

Application for Reassessment and Refund: Cancelled Agreements for the Sale or Transfer of Dutiable Property

Note:

- Under the *Taxation Administration Act 1996*, it is an offence to knowingly give false or misleading information, or omit information¹
- This application must be made by, the purchaser(s)/transferee(s) under the cancelled agreement
- The attached declaration must be completed by the purchaser/transferee. Where there is more than one purchaser/transferee, each additional purchaser/transferee must complete a declaration
- Under Section 50(2) of the *Duties Act 1997* any application for a reassessment or refund of duty on a cancelled agreement for the sale or transfer of dutiable property must be made within five years of the initial assessment, or 12 months after the agreement is rescinded or annulled, whichever is the later
- **The following evidence must be lodged with this application:**
 - copy of executed agreement including special conditions; and
 - copy of written acknowledgment of the cancellation of the agreement by both parties, or copy of the signed termination notice.
- **All evidence must be provided for your application to be considered. Failure to provide this evidence will result in your documents being returned unprocessed**

1. Details of cancelled agreement

Purchaser(s)/Transferee(s)	
Vendor's name(s)/Transferor(s)	
Description of dutiable property (e.g. lot and DP/SP)	
Revenue NSW Duties Notice of Assessment Number (DAN)	
Date of agreement (DD/MM/YYYY)	Date rescinded/annulled (DD/MM/YYYY)
Reason(s) why agreement rescinded or annulled	

¹ Penalties of up to 1,000 penalty units or 2 years imprisonment (or both) may apply.

Declaration by Purchaser/Transferee under cancelled agreement

Note: Where there is only one purchaser/transferee under the cancelled agreement, this declaration must be completed by that person.

Where there is more than one purchaser/transferee under the cancelled agreement, **each purchaser/transferee must complete their own declaration.** Where the purchaser/transferee, or one of the purchaser(s)/transferee(s), is a company, the declaration must be completed by a duly authorised officer (director or secretary) of the company.

I,

do solemnly and sincerely declare as follows:

1. I am:

the purchaser/transferee under the cancelled agreement

one of the purchaser(s)/transferee(s) under the cancelled agreement

a duly authorised officer of
the purchaser/transferee under the cancelled agreement

Name of company

a duly authorised officer of

Name of company

one of the purchaser(s)/transferee(s) under the cancelled agreement

2. I confirm:

the agreement was not rescinded or annulled to give effect to a subsale

as the purchaser/one of the purchasers under the agreement, I/we was/were then acting as the promoter(s) of a named company proposed to be incorporated, and that company is the purchaser/transferee under a subsequent agreement relating to the same dutiable property

the purchaser(s)/transferee(s) under the agreement and the purchaser(s)/transferee(s) under a subsequent agreement relating to the same dutiable property were related persons* when the agreement that was rescinded or annulled was entered into (*for definition of related persons see Dictionary in *Duties Act 1997*)

EFT details

Direct credit details

Account name

Financial institution

Branch

BSB number

Account number

Payment authority

This authority must be completed by all purchasers

I / We authorise the Chief Commissioner of State Revenue to issue the refund by way of EFT into the above nominated account

I / We are authorised to act on behalf of the company that is entitled to the refund

Declaration

Name

Date (DD/MM/YYYY)

Under the Taxation Administration Act 1996, it is an offence to knowingly give false or misleading information, or omit information¹

I declare that all information provided is true and correct in every particular.


¹ Penalties of up to 1,000 penalty units or 2 years imprisonment (or both) may apply.

Privacy statement


Your information is being collected by Revenue NSW under authority of the Duties Act 1997. We collect your information for administration of your duty obligations. Revenue NSW takes the protection and privacy of your personal information seriously by handling personal information in a responsible manner and in accordance with the NSW Privacy Laws: *Privacy and Personal Information Protection Act 1998* and *Health Records and Information Privacy Act 2002*.

Your information may be provided to third parties as required or permitted by law. Please refer to the [Revenue NSW Privacy Policy](#) for information on how to access or amend your personal information, or to make a privacy complaint.


Contact details

 1300 139 814* (Monday–Friday, 8.30 am–5.00 pm)

*Interstate clients please call (02) 7808 6900

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 Help in community languages is available

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