

## LAND HOLDER

### Conveyance of an interest in a land holding entity from 1 July 2018

As from 1 July 2018 the land holder provisions only apply to acquisitions or increases of prescribed interests in entities that hold or notionally hold land that is used for [residential](#) or [primary production](#) purposes.

Further information regarding [Qualifying Land](#) (and the phased reduction of rates applicable to qualifying land from 7 December 2015 to 30 June 2018) is available in [Information Circular No: 86](#).

The \$1 million threshold test in Part 4 of the *Stamp Duties Act 1923* (specifically, Section 98), has been removed such that the land holder provisions apply to all interests in residential and primary production land only.

If the land holding entity only holds qualifying land, then from 1 July 2018 no documentation will need to be provided to RevenueSA for stamp duty purposes.

So only where there is an acquisition or an increase of a prescribed interest in residential or primary production land will a [Section 102B Return](#) be required to be submitted for assessment.

The land holder duty model ensures that if control of an entity changes and that entity holds land assets, conveyance rates of duty will apply to the interests in South Australian land transferred.

The land holder provisions apply to entities that are private companies, private unit trusts, listed companies and public unit trusts.

#### Foreign Ownership Surcharge (FOS)

Foreign persons who acquire an interest in **residential** property in South Australia are required to pay a [Foreign Ownership Surcharge](#) of 7% on the value of the **residential land**.

#### Version History

Version No.	Release Date
1	May 2018
2	November 2018
3	July 2019
4	April - 2022 added text related to Foreign Ownership Surcharge. Hyperlinks updated - April 2022

