

Stamp Duties Act 1923

Statutory Declaration - Pursuant to Section 71CBA

This Statutory Declaration is for the transfer of real property (land) and/or an Application for the Transfer of Registration of Motor Vehicle(s) between:

- former domestic partners; or
- the trustee of a former domestic partner's superannuation fund pursuant to a certified domestic partner agreement or a property adjustment order.

The exemption does not apply if either the transferor(s) or transferee(s) are holding the relevant land and/or motor vehicle(s) for the benefit of any other party (e.g. as trustee).

This Statutory Declaration can be completed in counter-part (i.e. a separate form by each party).

Definitions

Certified domestic partnership agreement

Has the same meaning as in the *Domestic Partners Property Act 1996*.

Close personal relationship

The relationship between two (2) adult persons (whether or not related by family and irrespective of their gender) who live together as a couple on a genuine domestic basis, but does not include:

- the relationship between a legally married couple; or
- a relationship where one (1) of the persons provides the other with domestic support or personal care (or both) for fee or reward, or on behalf of some other person or an organisation of whatever kind.

Note: Two (2) persons may live together as a couple on a genuine domestic basis whether or not a sexual relationship exists, or has ever existed, between them.

Domestic partner

A person is, on a certain date, the domestic partner of another if:

- the person is, on that date, in a registered relationship with the other; or
- the person is, on that date, living with the other in a close personal relationship.

Domestic relationship

The relationship between domestic partners.

Property adjustment order

An order of a court under Part 3 or 4 of the *Domestic Partners Property Act 1996*.

Registered relationship

A relationship that is registered under the *Relationships Register Act 2016*, and includes a corresponding law registered relationship under that Act.

Trustee of a Superannuation Fund

1. If the fund has a trustee (within the ordinary meaning of that word); the trustee of the fund; or
2. If paragraph one (1), above, does not apply and a person is identified in accordance with the regulations as the trustee of a fund for the purposes of this definition; the person identified in accordance with the regulations; or
3. In any other case; the person who manages the fund.

and

Includes any other person who has power to make payments to the members of a superannuation scheme or plan that is constituted by, or incorporates, a superannuation fund.

Property being transferred - Pursuant to Section 71CBA

NOTE: If insufficient space is available, please photocopy this page as required.

REAL PROPERTY (LAND)

	Volume	Folio
Date of Transfer	Certificate of Title/Crown Lease Register Book	

 Property Address

Transferor	Transferee

☐ We, or a trustee of one or both of my/our superannuation fund(s), are the only parties named in a certain Memorandum of Transfer in respect of an interest in property as detailed above. Please provide name of superannuation fund.

 Name of Superannuation Fund

☐ The above land is not held for the benefit of any other party, e.g. as trustee, other than a trustee of a domestic partner's superannuation fund.

	Volume	Folio
Date of Transfer	Certificate of Title/Crown Lease Register Book	

 Property Address

Transferor	Transferee

☐ We, or a trustee of one or both of my/our superannuation fund(s), are the only parties named in a certain Memorandum of Transfer in respect of an interest in property as detailed above. Please provide name of superannuation fund.

 Name of Superannuation Fund

☐ The above land is not held for the benefit of any other party, e.g. as trustee, other than a trustee of a domestic partner's superannuation fund.

MOTOR VEHICLES

Registration No.		Transferor		Transferee	
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☐ We, or a trustee of one or both of my/our superannuation fund(s), are the only parties named in a in respect of the motor vehicle as detailed above.

☐ The above vehicle is not held for the benefit of any other party, e.g. as trustee, other than a trustee of a domestic partner's superannuation fund.

Registration No.		Transferor		Transferee	
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☐ We, or a trustee of one or both of my/our superannuation fund(s), are the only parties named in a in respect of the motor vehicle as detailed above.

☐ The above vehicle is not held for the benefit of any other party, e.g. as trustee, other than a trustee of a domestic partner's superannuation fund.

Declaration

Declarant 1

I			
	First Name	Middle Name(s)	Surname
of			
	Address		State Postcode

Declarant 2

I			
	First Name	Middle Name(s)	Surname
of			
	Address		State Postcode

do solemnly and sincerely declare that (tick as appropriate):

- ☐ we are former domestic partners as defined in the *Domestic Partners property Act 1996*
- ☐ we have lived together continuously as domestic partners for at least 3 years
- ☐ our domestic relationship to which the certified domestic partnership agreement or property adjustment order relates has irretrievably broken down

Declarant 1

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1936* as amended.

Declared and subscribed at
in the State of
this day of 20

Signature(s)

Before me

(Justice of the Peace or Commissioner for taking Affidavits etc)

Declarant 2

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1936* as amended.

Declared and subscribed at
in the State of
this day of 20

(Justice of the Peace or Commissioner for taking Affidavits etc)