

**Information Privacy Act 2000**

All information collected by the SRO is protected by secrecy provisions in Acts administered by the SRO and in addition, personal information you provide to the SRO is protected by the *Information Privacy Act 2000*. Any information collected from you is only used for the purposes of the Acts administered by the SRO. Information (including personal information) is not disclosed to third parties unless authorised by law, or with your consent.

## Real property value statutory declaration

Complete this form **only in circumstances where** you are **not able** to provide a **letter of appraisal** by a licensed real estate agent **or a sworn valuation** by a certified practising valuer who is a member of the Australian Property Institute (API) or from a member of the Real Estate Institute of Victoria (REIV) with sworn valuer accreditation. For example, where a property's location is too remote for it to be appraised.

Where a letter of appraisal or sworn valuation cannot be obtained, this declaration must be used for transfers involving associated persons, gifts, fractional interests or transfers where the consideration is less than the market value.

This declaration cannot be used for transfers of land and business where the total value of the land, improvements, business and goods exceeds \$1 million. Refer to Revenue Ruling DA.029.

### PART 1 – WHO CAN MAKE THIS DECLARATION?

This statutory declaration can be made by either the transferor or transferee (or a director or authorised officer of the transferor or transferee company).

I	Full name	Phone number	
of	Address	State	Postcode

**do solemnly and sincerely declare that in the matter of *Duties Act 2000* that:**

Please, indicate as applicable.

- (a) I am a  transferor  transferee, **or**
- (b) I am a director or an authorised officer of the  transferor company  transferee company, **and**
- (c) The name of the transferor/transferee company in (b) is: \_\_\_\_\_ ACN/ABN (as applicable) \_\_\_\_\_

### PART 2 – REASONS FOR COMPLETING THIS FORM

**State the reason why you have not submitted;**

- a letter of appraisal by a licensed real estate agent, or
- a valuation by a certified practising valuer who is a member of the API or from a member of the REIV with sworn valuer accreditation,

and explain what steps have been taken to obtain a **letter of appraisal or a sworn valuation**:


### PART 3 – PARTIES TO THE TRANSFER

State the **full names of all the transferors** in the transfer:


State the **full names of all the transferees** in the transfer:


If insufficient space please attach a schedule.

**PART 4 – MUNICIPAL VALUES**

4.1 State the municipal values as at the date of sale or, if other than a sale, as at the date of transfer:

NAV (Net annual value) \$	CIV (Capital improved value) \$	SITE (Site value) \$	Date council last valued property / / DD MM YYYY
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4.2 or attach a copy of both sides of the relevant council rate certificate/notice.

4.3 If the particular property is **not rated separately**, please provide full details of the area and improvements of the rated property as well as the area and improvements of the subject property.


**PART 5 – TOTAL MARKET VALUE OF PROPERTY INCLUDING GOODS**

The total market value (including GST) of the real property and any goods transferred

as at / / is \$

DD MM YYYY

The date is the **date of the sale** or, if the consideration is other than a sale, e.g. a gift, **the date the transfer was executed**.

**PART 6 – PROPERTY DETAILS**

6.1 The street address of the property is:

State Postcode

being land described in:

Volume/Conveyance	Folio/Book	Volume/Conveyance	Folio/Book

For land use entitlements:

Name of company or unit trust

No. of shares or units being transferred

6.2 State the interest being transferred is (e.g. full, ½, ¼):

6.3 Attach a full copy of the Certificate of Title.

**PART 7 – DECLARATION**

I acknowledge that this statutory declaration is true and correct, and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

Declared at in the State of Victoria

on this day of the month year

Signature of declarant

\*Before me Signature of witness Qualification to witness

Full name of witness

and address State Postcode

\* A person empowered under section 107A(1) of the *Evidence Act 1958* to witness the signing of a statutory declaration.

## PART 8 – CHECKLIST OF DOCUMENTARY EVIDENCE

If this declaration is not fully completed and/or the relevant documents are not enclosed, all documents will be returned to you for resubmission.

The following documents must be produced at stamping:

1.  the original completed transfer of land, signed and dated;
2.  the original or complete copies of all the relevant contracts of sale or agreements, if any;
3.  SRO Duties Form 1- Goods Statement or Form 2- Goods Statutory Declaration (as applicable);
4.  SRO Duties Form 6A – Transactions treated as sub-sales of land statutory declaration (if applicable);
5.  SRO Duties Form 12- Primary Production and Water Entitlements Statutory Declaration (if applicable);
6.  copies of any lease or other relevant documents affecting the value of the property;
7.  a copy of both sides of the current council rate notice, if applicable (Part 4.2).

## PART 9 – EXPLANATORY NOTES

Unless otherwise stated, all section numbers are references to the *Duties Act 2000* (“the Act”).

### 1. ‘Dutiable value’ of dutiable property - section 20

The ‘dutiable value’ of dutiable property that is the subject of a dutiable transaction is the greater of -

- (a) the consideration (if any) for the dutiable transaction (being the amount of a monetary consideration or the value of a non-monetary consideration); and
- (b) the unencumbered value of the dutiable property.

### 2. Declared value

The declared value is the total market value (including GST if any) of the land, improvements, business and any goods transferred.

### 3. Document Return System (DRS) Agents

DRS agents can only process related party or fractional interest transfers where the following are provided:

- a letter of appraisal by a licensed real estate agent and a copy of the council rate notice or
- a sworn valuation by a certified practising valuer who is a member of the API or from a member of the REIV with sworn valuer accreditation.

DRS Agents cannot process transfers that rely on this form as valuation evidence; those transfers must be presented to the SRO for assessment.

### 4. Associated person is defined in section 3.

Associated persons include relatives, natural persons and companies. For a full list of associated persons refer to the definition.

### 5. Understated value – section 273

If a taxpayer provides any information to the Commissioner of State Revenue as to the value of real property and the Commissioner of State Revenue considers the value is understated, the Commissioner of State Revenue may obtain a valuation of the property from the Valuer-General.

If the valuation obtained from the Valuer-General exceeds the value provided in the taxpayer’s information by 15 per cent, the taxpayer must pay the cost of the valuation.

#### By correspondence

Customer Services Branch, State Revenue Office, GPO Box 1641, MELBOURNE VIC 3001  
or DX 260090 Melbourne

#### In person

State Revenue Office, Level 2, 121 Exhibition Street, Melbourne  
Hours of operation: Mon, Tues, Thurs, Fri – 8:30am to 4:30pm and **Wed - 8:30am to 1:00pm**

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