 15/6/23

Stamp duty on \$575,000: \$25,455

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How is the stamp duty relief for eligible first home buyers calculated for vacant land?



Stamp duty relief is calculated on the total of the stamp duty that would normally apply plus (if applicable) the foreign ownership surcharge.



$$R = S \times \left(1 - \frac{MV - 400,000}{50,000} \right)$$

Where:

R is the amount of reduction in stamp duty

S is the total of stamp duty and foreign ownership surcharge that would apply if relief was not provided

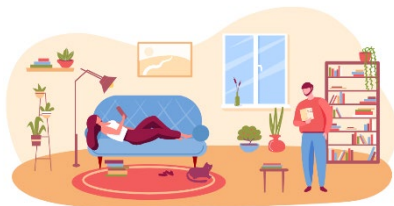
MV is the market value of the vacant land



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Michael



22 August 2023

Signs contract for house and land

Land \$250,000
House \$235,000
Total \$485,000

September 2023 -Settlement

Stamp duty on \$250,000: \$8,955

Less stamp duty relief: \$8,955

Stamp duty payable: \$0

December 2024

Home ready for occupation

January 2025

Michael moves into his new home as his principal place of residence for a continuous period of at least 6 months.

Residency requirement met

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How will the foreign ownership surcharge apply if one or more of the owners is not an Australian citizen or permanent resident?

Stamp duty relief is calculated on the stamp duty plus the foreign ownership surcharge.

The foreign ownership surcharge is calculated at 7% on the value of interest in the land.

If all eligibility criteria are met the foreign ownership surcharge will:

- Not apply on:**
- new homes with a dutiable value of \$650,000 or less
 - vacant land with a dutiable value of \$400,000 or less
- Will apply on:**
- new homes with a dutiable value above \$650,000
 - vacant land with a dutiable value above \$400,000



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Peter & Mary



28 August 2023

Signs contract for new home
50% interest each

Home \$640,000

Peter is an Australian citizen,
Mary is not.

October 2023 - Settlement

Stamp duty on **\$640,000**: \$29,030
Foreign ownership surcharge
on \$320,000 (Mary's 50%): \$22,400
Subtotal: **\$51,430**

Less stamp duty relief: \$51,430

**Stamp duty and foreign
ownership surcharge payable: \$0**

October 2023

Peter & Mary move into their
home as their principal place
of residence for a continuous
period of at least 6 months.

Residency requirement met

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Suzie & Colin



25 September 2023

November 2023 - Settlement

January 2024

Suzie signs contract for new home
50% interest each

Home \$690,000

Suzie is an Australian citizen,
Colin is not.

Stamp duty on **\$690,000**:
Foreign ownership surcharge
on \$345,000 (Colin's 50%):
Subtotal:

Less stamp duty relief:

**Stamp duty and foreign
ownership surcharge payable:**

\$31,780

\$24,150

\$55,930

\$11,186

\$44,744

Suzie & Colin move into their
home as their principal place
of residence for a continuous
period of at least 6 months.

Residency requirement met

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Lodging in RevenueSA Online



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RevenueSA Online

Stamp Duty Relief for Eligible First Home Buyer: ☒ [Eligibility Requirements](#)

Concession Type *: ☐ New Home ☐ Vacant Land

Is the Applicant also applying for FHOG?: ☐ No ☐ Yes ☐ Unsure



1

Document Type Details Parties Determination Documentation Confirm Payment Details Complete

Next

Document Details

Help

Lodging Party Reference: [i](#)

Document Date *: [i](#)

Settlement Date *: [i](#)

Possession Date *: [i](#)

Contract Date: [i](#)

Transfer Date: [i](#)

GST Payable (\$): [i](#)

Interest Transferred: Full [i](#) 100.00 %

New Building or House: ☐ [i](#)

Residential Off-the-Plan: ☐ [i](#)

Interstate: ☐ [i](#)

Purchaser and Vendor: * ☐ Related ☐ Not Related [i](#)

Stamp Duty Relief for Eligible First Home Buyer: ☒ [Eligibility Requirements](#)

Concession Type *: ☐ New Home ☐ Vacant Land

Is the Applicant also applying for FHOG?: ☐ No ☐ Yes ☐ Unsure

Property Details

Title

Address

Land Use Code

Type



No items to show. Click [+](#) to add a new item.

Save Draft Delete Back Next

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Opinion Details

Document Id: 123456789

Status: **Draft**

Title: CT 1

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Parties

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Documentation

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Confirm

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Payment Details

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Complete

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Assessment Estimate

?

Help

Consideration (\$): 650,000 ⓘ

Market Value (\$): ⓘ

Dutiable Value (\$) *: 650,000 ⓘ

Stamp Duty (\$): 29,580.00 ⓘ

Concession (\$): 0.00 ⓘ

Calculated Interest (\$): 0.00 ⓘ

Interest (\$): 0.00 ⓘ

Consideration (Other) (\$): 0 ⓘ

Foreign Ownership Surcharge (\$): 0.00 ⓘ

Rebate (\$): 0.00 ⓘ

Calculated Penalty (\$): 0.00 ⓘ

Penalty (\$): 0.00 ⓘ

Amount Payable (\$): 29,580.00 ⓘ

Calculate

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Opinion Details

Document Id: Status: **Draft** Title: **CT**

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2 Details

3 Parties

4 Determination

5 Documentation

6 Confirm

7 Payment Details

8 Complete

→ Next

You are required to provide the applicants email address for future correspondence, upload a copy of the Stamp Duty Relief application form, the Instrument/Transfer and/or the Contract.

