

Application for Exemption or Refund – Break-up of a Domestic Relationship

Important Message: From 1 January 2016, refunds will be issued by Electronic Funds Transfer (EFT) only. If you are applying for a refund you must complete the 'EFT Details' section of this form.

Note:

- This declaration **must** be completed by one of the parties to the domestic relationship
- Exemption is conditional on the Chief Commissioner being of the opinion that the domestic relationship has been terminated
- Please complete Section B for a transfer of a motor vehicle registration (refer Section 267(7))
- Please complete Section C to apply for a refund of duty paid on a transfer, agreement for sale or transfer or the transfer of a motor vehicle
- The evidence required to substantiate a claim for exemption or refund is outlined under each section of this form. **All evidence must be provided for your application to be considered.** Failure to provide this evidence will result in your documents being returned unprocessed.
- This form must **not** be used for the break-up of a marriage or de facto relationship, use form ODA 069
- Under the *Taxation Administration Act 1996*, it is an offence to give false or misleading information
- Print clearly in the boxed spaces and tick the appropriate boxes

I,
of

do solemnly and sincerely declare that:

Section A – Domestic Relationship

1. I was in a **domestic** relationship with

Name of other party to the relationship

Note: Domestic relationship is defined by reference to the *Property (Relationships) Act 1984* and is:

- A close personal relationship (other than a marriage or a de facto relationship) between two adult persons, whether or not related by family, who are living together, one or each of whom provides the other with domestic support and personal care.
- A close personal relationship is taken not to exist between two persons where one of them provides the other with domestic support and personal care:
 - (a) for fee or reward, or
 - (a) on behalf of another person or an organisation (including a government or government agency, a body corporate or a charitable or benevolent organisation).

2. The domestic relationship was terminated on

3. The transfer or agreement for sale or transfer dated

Date of transfer agreement

between

Name(s) of transferor/vendor under transfer or agreement

and

Name(s) of transferee/purchaser under transfer or agreement

is over dutiable property known as

Address of dutiable property

being the land comprised in folio identifier

Title details of dutiable property

and the property was relationship property of my domestic relationship at the time of the execution of the transfer or agreement.

Note: Relationship property of a domestic relationship means property of the parties to the relationship or of either of them.

4. The transferee is either:

- a party to the domestic relationship, or
- a child or children of either party, or
- a trustee for a child or children of either party

5. The transfer or agreement for sale or transfer was effected by or in accordance with either:

an order of a court made under the *Property (Relationships) Act 1984*

Note: Lodge the order of the court (or a certified copy of it)

OR

a termination agreement within the meaning of Section 44 of the *Property (Relationships) Act 1984* that has been certified in accordance with Section 47 of that Act

Note: Lodge the termination agreement (or a certified copy of it)

OR

a purchase of the property at a public auction held to comply with:

- a termination agreement made under the *Property (Relationships) Act 1984*, or
- a court order made under the *Property (Relationships) Act 1984*

Note: Lodge the termination agreement or the court order (or a certified copy of the relevant document).

Section B – Transfer of a motor vehicle registration

1. The transfer of motor vehicle registration dated

Date of transfer of registration

from

Name(s) of transferor(s)/former registered operator(s)

to

Name(s) of transferee(s)/new registered operator(s)

is over motor vehicle registration plate number

Registration plate number

and that property was relationship property of my domestic relationship at the time of the execution of the transfer and the application was made for the purpose of or in accordance with an order of a court under the *Property (Relationships) Act 1984*.

Note: Relationship property of a domestic relationship means property of the parties to the relationship or of either of them.

Declaration

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900*.

Declared at (Place)	on (Date) / / 20
Signature of declarant	

in the presence of an authorised witness, who states:

I (Name of authorised witness),
a (Qualification of authorised witness)

certify the following matters concerning the making of this statutory declaration by the person who made it (**please cross out any text that does not apply*):

1. *I saw the face of the person OR
 *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. *I have known the person for at least 12 months OR
 *I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was

(Describe identification document relied on)
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Signature of authorised witness	Date / / 20
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Section C – Application for refund of duty paid

Complete only if you are applying for a refund of duty:	
The transfer or agreement for sale or transfer was stamped with duty of	\$ <input style="width: 80%;" type="text"/>
under reference <input style="width: 250px;" type="text"/>	Amount of duty
Application/receipt number	
The transfer of motor vehicle was stamped with duty of	\$ <input style="width: 80%;" type="text"/>
under reference <input style="width: 250px;" type="text"/>	Amount of duty
Receipt number	

EFT details

Direct credit details

Account name										
Financial institution							Branch			
BSB number (must have 6 numbers)							-			
Account number (maximum of 9 numbers)										

Is the above account held by all purchasers? (This field is mandatory. Tick one.)

Yes No

Payment authority

This authority must be completed by all purchasers

I / We authorise the Chief Commissioner of State Revenue to issue the refund by way of EFT into the above nominated account

I / We are authorised to act on behalf of the company that is entitled to the refund

Name		
Company name (where applicable)		Position (where applicable)
Signature		Date / /


Name		
Company name (where applicable)		Position (where applicable)
Signature		Date / /

Name		
Company name (where applicable)		Position (where applicable)
Signature		Date / /


Privacy statement


Information collected from you on this form is required by the Office of State Revenue (OSR) to determine if you have a liability or entitlement. The information may be provided to third parties with your consent or as required or permitted by law. OSR will correct or update your personal information at your request. Read more about privacy at www.osr.nsw.gov.au


Contact details

 1300 139 814* (Monday – Friday, 8.30 am – 5.00 pm)


*Interstate clients please call (02) 9689 6200

 www.osr.nsw.gov.au

 duties@osr.nsw.gov.au

 Help in community languages is available.

Offices (Monday – Friday, 8.30 am – 4.30 pm)

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