

## LEGISLATIVE COUNCIL

### DUTIES AMENDMENT BILL 2008

(Amendments to be proposed in Committee by Mr LENDERS in substitution for  
Amendments previously moved)

1. Clause 3, line 5, omit "definition" and insert "definitions".
2. Clause 3, line 7, omit 'Victoria;'. ' and insert "Victoria;".
3. Clause 3, after line 7 insert—

**"rent reserved** in relation to a lease, means the rent paid or payable during the term of the lease and any amount paid or payable for the right to use the land under the lease;

**Example**

Amounts paid under the lease for the following purposes are payments for the right to use the land under the lease—

- (a) rates;
- (b) charges;
- (c) taxes;
- (d) maintenance;
- (e) utilities;
- (f) legal costs required to be paid by the lessee on behalf of the lessor in relation to the grant of the lease;
- (g) insurance premiums;
- (h) marketing costs;
- (i) car park contributions."

4. Clause 4, page 4, line 31, omit "transaction." and insert "transaction."
5. Clause 4, page 4, after line 31 insert—

"(3AAB) Despite subsection (1), the granting of a lease is not a dutiable transaction if the lease was granted as a result of the exercise of an option for a further term where—

  - (a) the option was provided for by a lease which was granted before 21 November 2008; and
  - (b) the lease referred to in paragraph (a) required the payment of consideration for the exercise of the option."