

## **REVENUE RULING NO. SD 028**

### **AMALGAMATION OF REGISTERED CLUBS - GUIDELINES FOR DETERMINING ELIGIBILITY FOR STAMP DUTY RELIEF**

#### **PREAMBLE**

1. Section 17A of the Registered Clubs Act 1976 provides that two registered clubs may amalgamate, with the approval of, and subject to such conditions as are imposed by, the Licensing Court of New South Wales.
2. An amalgamation may be effected by:
  - (a) dissolution of the existing clubs and formation of a new club;  
or
  - (b) the continuation of one of those clubs and the dissolution of the other club.

#### **RULING**

##### **Guidelines for Stamp Duty Relief**

3. The Minister for Finance has approved of ex gratia relief from stamp duty being provided to registered clubs in respect of amalgamations approved by the Licensing Court.
4. The relief will be provided in the form of payment of the stamp duty out of Departmental funds, as an Act of Grace.
5. Relief will extend to stamp duty payable by the amalgamated club upon the transfer to it of the existing assets of the club or clubs which were dissolved.
6. The Minister for Finance has authorised the Chief Commissioner of Stamp Duties to accept reasonable evidence of value of the transferred assets. A statement of the estimated value of the relevant assets by the Secretary or Manager of the amalgamated club will be accepted as reasonable evidence of value, and it will not be necessary for a valuation to be obtained from the Valuer-General, even where the property includes land.

##### **Applications for Relief**

7. Written applications for relief should be lodged with the Secretary, Department of Finance, together with the following documentation.
  - (a) a list of assets on which relief is sought, (including estimated value);

(b) a copy of the Certificate of Order of the Licensing Court of  
New South Wales granting the application for amalgamation;

(c) completed transfer document for stamping.

8. When the application has been approved, the Department will  
arrange payment of the duty out of Departmental funds and return  
the transfer documents to the applicant.

A. D. CLYNE,  
Secretary  
11 July, 1986

Last Updated: 20-Sep-2001