

Document Type:	Exemptions
Exemption Provision:	Agreement

Introduction

An Agreement, that is not liable to stamp duty under any head of stamp duty, is Exempt from stamp duty.

Simply because a document is referred to as an 'Agreement' does not mean it will always be Exempt from stamp duty as an Agreement. The document must be examined thoroughly to determine its effect and its liability to the appropriate head of stamp duty.

This Document Guide Note applies to those Agreements that are Exempt from stamp duty. Some of the Agreements that are **suitable** for self-determining as Exempt under this document type are:

- an Agency Agreement;
- a Hire Purchase Agreement; or
- a Partnership Agreement (establishment of a partnership – where there is no conveyance of property).

What documents can I self-determine under this document type?

Agreements that are not liable to stamp duty under another head of stamp duty.

What types of transactions can I self-determine under this document type?

An Agreement is deemed **suitable** for self-determination under this document type where the document:

- does not convey dutiable property; and
- is not liable to stamp duty under another head of stamp duty.

Refer to [Information Circular No. 99](#) 'Stamp Duty on Business Transactions' for advice on dutiable property and non-dutiable property.

What evidence do I need to retain for audit purposes?

For audit purposes, you will need to retain the following documentation either in paper form or electronic form:

- a copy of the documents; and
- evidence that a stamp duty determination has been made (i.e. Certificate of Stamp Duty, Document ID or stamped document).

What Section(s) of the *Stamp Duties Act 1923* applies?

Schedule 2, General Exemption 1A

What stamp duty is payable on this document?

This document is exempt from stamp duty.

Version History

Version No.	Release Date
1	May 2018
2	November 2018
3	July 2019
	Hyperlinks updated – April 2022