



Office of State Revenue  
NSW TREASURY

ISO 9001-Quality Certified

ABN: 77 456 270 638

## Exemption of Lease Instruments

### NOTE:

- This application is to be used when seeking an exemption for:
  - a lease for a term of less than one year, where the total 'cost of the lease' is not more than \$20 000
  - a lease for a term of one year or more where the total 'cost of the lease' is not more than \$20 000 per year
- Under the *Taxation Administration Act 1996*, it is an offence to give false or misleading information
- Print clearly in the boxed spaces

### Definition

For the purposes of the exemption, the 'cost of the lease' consists of the aggregate of the following:

- the rent payable during the term of the lease or in advance of the lease and any amount paid or payable for the right to use land under the lease, including a covenant to reimburse the lessor for any GST costs
- any rates and taxes (outgoings) paid or payable on behalf of the lessor in connection with the lease
- any premium payable for the lease
- any royalties payable under the lease, including royalties for the right to enter onto and remove something from the land
- the value of improvements and additions to the leased premises made or undertaken to be made by or on behalf of, or at the expense of, the lessee under an agreement or covenant by the lessee (other than fit-out costs ie improvements which remain the property of the lessee)

NOTE: Where the term of the lease exceeds 10 years, the value of the improvements will be adjusted under section 175 of the *Duties Act 1997*

### Declaration

I,
of

do solemnly and sincerely declare the following facts:

### Lease details

The lessee's name is			
The lessor's name is			
The property is described as (Title reference)			
situated at Street no		Street name	
Suburb	State	Postcode	
Date of the document	/	/	Term of the lease

The total cost of the lease does not exceed \$20 000 in any year of the lease, as detailed in the table on the next page and all of the information in that table is true and correct.

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

Signature of declarant		
Declared at		
this (Day)	of (Month)	(Year) 20
Before me		

Justice of the Peace or person authorised under the *Oaths Act 1900*

Complete the table below detailing the cost components of the lease for each year of the term. If the actual cost is unknown, please include an estimate of the cost, including provision for annual increases.

Year	Rent (including annual increases)	GST	Rates & Taxes (Outgoings)	Premium/ Royalties	Improvements	Total annual costs
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

NOTE: If the term of the lease exceeds 15 years, attach a schedule to cover the extra years.

#### PRIVACY STATEMENT

The information in this form is requested by the Office of State Revenue (OSR) to determine your eligibility for an exemption from duty. The information may be disclosed to third parties with your consent or as required or permitted by law.

You may review and update personal information held by OSR by contacting the Office.

#### CONTACT DETAILS

**Phone:** 1300 139 814 (8.30 am – 5.00 pm). Interstate clients call (02) 9689 6200

**Website:** [www.osr.nsw.gov.au](http://www.osr.nsw.gov.au)

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**OFFICES** (8.30 am – 4.30 pm)

**Parramatta** Lang Centre, cnr Hunter & Marsden Streets  
GPO Box 4042 Sydney NSW 2001      DX 456 Sydney      Fax (02) 9689 8280

**Sydney** Level 3, 55 Hunter Street (not a postal address – counter services only)

**Newcastle** Level 2, 97 Scott Street  
PO Box 511, Newcastle, 2300      DX 7860 Newcastle      Fax (02) 4925 5300

**Wollongong** Level 6, 90 Crown Street  
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Help in community languages is available.

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