

Western Australia

## **Duties Amendment Bill (No. 2) 2011**

---

### CONTENTS

---

1.	Short title	2
2.	Commencement	2
3.	Act amended	2
4.	Section 244A inserted	2
	244A. Transfers between spouses or de facto partners	2



Western Australia

LEGISLATIVE ASSEMBLY

**Duties Amendment Bill (No. 2) 2011**

**A Bill for**

**An Act to amend the *Duties Act 2008*.**

The Parliament of Western Australia enacts as follows:

**s. 1**

---

1   **1.       Short title**

2           This is the *Duties Amendment Act (No. 2) 2011*.

3   **2.       Commencement**

4           This Act comes into operation as follows —

5           (a) sections 1 and 2 come into operation on the day on  
6                which this Act receives the Royal Assent (*assent day*);

7           (b) the rest of the Act —

8               (i) comes into operation on 1 July 2011 if assent day  
9                is not later than that day; or

10           (ii) is deemed to have come into operation on  
11                1 July 2011 if assent day is later than that day.

12   **3.       Act amended**

13           This Act amends the *Duties Act 2008*.

14   **4.       Section 244A inserted**

15           After section 243 insert:  
16

17       **244A.   Transfers between spouses or de facto partners**

18           (1) In this section —

19               *de facto partners of 2 years* has the meaning given in  
20                section 9.

21           (2) Duty is not chargeable on the transfer of a licence for a  
22                vehicle if subsections (3), (4), (5) and (6) apply.

23           (3) This subsection applies if the person from whom, and  
24                the person to whom, the licence is transferred are  
25                married to each other or are de facto partners of  
26                2 years.

- 1           (4) This subsection applies if neither the person from  
2           whom, nor the person to whom, the licence is  
3           transferred holds the vehicle as trustee of a trust.
- 4           (5) This subsection applies if the fee that would have been  
5           payable under the Road Traffic Act for the grant of a  
6           licence to the transferee for the vehicle on the day of  
7           the transfer would have been reduced under  
8           section 19(3) of that Act for the reason, or for reasons  
9           that include the reason, that the vehicle is used  
10          exclusively for social, domestic or pleasure purposes  
11          and not for the carriage of passengers or goods, for hire  
12          or reward or in any business, trade or profession.
- 13          (6) This subsection applies if the application for the  
14          transfer of the licence is accompanied by, or includes, a  
15          declaration in the approved form to the effect that the  
16          circumstances described in subsections (3), (4) and (5)  
17          apply.  
18  
19

=====