

## Duties Form 9A

### Transfer between spouses/domestic partners statutory declaration

[www.sro.vic.gov.au](http://www.sro.vic.gov.au)

**Need help?** Contact us.

Phone 13 21 61

Email [contact@sro.vic.gov.au](mailto:contact@sro.vic.gov.au)

#### Part A - Do you need to complete this form?

**What is the purpose of this form?**

To notify the SRO of a transfer of land between spouses/domestic partners or a transfer resulting from a breakdown of a marriage or domestic relationship under section 43 or 44 of the *Duties Act 2000*.

This form **can not** be used if any person, other than the transferee, is taking or entitled to take an interest in the property. If any other person is taking or entitled to take an interest in the property, please consult section 44 of the 'Evidentiary Requirements Manual' available on the SRO website.

**Who can complete this form?**

The transferee involved in the transaction.

**Please note:** This form can only be completed by a natural person in their own capacity (i.e. the transferee can not be acting as a trustee). If the transferee is acting in another capacity, this form **can not** be used.

If the transferee in this transaction is acting in another capacity, please refer to the 'Evidentiary Requirements Manual' available on the SRO website. If further clarification is required, please contact the SRO on 13 21 61 for direction on which documentation you are required to lodge.

**How do I complete this form?**

- This form can be completed on screen, printed and signed, or printed and completed by hand. Either way, the form must be witnessed and physically signed prior to submission with the SRO.
- If completing this form by hand, please print neatly in block letters with a black or blue ballpoint pen only. Print 'X' in the appropriate boxes.
- This form must be signed and witnessed by a person authorised under section 107A(1) of the *Evidence (Miscellaneous Provisions) Act 1958* to witness the signing of statutory declarations.

#### Part B - Declarant details

Name

I,

Address

of

Suburb/Town

State

Postcode

**do solemnly and sincerely declare that in the matter of the *Duties Act 2000* and a transfer of land or land use entitlement:**

## Part C - Particulars of the transaction

### The property

#### Address

#### 1. The street address of the property is:

Address

Suburb/Town

State

Postcode

#### Title particulars

#### being land described in:

(Please supply either the Volume/Conveyance and Folio/Book or Lot and Plan references)

Volume/Conveyance

Folio/Book

Lot

Plan

If there is insufficient space, please attach a schedule.

The interest being transferred is (e.g. 25%, 50%):

and (if applicable),

#### For land use entitlements

#### 2. Details of the land use entitlement:

Name of company or unit trust

ACN/ABN (if applicable)

Number/class of shares or units being transferred

#### Transferor(s)

#### 3. The transferor(s) in the transfer is:

Name

Name

#### Transferee(s)

#### 4. The transferee(s) in the transfer is:

Name

Date of birth (DDMMYYYY)

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Transferee(s) continued

Name

Date of birth (DDMMYYYY)

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Third party interests

5. Is any person, other than the transferee(s) taking or entitled to take an interest in the property under this transfer?

☐ **Yes**, this form can not be used. Please consult section 44 of the 'Evidentiary Requirements Manual' available on the SRO website.

☐ **No**, go to question 6 or 7 (as applicable)

To be completed by  
a 'spouse'

6. Please mark as appropriate:

☐ I am married to the transferor listed above, **or**

☐ I was married to the transferor listed above but by reason of the breakdown of our marriage the transfer was made.

To be completed by  
a 'domestic partner'

7. Please mark as appropriate:

☐ I am the domestic partner of the transferor listed above. Although we are not married to each other, we are domestic partners of each other and are living together as a couple on a genuine domestic basis (irrespective of gender), **or**

☐ I was the domestic partner of the transferor listed above. We were domestic partners of each other and lived together as a couple on a genuine domestic basis (irrespective of gender). The transfer was made by reason of the breakdown of our relationship.

## Part D - Supporting documents

This form must be submitted to the SRO and be accompanied by:

- ☐ 1. The original completed transfer of land or the land use entitlement transfer form, signed and dated.
- ☐ 2. A copy of the title.
- ☐ 3. SRO Duties Form 62 (Purchaser Statement)

## Part E - 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

Day Month Year  
on this   day of

Signature of declarant

**\*Before me**

Signature of witness

Qualification to witness

Full name of witness

Address

Suburb/Town

State

Postcode

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

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## Part F - Privacy statement

This information is collected by the SRO to establish whether a duty exemption applies where property is transferred to a spouse, or property is transferred on the breakdown of a marriage. If you do not provide the information required, we may not be able to process your application for this exemption. The information collected may be used for the purposes of other legislation administered by the SRO. Where authorised by law to do so, we may also disclose this information to other Victorian government agencies, State and Territory revenue offices, law enforcement agencies and certain Commonwealth agencies. You can find out more about how we use and protect your information in our Privacy Policy, available at [www.sro.vic.gov.au](http://www.sro.vic.gov.au). If you require access to the information relating to you held by the SRO, please contact the SRO on 13 21 61.

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## Part G - Additional information

### 1. Re-assessment for non-compliance

- The State Revenue Office, as part of its role in administering Victorian taxes, investigates clients to ensure they are complying with the relevant Acts.
- A penalty of '100 penalty units' may be imposed on person(s) making a false or misleading declaration (Section 57 of the *Taxation Administration Act 1997*).

**Note:** All relevant evidence should be maintained by the applicant(s) for a period of at least five years.

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## Part H - Lodgement

This form can be lodged:

**Online:** via Duties Online (if you are a registered organisation) on [www.sro.vic.gov.au](http://www.sro.vic.gov.au)

**Mail:** State Revenue Office  
GPO Box 1641  
MELBOURNE VIC 3001  
or DX 260090 Melbourne VIC