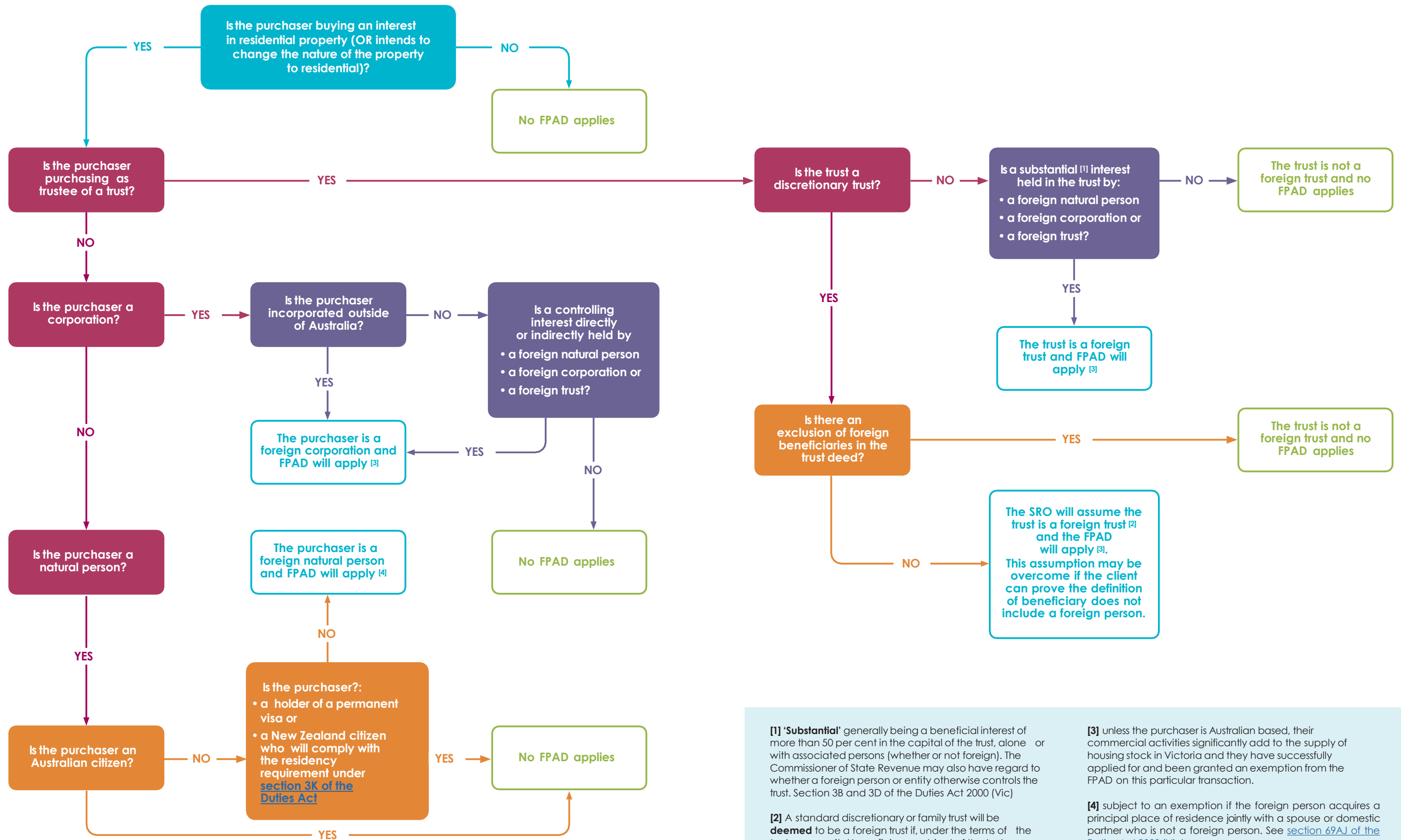


# FOREIGN PURCHASER ADDITIONAL DUTY (FPAD)

ADVISE YOUR CLIENT IF FPAD APPLIES TO THEM



[1] 'Substantial' generally being a beneficial interest of more than 50 per cent in the capital of the trust, alone or with associated persons (whether or not foreign). The Commissioner of State Revenue may also have regard to whether a foreign person or entity otherwise controls the trust. Section 3B and 3D of the Duties Act 2000 (Vic)

[2] A standard discretionary or family trust will be deemed to be a foreign trust if, under the terms of the trust, any capital beneficiary or object of the trust, whether specifically named or simply a member of a general class, is 'foreign'. Section 3B(2) of the Duties Act 2000 (Vic).

[3] unless the purchaser is Australian based, their commercial activities significantly add to the supply of housing stock in Victoria and they have successfully applied for and been granted an exemption from the FPAD on this particular transaction.

[4] subject to an exemption if the foreign person acquires a principal place of residence jointly with a spouse or domestic partner who is not a foreign person. See [section 69AJ of the Duties Act 2000 \(Vic\)](#). Useful link: [Foreign purchaser - frequently asked questions | State Revenue Office](#)