

Application for Exemption – Corporate Consolidation Transactions

Note:

- This application must be completed in seeking exemption for a dutiable transaction and/or an acquisition of an interest in landholder (within the meaning of Chapter 4) through a corporate consolidation
- This application must be completed by a director of the head corporation
- Under the *Taxation Administration Act 1996*, it is an offence to give false or misleading information
- If you need more room, complete your answers on a separate sheet and attach to this form
- Print clearly in the boxed spaces and mark the appropriate tick boxes
- **Applicant must provide the required information specifically noted in this form. Failure to provide these will cause a delay in the processing of this application.**

Applicant's details

Corporation name		
Address		
Suburb	State	Postcode
Contact name	Daytime phone no. ()	

Details of corporate consolidation ➤ *Go to page 4 for definitions*

Name of corporation ➤ If a unit trust scheme, please include the name of trustee	ACN/ABN	Date of incorporation or establishment	Number of Issued Securities
Head Corporation:		/ /	
Trustee name (if applicable):			
Affected Corporation:		/ /	
Trustee name (if applicable):			

Required information

You must provide the following:

- ASIC extracts or register of unit holders before and after the consolidation transaction
- A complete copy of the head corporation's most recent financial statements.

Security holder(s) before and after consolidation

Name(s) of Security holder(s)	Before consolidation		After consolidation	
	Affected Corporation		Head Corporation	
	Number of security held	% security holding	Number of security held or to be held	% security holding

Dutiable transaction and property details ➤ Please tick/cross what is applicable

Transfer of securities in Affected Corporation

Estimated value of this dutiable property \$

Transfer of securities in Head Corporation

Estimated value of this dutiable property \$

Acquisition of an interest in a landholder within the meaning of Chapter 4

Land in NSW (includes interest in land)

The property is described as (title reference)

situated at street no and address

Suburb

State

Estimated value of this dutiable property \$

Goods in NSW

Estimated value of this dutiable property \$

Undertaking

The applicant corporation undertakes: ➤ Please tick/cross one

If application is made **before** relevant transaction

1. to advise the Chief Commissioner in writing as soon as practicable, if any material change to matters disclosed in this application occurs on or before the execution of the relevant transaction, and
2. to abide by any other conditions subject to which approval is given, and
3. to advise the Chief Commissioner in writing if any such conditions are not met, and
4. to pay all duty assessed on the transactions or instruments if any such conditions are not met and if approval is revoked.

OR

If application is made **after** relevant transaction that occurred on (date) / / 20

1. to abide by any other conditions subject to which approval is given, and
2. to advise the Chief Commissioner in writing as soon as practicable if any such conditions are not met, and
3. to pay all duty assessed on the transactions or instruments if any such conditions are not met and if approval is revoked.

Director (signed)

Declaration

I, (Name of director)

a director of

do solemnly and sincerely declare that:

1. I am authorised by the applicant corporation to make this declaration on its behalf
2. The transaction is/will be a corporate consolidation transaction as defined.
3. The only consideration given by the head corporation for the transfer or acquisition is/will be the issue or transfer of its securities to the person(s) from whom the affected corporation's securities were/will be transferred or acquired.
4. The head corporation did not/will not hold dutiable property or a vehicle or an interest in a corporation immediately before the transaction or acquisition occurred/is to occur.
5. The information supplied in this application 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*

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)

Signature of authorised witness

Date / / 20

Definitions

Corporate consolidation transaction

means a dutiable transaction or an acquisition of an interest in a landholder (within the meaning of Chapter 4) that:

- (a) is made to interpose a corporation (***the head corporation***) between another corporation (***the affected corporation***) and the holders of the affected corporation's securities, and
- (b) is a transfer or an acquisition of securities of:
 - (i) the affected corporation by the head corporation for which the only consideration given by the head corporation is the issue or transfer of its securities to the person from whom the affected corporation's securities were transferred or acquired, or

the head corporation by a holder of securities of the affected corporation.

Corporation Security

includes a unit trust scheme


of a corporation means:

- (a) in the case of a corporation other than a unit trust scheme, an issued share of the corporation, or
- (b) in the case of a unit trust scheme, a unit issued under the scheme

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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Level 6, 90 Crown Street, Wollongong	PO Box 666 Wollongong NSW 2520	DX 5245 Wollongong

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