

edr update is our client e-newsletter giving EDR clients the latest information on our online service available for processing duties transactions.



## Duties Client Identification

We collect Client Identification (CI) information for all parties liable to or exempt from transfer duty under Chapters 2, 4, 11 and 12 of the *Duties Act 1997*.

From Monday, 9 June 2014, this was extended to include a mortgagor, that is a company, which is liable to or exempt from mortgage duty under Chapter 7 of the *Duties Act 1997*.

There are four key drivers for collecting this information:

1. Our readiness for National e-Conveyancing (PEXA).
2. Identity assurance.
3. Transaction verification with Land and Property Information (LPI).
4. Better upfront compliance programs for property taxes and grants we administer (duties, land tax and First Home Owner Grant Scheme).

Individuals will require evidence of their date of birth and companies will need their ABN/ACN/ARBN number.

## Duties Client Identification documents

### Changes to Electronic Duties Returns

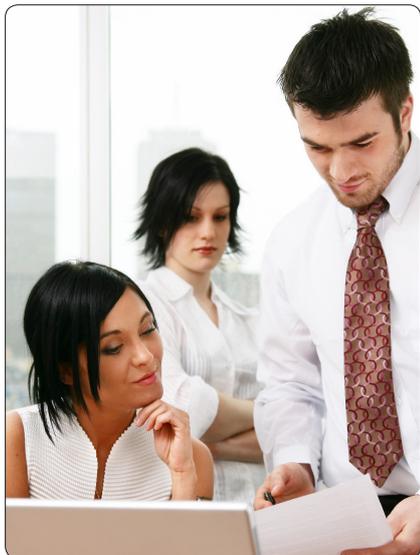
For individuals, evidence of their date of birth is required. A certified copy of one of the following documents must be provided:

- Australian Birth Certificate
- Australian Driver Licence (current)
- Passport (current)
- Foreign Passport and Visa used for entry into Australia
- Firearms Licence (current)
- Proof of Age Card
- Australian Citizenship Certificate.

**Note:** Identity verification documents produced for PEXA will also satisfy our CI requirements, for example Australia Post Verification of Identity Form, ZipID.

### Foreign persons

If a foreign person cannot provide one of the prescribed documents, an equivalent CI document from their home country will be acceptable (for example, current driver's licence, birth certificate or current passport). If the document provided is not in English, a translated version of the document is required.



## Companies

For companies, evidence of the ABN/ACN/ARBN number is required. If this information is displayed on the relevant document (for example, agreement for sale/mortgage) no further evidence is required. If the document does not display this information, we require one of the following:

- Certificate of Incorporation of the company
- ASIC National Names Index search
- ABN Lookup search
- ABR Australian Business Register search.

## Foreign companies

Some foreign companies will not have an ABN, ACN or ARBN number.

These matters cannot be processed through EDR and must be lodged with us for assessment.

A statutory declaration or letter from an officer of the company is required stating that the company:

- is a foreign company
- is not a registered foreign company
- does not have an ARBN and
- does not carry on business in Australia.

## EDR record keeping requirements

For EDR audit purposes, you must retain:

- a certified copy of the CI documents
- evidence of a change of name must be provided (for example, certified copy of a marriage certificate, divorce certificate, change of name certificate) when the name on the CI documents varies to that on the assessed documents.

## EDR system changes

To accommodate the collection of Duties Client Identification information and to align our data standards with that of LPI and the future requirements of PEXA, changes to certain EDR screens have been made.

The changes are:

- structured liable party names and their DOB, ABN, ACN, ARBN
- structured non-liable party names
- percentage of property being transferred
- tenancy.

## Structured liable party name

Where required, you must select a party type:

- individual
- company.

For individuals, you will be required to enter their first name, middle name (if applicable), surname and their date of birth.

For companies, you will be required to enter the name of the company and the relevant ABN, ACN or ARBN.

Where there are multiple liable parties, details for each party must be entered.

## MORE INFORMATION



[www.osr.nsw.gov.au](http://www.osr.nsw.gov.au)



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Help in community languages is available.

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## Structured non-liable party name

Where required, you must select a party type:

- individual
- company.

For individuals, you will be required to enter their first name, middle name (if applicable) and surname.

For companies, you will be required to enter the name of the company.

Where there are multiple non-liable parties, details for each party must be entered.

## Percentage of property being transferred

Where required, you must enter the percentage of property being transferred. For example, if duty is being assessed on the transfer of a half interest, you would enter 50 per cent.

The percentage field can only accept whole numbers. If you have a fractional interest percentage, enter the closest whole number (for example, 33.33 per cent, select 33 per cent).

This will not impact on the duty calculation.

## Tenancy

Where required, you will be asked to select a tenancy type for each liable party. The tenancy types available are:

- sole tenant
- joint tenant
- tenants in common.

If a liable party has more than one tenancy type (for example, joint tenant and tenants in common) select the first tenancy type as listed on the registrable document.

## Land and property information verification

When an EDR transaction has been accepted by us, a notice of assessment (confirmation statement) is issued. The notice of assessment includes a unique transaction number, which is our record of the transaction.

Land and Property Information staff are required to conduct a web verification search with us to confirm that the transaction number written on the EDR stamp is valid.

EDR approved persons should ensure that the transaction number written on the EDR stamp is correct, clear and legible.

If the verification indicates that the transaction number is invalid or cancelled, the registration process will be delayed until the issue is resolved.

If the transaction number is invalid, you will be required to have the transaction number corrected before the registration process can continue.

You or your lodgement representative can make the correction but must have a copy of the notice of assessment to confirm the correct transaction number.

When the transaction number on the EDR stamp is amended the correction must be initialled.

If the transaction number is cancelled, you should contact us.