Applicant email

firsthomebuyer@emailaddress.com.au

You are required to upload a copy of the appropriate instrument. You should also upload any relevant supporting documentation to enable efficient assessment and reduce the likelihood of a request for further information. Refer to the [help link](#) for assistance in uploading supporting documentation. The type of supporting documentation required is outlined in the [Stamp Duty Document Guide](#).

Documents

Category	Content	Description	Uploaded Date/Time	
No items to show. Click to add a new item.				

Delete

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Zoom Out Remove

Opinion Details

Category *:

Document *:

Instrument

Stamp Duty Relief for Eligible First Home Buyer Application

Contract Document

Supporting Document

Description:

RevenueSA Online

STAMP DUTY ASSESSMENT

(MADE PURSUANT TO SECTION 9(1) OF THE TAXATION ADMINISTRATION ACT 1996)

Consideration / Value	\$ 680,000.00
Stamp Duty	\$ 31,230.00
Stamp Duty Not Chargeable – Qualifying Land	\$ 0.00
Foreign Ownership Surcharge	\$ 0.00
Concession	\$ 0.00
Ex-Gratia – Stamp Duty First Home Relief	\$ 12,492.00
Interest Applied	\$ 0.00
Penalty Applied	\$ 0.00
Payments Received	\$ 0.00
Amount Payable	\$ 18,738.00



STAMP DUTY NOTICE OF ASSESSMENT

ABC COVEYANCERS
PO BOX 123
ADELAIDE SA 5001

Assessing & Taxpayer Assistance
GPO Box 1353
ADELAIDE SA 5001
Email: sdrequisions@sa.gov.au
Enquiries: Mark Christmas
Phone: (08) 8226 3716

Date of Issue
17 July 2023
Client Number
600007***
Due Date
18 August 2023

OPINION DETAILS

ID 2032507**
Type Conveyance of Land
Date 18 June 2023

Parties
JOE CITIZEN
JANE DOE
JOHN DOE

STAMP DUTY ASSESSMENT

MADE PURSUANT TO SECTION 9(1) OF THE TAXATION ADMINISTRATION ACT 1996

Consideration / Value	\$ 680,000.00
Stamp Duty	\$ 31,230.00
Stamp Duty Not Chargeable – Qualifying Land	\$ 0.00
Foreign Ownership Surcharge	\$ 0.00
Concession	\$ 0.00
Ex-Gratia – Stamp Duty First Home Relief	\$ 12,492.00
Interest Applied	\$ 0.00
Penalty Applied	\$ 0.00
Payments Received	\$ 0.00
Amount Payable	\$ 18,738.00



Client Number 600007***
Client Name ABC CONVEYANCING

STAMP DUTY ASSESSMENT PAYMENT ADVICE

Due Date 18 August 2023
Reference Number 2032507**
Amount Payable \$ 18,738.00



Bill Code: 949529
Ref: 2032507**
Telephone & Internet Banking – iB PAY
Contact your bank or financial institution to make
this payment from your cheque, savings, debit or
transaction account. More info: www.ibpay.com.au



Send your cheque or money order (made payable to the Commissioner of State Taxation) with this Payment Advice to:
GPO Box 1353
ADELAIDE SA 5001

Sensitive: SOUC-12-A2-Pursuant to Section 77 of the Taxation Administration Act 1996





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Will stamp duty relief apply if a contract was entered into before 15 June 2023 is cancelled and a new contract is entered into?

Stamp duty relief may be available.

Details of why the original contract was cancelled must be provided along with a copy of the original contract.

Generally, relief will not apply if the original and new contract is for the same new home or vacant land.

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**What if an
applicant has
previously owned
a home overseas.
Are they eligible
for stamp duty
relief?**

Yes, they may be eligible for stamp duty relief.
The rules regarding previous ownership only
apply to homes within Australia.



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Stamp Duty on Land Home
Page

Rate of stamp duty

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If they are eligible for the stamp duty relief for eligible first home buyers, an application can be made for a refund by completing the online 'Application for refund of stamp duty' and providing any required supporting documentation.



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Contract entered
into after
15 June 2023
and stamp duty
paid at
settlement.

Is a refund
available?



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Search website

No stamp duty on new homes

For eligible first home buyers

[Find out more](#)

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Working together to deliver contemporary and innovative revenue and grant services for the benefit of South Australia.

[Read more about RevenueSA](#)

To navigate through the site select one of the options on this page. You can also use the menu in the top-right corner to access taxation and grant information, or the menu at the bottom to access general information.

Make a payment	Use a calculator	Form and Publications	Taxpayer Representative
First Home Buyer	Property Owners & Buyers	Vehicle Owners & Buyers	Business Owners & Employers

Betting Operations Tax	Emergency Services Levy	First Home Owner Grant
Foreign Ownership Surcharge	HomeBuilder Grant	Land Tax
Payroll Tax	Stamp Duty on Insurance	Stamp Duty on Land
Stamp Duty on Vehicles	Feedback and Complaints	RevenueSA Online

Need more information?

Stamp duty relief for eligible first home buyers page

**Stamp Duty Document Guide
Assessment by the Commissioner
of State Taxation (Opinion)**

Stamp Duty Conveyance Calculator

revenuesa.sa.gov.au

Email: stamps@sa.gov.au

Phone: (08) 8226 3750