

Land Tax Trustee Notification Advice

Owner name(s): _____ Phone: _____

Ownership number: (if known) _____

Postal Address: _____

Email Address: _____

Please select one of the following:

Notification of land held on Trust New land purchased on behalf of the Trust Change of Trustee

Principal Place of Residence (Trustee/Beneficiary) details Disposal of Trust held land

Step 1. Trust information

If you have more than one trust please use a separate copy of this form for each trust

Trust name: _____ ABN / ACN: (if applicable) _____

Discretionary

Concessional trust:
guardianship order or
administration order

Child maintenance

Fixed

Administration

Unit

Trust where beneficiaries are
exempted associations

Other (provide information)

Charitable

Superannuation

Limited recourse borrowing
scheme

Date of the original Deed of Trust: (you are required to provide an executed copy of the deed in its entirety)/...../.....

Note that if a variation has been made to the Deed of Trust then a copy of each Deed of Variation is required in its entirety.

Step 2. Property details for the land held on trust

If trust is already known to RevenueSA, please list recently acquired land only.

1. Property Location _____

Assessment Number _____ Title Reference/..... Date Purchased/...../.....

Ownership structure details

Name _____ Percent held _____%

Name _____ Percent held _____%

2. Property Location _____

Assessment Number _____ Title Reference/..... Date Purchased/...../.....

Ownership structure details

Name _____ Percent held _____%

Name _____ Percent held _____%

Please attach a separate sheet if more space is required



Once completed, please return this form to:
GPO Box 1647 Adelaide SA 5001
landtaxreform@sa.gov.au



**Government of
South Australia**

Supporting Documentation and Information to be provided by the Trustee

You need to provide

1. A copy of the original executed Deed of Trust in its entirety;
2. A copy of each Deed of Variation since the original Deed's execution;
3. Most recent trust tax return lodged, showing the land as an asset of the trust; and
4. Memorandum of Transfer, showing that the consideration was paid by the trust, or on behalf of the trust.

If the Memorandum of Transfer and/or tax returns are not available or do not show that the land is held on behalf of the trust, you must provide at least two other types of evidence, such as:

- *Title or Memorandum of Transfer for the purchase of the land, showing "with no survivorship" or "WNS";*
- *signed Minutes of trust meeting evidencing the purchase of land on behalf of the trust;*
- *Balance Sheet of the trust, showing the land as an asset of the trust; or*
- *Settlement Statement of purchase of land or signed Contract of Sale, showing the purchaser as trustee of the trust.*

If you are nominating beneficiary(ies) or unitholder(s), you must also provide:

- a current register of the beneficiaries/unitholders (if not included in the trust deed); and
- if nominating a beneficiary for a discretionary trust, a Statutory Declaration signed by the beneficiary consenting to being the designated beneficiary.

Step 3. Nominate a designated beneficiary for a discretionary trust

Please note this may increase the land tax liability for the designated beneficiary. Please refer to <http://revenuesa.sa.gov.au/taxes-and-duties/land-tax/land-held-on-trust> for more information.

- No, I do not wish to nominate a designated beneficiary for this land held on trust
- Yes, I wish to nominate a designated beneficiary for this land held on trust - provide details:

A trustee may nominate **one** beneficiary for a discretionary trust. The designated beneficiary must be a natural person over the age of 18 years at time of nomination and been a beneficiary of the trust at midnight 16 October 2019. Trustees may notify of the designated beneficiary for the discretionary trust **until 30 June 2021**. After that date, **no** nomination for a designated beneficiary will be accepted.

Name of beneficiary	Date of birth	Proof of Identity (e.g. driver's licence, proof of age, passport number)	Statutory Declaration attached?

If the Trust ownership has already been recognised by RevenueSA, you **do not** need to provide supporting documentation, but **must** provide a Statutory Declaration available from the RevenueSA's website if you are electing to nominate a beneficiary.

Step 4. Nominate beneficiaries for a fixed trust or unit holders for a unit trust

A trustee may nominate beneficiaries for a fixed trust or unitholders for a unit trust.

If nominating, **all beneficiaries/unitholders must be nominated. Please note this may have an impact on the land tax liability for all beneficiaries/unitholders.**

Please refer to the **supporting documentation information** above.

- No, I do not wish to nominate beneficiaries/unitholders for this land held on trust
- Yes, I do wish to nominate beneficiaries/unitholders for this land held on trust - provide details:

Name of beneficiary	Date of birth (if beneficiary is a natural person) or ABN (if beneficiary is a corporation)	Proof of Identity e.g. driver's licence, proof of age, passport number (if beneficiary is a natural person) or ABN (if beneficiary is a corporation)	Percentage interest in the trust (total must equal 100%)

Please attach a separate sheet if more space is required

Step 5. Principal Place of Residence

If the land is the **Principal Place of Residence (PPR)** of:

- a trustee of the trust,
- the nominated beneficiary of a Discretionary Trust, or
- the PPR of **all** the beneficiaries/unitholders of a fixed or unit trust,

and they are a natural person/s, the land may be eligible for an exemption from land tax.

Please refer to

<http://revenuesa.sa.gov.au/taxes-and-duties/land-tax/land-tax-exemptions-or-relief/land-tax-exemption-on-your-principal-place-of-residence> for more information.

Step 6. Change of Trustee

RevenueSA must be notified within one month where there is a change in trustees for a trust which owns land. Please attach a copy of the relevant trust deed of variation.

Step 7. Change of beneficiaries/unitholders of fixed or unit trust

RevenueSA must be notified within one month where there is a change in beneficiaries/unitholders of a fixed or unit trust. Please attach a copy of the relevant trust deed of variation or new schedule of unitholders (for fixed or unit trusts).

Step 8. Disposal of Trust held land

RevenueSA must be notified within one month where a trustee disposes of any land subject to the trust. Please provide full details.

Step 9. Declaration

A person must not make a statement or give information, orally or in writing, to a tax officer that the person knows is false or misleading in a material particular.

Maximum penalty: \$10,000 under the *Taxation Administration Act 1996*.

I declare that I am the owner of the land described in this declaration. OR As theI am authorised to complete this form on behalf of the owner of the land described in this declaration.

AND

I declare that the information provided in this declaration, and any attached documents are complete and correct.

Signature:

Address: