Conveyance by Return (CBR) User Guide

Territory Revenue Office

2016

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1. Definitions

Allowable period

The *allowable period* is whichever of the following occurs first. A period of 60 days from the date of execution or exchange of contract, or in the case of an *eligible conditional agreement* the earliest of the following dates:

* 60 days after the date upon which all relevant conditions to the agreement are satisfied;
* 60 days from the date of the *conveyee* having the right to possession of the property, disregarding any deferment of the *conveyee’s* right to possession due to the leasing of the property;
* the date specified under a written notice by the *Commissioner* to lodge the agreement;
* where the agreement is an *off-the-plan conditional agreement* or subdivision conditional agreement, 24 months after the date on which the agreement was first *executed*; or
* in all other cases (other than where the property is subject to a subsequent sub sale or a *Conveyance* by direction of the *conveyee*), 12 months after the date on which the agreement was first *executed*.

Approved instrument

An *instrument* that has been approved by the *Commissioner* for assessment and stamping under the *CBR* system (see section 5 of this guide).

Approved person

A person approved or required by the *Commissioner* to pay stamp duty on *instruments* by way of return.

CBR Online

*Conveyance* By Return Online, the electronic program under which *approved persons* assess stamp duty on *approved instruments.* Access to *CBR Online* is through the Integrated Revenue Application (INTRA) system.

CEO (Housing)

The Chief Executive Officer (Housing).

Commissioner

The Commissioner of Territory Revenue as set out in the definition of ‘*Commissioner’* in section 3(1) of the *Taxation Administration Act.*

Conveyance

Includes the grant of property (but not the grant of a lease other than a Convertible Crown lease or the grant of a patent), the transfer or assignment of property; the vesting of property in, or the accrual of property to a person, the foreclosure of a mortgagor’s equity of redemption in mortgaged property, an agreement to make a *conveyance*, a transaction that is taken to be, or treated as, a *conveyance* under the *Stamp Duty Act*, an *instrument* effecting or evidencing a *conveyance* (including a decree, judgment or order of a court) and an *instrument*, agreement, transaction or arrangement that would operate as a *conveyance* but for a statutory condition requiring Ministerial approval or registration.

Conveyee

A person to whom property is granted, transferred or assigned, in whom property is vested, or to whom property accrues under a *Conveyance*.

Dutiable property

* land;
* the goodwill of a business undertaking carried on or to be carried on in the Territory, or in the Territory and elsewhere, including any restraint of trade arrangement which, in the opinion of the Commissioner, enhances or is likely to enhance the value of the business;
* a right to use in the Territory a business name, trading name or trade mark that is used in connection with such a business undertaking;
* a right to use in the Territory a thing, system or process that is used in connection with such a business undertaking and is the subject of a patent, a registered design or copyright, or a right to use an adaptation or modification of such a thing, system or process;
* a right to use in the Territory information or technical knowledge connected with such a business undertaking;
* a patent, a registered design or a copyright;
* a statutory licence or permission (Territory or Commonwealth) used in or in connection with such a business under-taking, including a licence or permission surrendered or relinquished or for which an application for renewal is not made and the licence or permission, or a similar licence or permission, is given, granted or issued to another person where, in the opinion of the Commissioner, the giving, grant or issue amounts to or has the same effect as a transfer of the licence or permission;
* an option to purchase dutiable property or an interest in dutiable property;
* chattels, if part of a transaction in which other dutiable property is conveyed, acquired or created or the beneficial ownership is changed, other than:
* goods, wares or merchandise that are stock-in-trade;
* materials held for use in manufacture;
* goods under manufacture;
* livestock;
* any motor vehicle in respect of which a motor vehicle certificate of registration is or will, in the opinion of the *Commissioner*, be issued to the *conveyee*;
* cash or money in an account at call; or
* negotiable instruments, and money on deposit with any person; and
* includes an estate or interest (which may be a partnership interest) in *dutiable property.*

Eligible conditional agreement

Has the same meaning as that given to it in Commissioner’s Guideline CG-SD-002: *Eligible conditional agreements – extension of time to lodge instrument and pay duty.*

Execute

In relation to an *instrument*, means sign the *instrument* and, if the *instrument* is under seal, sign and seal the *instrument*.

First Home Owner Discount

A stamp duty discount on the purchase of an established home by first home buyers.

Instrument

A contract of sale and a transfer of *land*.

Land

Refers to *land* in the Territory and includes:

* an estate or interest in *land*; and
* a lease of *land* or mining tenement (or an interest in a lease of *land* or mining tenement); and
* a fixture to *land* (including a tenant’s fixture or a fixture associated with mining operations conducted, or formerly conducted, on the *land*).

Nominee

The person to whom the property is being transferred where the contract has been signed by an agent, on behalf of this person, and this person is named in the contract as the purchaser.

Off-the-plan conditional agreement

Has the same meaning as that given to it in Commissioner’s Guideline CG-SD-002: *Eligible conditional agreements extension of time to lodge instrument and pay duty.*

Original instrument

The *instrument* that bears the duty (not a copy).

Principal Place of Residence Rebate

A stamp duty rebate is available for eligible applicants who are purchasing a home, or land on which a home will be built, for use as their principal place of residence.

Related

For the purpose of this guide includes:

* *related* by blood, marriage (including de facto relationships), or co-ownership (such as by partnership or joint venture);
* *related* corporations as defined in the *Corporations Act;*
* *related* natural person and corporation – by virtue of the fact that one is a director or secretary or other officer (as defined in the Corporations Law) of the other, or holds shares or units or some other interest in the other;
* *related* corporation and trustee – if the corporation, shareholder, director or secretary of the corporation is a beneficiary of the trust, or a *related* corporation is a beneficiary (whether contingently entitled or not);
* *related* trustees – if there are one or more beneficiaries common to the trusts (whether contingently entitled or not);
* *related* natural person and trustee – if the person/s is/are a beneficiary/ies under the trust (whether contingently entitled or not); or
* *related* by prior or current business relationship (including that of landlord and tenant).

SDA

The *Stamp Duty Act.*

Senior, Pensioner and Carer Concession

A stamp duty concession is available for eligible applicants. Further information on the eligibility   
criteria is available in the guide to the application form which is available on *TRO’s* website at www.revenue.nt.gov.au.

TAA

The *Taxation Administration Act*.

TRO

The Territory Revenue Office.

Vendor

The conveyor (or seller) of the property.

2. Introduction

The *Conveyance* by Return (*CBR*) scheme is an approved special tax return arrangement under section 49 of the *Taxation Administration Act*. Subject to the terms and conditions detailed in this guide, *CBR Online* allows *approved persons* to effectively and accurately calculate stamp duty on *approved instruments.* These *instruments* can then be stamped and the duty payable remitted to the *Commissioner* on a monthly basis.

This guide is designed to assist *approved persons* in satisfying the requirements of *CBR*.

The information provided is based on legislation in force as at May 2016[[1]](#footnote-1) and covers:

* the type of *instruments* that are *approved instruments* and guidance on how to determine whether an *instrument* is an *approved instrument*;
* how *approved instruments* are to be stamped;
* the record keeping requirements for *approved persons*;
* the process for collection and payment of duty; and
* the penalties for failing to comply with *CBR* requirements.

Upon determining that an *instrument* is an *approved instrument*, full details are to be entered on *CBR Online*. For step-by-step instructions on using the program see section 8 of this guide.

3. CBR Online

Based on the information entered, *CBR Online* automatically:

* allocates an assessmentnumber;
* determines the amount of duty payable on an *approved instrument*; and
* maintains an electronic register of entered *instruments*. Relevant information provided by *CBR Online* must then be noted on the *approved instrument.*

The following process should be used when entering *instruments* through *CBR Online:*

* enter the details of the *approved instrument* into *CBR Online*. This will calculate the amount of stamp duty to be applied to that *instrument* and record data relevant to the transaction (see section 8);
* once stamp duty funds have been received, stamp and endorse the *approved instrument* with the required details (see section 9 for an example of stamping); and
* complete the transaction on *CBR Online* (see section 10).

At the end of each month the *approved person* will receive a Monthly Return Statement in the nominated email account from *TRO* that summarises the *instruments* processed during the month and the duty payable to *TRO*.

4. Obligations of approved persons

4.1 Records to be kept by approved persons

*Approved persons* must retain a copy of all stamped *instruments* and sufficient records to show for audit purposes that the correct stamp duty has been accounted for by return on all *approved instruments* held or processed by them.

Such records must be kept for a period of five (5) years. The five-year period shall commence from the last date in the month to which the return relates.

For the purpose of keeping sufficient records, the *approved person* must keep original copies of all relevant declarations and forms including, but not limited to, original copies of the fully completed application form for the *Senior, Pensioner and Carer Concession* (SPCC) and the *Principal Place of Residence Rebate* (PPRR) and First Home Owner Discount (FHOD) and any evidence required to support the application.

4.2 Safeguarding stamps

The *approved person* is responsible for security of the stamps provided by the *Commissioner*.

4.3 Compliance program

*TRO* recognises that there are risks and the potential for error (either intentional or not) associated with any scheme such as *CBR Online.* Accordingly, it is necessary to have an appropriate compliance program in place to review transactions being processed and documentation held by *approved persons* from time to time to ensure that they are acting within the parameters of the scheme.

Audits are conducted by experienced *TRO* officers and, in addition to the ‘compliance’ factor, provide an additional opportunity for *approved persons* to raise issues or concerns with *CBR Online* or *TRO* in general.

5. Approved instruments

Under the *CBR* scheme, *approved persons* are authorised to determine the duty payable on, and stamp, *approved instruments*. This section provides details of:

* what *instruments* are approved;
* what *instruments* are not approved;
* guidance on how to determine what category an *instrument* fits into; and
* the information that must be contained within the *instrument* or obtained prior to an *instrument* being processed.

Any *instrument* that is not an *approved instrument* cannot be processed in *CBR Online* and must be submitted to the *Commissioner* for assessment.

5.1 Approved

A contract of sale or transfer of *land* where the purchase price is equivalent to the unencumbered value and the contract of sale or transfer is one of the following:

* a single *conveyance* of residential property between parties who are not *related*;
* a single *conveyance* of commercial property between parties who are not *related* where there is no associated *conveyance* of business property (i.e. the *conveyance* does not involve a sale of business);
* a single *conveyance* to *nominees* pursuant to a contract of sale where the *nominees* are specified in the contract;
* the ‘buy out’ of a share owned by *CEO (Housing)*, where the interest held by *CEO (Housing)* is being acquired by the other owner(s) already noted on the title, and nobody else is gaining an interest in the property.

5.2 Not approved

* Any *conveyance* that conveys property other than *land*.
* Any *conveyance* where the transferor *(vendor)* and transferee (purchaser) are *related*.
* Any *conveyance* where the transferee (purchaser) assumes any liability, such as a mortgage liability, in addition to or instead of the purchase price.
* Any *conveyance* that is part of a transaction or series of transactions or where there is more than one *conveyance* (contract or transfer), *executed* within 12 months, between the same parties.
* Any contract and subsequent transfer where the purchaser under the contract and the transferee in the subsequent transfer differs, except where the transferee has been named as a *nominee* under the contract.
* Any *conveyance* where the total consideration expressed in the contract or transfer does not reflect the full unencumbered value of the property.
* Any transaction where all or part of the consideration is not payable by money, except where the full amount of consideration has been expressed in the contract in money terms.
* Any transaction that amounts to an option agreement or any *conveyance* that results from an option agreement.
* Where exemptions or concessions other than the SPCC under section 89A, PPRR under section 90 or FHOD under section 89AA of the *SDA* are being claimed.
* Any contract involving multiple purchasers where there is a variation in the subsequent transfer *instrument* of the share or interest being acquired.
* Any contract with a provision for the *conveyance* of other property or lease of the property being transferred, such as one of the following:
* the purchaser will transfer a parcel of *land* to the *vendor* as part satisfaction of the purchase price; or
* the purchaser agrees to lease the property back to the *vendor*.

6. Concession and rebate

There are three types of concessions which *approved persons* can process through *CBR Online*. These are:

* *Senior, Pensioner and Carer Concession* (SPCC);
* *Principal Place of Residence Rebate* (PPRR); and
* *First Home Owner Discount* (FHOD)

Information relating to each of these schemes, including current and previous rates and eligibility thresholds, is available in the guide to the respective application and on the *TRO* website at www.revenue.nt.gov.au.

**Note**: If an applicant for a concession processed by an *approved person* is later found to be ineligible to have received it, the *approved person* will be absolved from any responsibility provided they retained a fully completed application form (which indicated the applicant’s eligibility) and all relevant supporting documentation, and they were unaware at the time of processing the application that the applicant(s) were ineligible.

6.1 Application form

The relevant application form must be fully completed and signed by all *conveyees* (excluding *CEO (Housing)* if applicable).

6.2 Assessing an application

Applicant eligibility

The applicant’s responses to the eligibility questions in section 1 of the application form, and the accompanying documentation, will be used to assist in determining their eligibility.

If you are uncertain about any aspect of an applicant’s eligibility, you should contact *TRO*.

**Note**: The *Commissioner* has the discretion to exempt or vary compliance with some (but not all) of the eligibility criteria. For further details please refer to the guide to the respective application form, or Commissioner’s Guideline CG-HI-003: *Commissioner’s discretion to exempt or vary compliance with the eligibility criteria.* The guideline is available on the *TRO* website at [www.revenue.nt.gov.au](http://www.revenue.nt.gov.au/).

6.2.1 Supporting documentation to be retained on file

The supporting evidence required varies depending on the type of concession or rebate being claimed and is detailed in the guide to each respective application. A supporting documentation checklist is also provided at the back of the application form. You should work through this checklist ensuring you tick off each item as you evidence it. If you have any questions pertaining to requirements, you should contact *TRO* prior to processing the application.

6.2.2 Information to be provided to the applicant

The applicants are to retain the guide to the application.

*CBR Online* automatically assesses the amount of stamp duty payable and the amount of the concession/rebate once all the relevant details have been entered.

7. Assessing an approved instrument

7.1 Contract of sale

Prior to assessing a contract of sale the *approved person* must ensure:

* the contract has been dated and is within the *allowable period;*
* the contract includes:
* the names of the parties (Buyer and Seller);
* the purchase price; and
* the property details including volume and folio numbers, the legal description (Location and Lot/Section Number), plan number and unit number (if applicable);
* if there has been a correction to any of the above in the contract it must be initialled by the *approved person* to show that the correction was made prior to stamping;
* the contract has been *executed* by the *Vendor,* if completed by way of exchange of contracts, or the *Vendor* **and** Purchaser, if not completed by way of exchange;
* if the contract has been *executed* for any party under a letter of authority, ensure that the contract has been signed in accordance with the letter of authority; and
* are there any special conditions? If so, consider the following:
* if the special conditions have the effect of increasing the purchase price then the contract is to be assessed on the increased price;
* if the special conditions have no effect on, or decrease the purchase price, then the contract is to be assessed on the purchase price without the decrease; and
* if there is a special condition which links the completion of this contract to the completion of one or more other contracts the *instrument* must be lodged with *TRO* for assessment.

If all of these checks have been satisfied the contract details can be entered in *CBR Online* by following the steps at section 8 of this guide.

7.2 Transfer in conformity with a contract of sale

Prior to assessing a transfer in conformity with a contract of sale you must ensure:

* the transfer has been dated and is within the *allowable period*; and
* the following details are the same as on the contract:
* the names of the *Vendor* and Purchaser;
* the proportion of the property being transferred to each of the purchasers (if indicated on the contract);
* the purchase price;
* the property details including the legal description (Location and Lot/Section Number), plan number and unit number (if applicable). Note that the volume and folio often change however you must be satisfied that they relate to the same property as those in the contract;
* any corrections made to the items listed above must be initialled by the *approved person* to show that the correction was made prior to stamping; and
* the *instrument* has been fully *executed* (refer to notes on the reverse of the transfer document).

If all of these checks have been satisfied the contract details can be entered in *CBR Online* by following the steps at section 8 of this guide.

7.3 Transfer is the only instrument evidencing the sale

Where a transfer is the only *instrument* evidencing the sale (i.e. no contract of sale) you must take extra care to ensure that there is no pre-existing relationship between the *Vendor* and Purchaser. It is unusual for un*related* parties not to have a contract of sale that documents the conditions of sale and protects the parties’ rights during the *conveyance* process.

If it is determined that the parties are *related* the *instrument* must be lodged with *TRO* for assessment. If not, you are able to proceed with the assessment through *CBR Online* once satisfied that the transfer has been fully completed and *executed* and that it is within the *allowable period.*

8. Entering data in CBR

8.1 Log in/Log out

Log in

1. Open an approved browser and enter the URL [https://intra.nt.gov.au](http://conveyancebyreturn.nt.gov.au).
2. Enter your user name (email address) and password and click ‘Log-in’.
3. The client index panel appears.
4. You are now logged on to the program.

Log out

1. Click on your email address in the top right hand corner of the screen and click ‘Log out’.
2. You will be taken back to the home page.

8.2 Duty calculator

*CBR Online* provides users with the ability to access an online stamp duty calculator. The duty calculator enables you to calculate the duty on a *conveyance* and to print a quote for your client.

1. Once logged in to *CBR Online*, click on ‘External Links’ on the
2. Click on ‘Stamp Duty Calculator’.
3. This will open a new tab in your browser which you can personalise to include details of your client and/or the relevant property prior to performing the calculation of duty.
4. Once completed, simply close this tab to return to *CBR Online*.

8.3 Conveyance – contract of sale

The data entry requirements for a *conveyance* will vary depending on the nature of the transaction, including whether the instrument is an eligible conditional agreement. The instructions below will provide you with guidance on how to enter the transaction in *CBR Online.*

1. Log-in to *CBR Online*.
2. From the ‘client index panel’, click on ‘CBR’.
3. In the ‘stamp duty panel’ click on ‘Add new assessment’.
4. Using the information available in the contract of sale, and concession form if applicable, enter all relevant details into the screen (noting that those marked with an asterisk are mandatory fields).
5. Tick to accept the terms of service, then click ‘Next’.
6. Click on ‘Add Party’.
7. In the ‘relationship’ field, select Buyer or Seller.
8. In the ‘type’ field, select the party type.
9. Enter the relevant details, noting that fields marked with an asterisk are mandatory (noting that Date of Birth is only mandatory for buyers claiming the FHOD, then click ‘Save’.
10. Repeat this process until all buyers and sellers have been added.
11. Once all parties have been entered, you can either
    1. click ‘Next’ to view the stamp;
    2. click ‘assessment’ or ‘manage parties’ in the navigation bar to make changes; or
    3. click on 'stamp duty’ or the ‘home’ button in the top right hand corner to return to the ‘stamp duty panel’ or ‘client index panel’ respectively.

**Notes:** The transaction will now be contained in *CBR Online* as a ‘Pending’ transaction. Once settlement has occurred, you must go back in to *CBR Online* to complete the transaction (refer to section 10 of this guide).

If you are assessing an *instrument* on the basis it was a conditional agreement you must retain supporting documentation evidencing when it became unconditional. This information may be requested as part of *TRO’s* compliance program (refer to section 3 of this guide).

8.4 Conveyance – ‘Buy out’ of CEO (Housing) share

Where a person owns an interest in property in shares with *CEO (Housing)* under the HOMESTART NT Shared Equity scheme (previously Home North), and subsequently acquires the interest held by *CEO (Housing)*, the transaction under which the second share is acquired can be assessed through *CBR Online* under the following conditions:

* the person acquiring the interest from *CEO (Housing)* is one and the same as already noted on the title; and
* no other person gains an interest in the property under the same transaction; and
* the assessable value is equal to that noted in the letter from HOMESTART NT.

Where these conditions are met the *instrument* of transfer can be assessed following the steps under section 8.3 of this guide.

9. Stamping of instruments

Each *instrument* entered into *CBR Online* must be stamped with the rubber stamp provided for this purpose. The stamp must be placed in the top right hand corner of the *instrument* and be completed and signed by the *approved person*.

An example of the endorsement is shown below and are also viewable through the ‘Preview’ function when entering an *instrument* on *CBR Online*.

9.1 Original instrument

The *original instrument* bears the original duty, for example, the contract of sale or transfer that is the only *instrument* which evidences the *conveyance*. (See example 9.5 where a FHOD, SPCC or PPRR is granted).

9.2 Copy

A copy is an *executed* copy of an *original instrument* that has been stamped. Each copy must bear endorsements that link it to the original.

The duty paid box records the stamp duty figure for the copy ($5.00) which is suffixed by the letter ‘C’ and also records the stamp duty paid on the *original instrument* which is suffixed by the letters ‘O/S’.

9.3 Transfer in conformity with a contract of sale

Transfers stamped in conformity with a contract of sale must bear endorsements that link it to the original stamped contract of sale. The duty paid box records the transfer stamp duty figure ($5.00) which is suffixed by the letter ‘T’ and also records the stamp duty paid on the *original instrument* which is suffixed by the letters ‘O/S’.

9.4 Contract with a nominee or trustee

If a contract of sale contains a *nominee* or trustee, and the *nominee* or trustee of the trust is named in the agreement, the letters ‘N’ for *nominee* or ‘TR’ for trustee should be placed in the duty paid box.

If a *nominee* or the trust for which the trustee is acting is not named in the agreement, you do not have authority to stamp the *instrument*. It must be lodged with *TRO* for assessment.

9.5 Concession, Rebate and Exemption

In addition to the duty payable, the *instrument* is to be endorsed with the amount of the SPCC, PPRR or FHOD. The amount of the concession, rebate or discount must appear in the concession/exemption box and be suffixed by the letters ‘S.89A’ for the SPCC, ‘S.90’ for the PPRR, or ‘S.89AA’ for the FHOD, and the amount of duty paid appears in the duty paid box.

Example 1

| NORTHERN TERRITORY STAMP DUTY  Special tax return arrangements | | |
| --- | --- | --- |
| **Reg.No.** 123456  **Assess.No.** 111 | 10/05/2014  **Date Stamped** | |
| **Consideration/rent** | **Concession/exemption** | |
| $600 000.00 | $7 000.00 | S.90 |
| **Signature** | $5.00  $22 700.00  **Duty paid** | T  O/S |

**S.90 –** Indicates PPRR

T = Transfer

O/S = Original Stamped

10. Completion in CBR Online

Once the transaction has been recorded in *CBR Online*, it will be listed as a ‘Pending’ transaction. Once settlement has occurred, you must go back in to *CBR Online* to complete the transaction. The instructions below will provide you with guidance on how to complete the transaction in *CBR Online.*

Search for the transaction to be completed in *CBR Online* (Refer to section 11.1 of this guide on how to search for a transaction).

1. Click the ‘Complete’ icon for the relevant transaction.
2. A dialogue box will appear asking you ‘Are you sure you want to complete this item?’, if you want to complete the transaction, click ‘Complete’.
3. Once you click ‘Complete’, another dialogue box should appear stating ‘This item was completed successfully’. Click ‘close’.
4. You will be taken to the ’stamp duty index panel’ where you will note that the Status of the transaction has changed from ‘Pending’ to ‘Completed’.

Once the transaction has been completed, it will form part of the monthly return statement for that month.

**Note:** At the time of completion, you **must** be in possession of the stamp duty funds.

11. Searching and editing

11.1 Searching for existing transactions

Most fields in *CBR Online* can be edited to correct data input errors if detected after entering by searching for and updating the relevant record. The instructions below will provide guidance on each of these functions.

1. Log in to *CBR Online*.
2. From the ‘client index panel’, click ‘CBR’.
3. The ’stamp duty index panel’ appears which shows all transactions entered by the *approved person*. You can use this Search bar to search the fields present on the screen to locate the assessment you require (such as reference, assessment number or purchaser).

11.2 Editing records

**Note**: You cannot update any records in *CBR Online* where the transaction has already been completed. Any changes to these records must be submitted in writing to *TRO*.

You cannot update the ’execution date’ or ‘unconditional date’ fields once a transaction has been fully entered.

1. Search for the assessment you wish to edit (see 11.1 above).
2. Click on the transaction number that you require and you will be taken to the relevant transaction screen.
3. Make changes to the fields you wish to edit.
4. Click ‘save and exit’ at the bottom of the screen.
5. The assessment has now been updated.

12. Collection of duty

*Approved persons* are able to enter details of the *conveyance* in *CBR Online*, stamp the *instrument* (leaving the details blank), attend settlement and, on payment of the duty, enter the details into the stamp to allow settlement to proceed.

Once settlement has occurred, the approved person must update CBR Online to ‘complete’ the transaction which will trigger its inclusion in the monthly return for that period and deposit the stamp duty funds into their trust account pending payment to the TRO.

Under no circumstances should stamp duty funds be deposited into a general business account, personal account or any other account other than the trust account maintained by the *approved person* for the purpose of managing the clients funds.

A stamp must not be completed if the duty has not been collected, however an *instrument* may be stamped even though settlement has not occurred.

13. Monthly return statement

A monthly return statement will be sent by TRO on the fifth day after the end of the month to the *approved persons* nominated email account outlining the total amount of duty payable in respect of all transactions completed that month. Where changes are made to the report after issue, the *approved persons* will need to access the updated monthly return statement through *CBR Online* following the instructions below.

1. Log in to *CBR Online*.
2. Click on the ‘Return’ button from the ‘client index panel’.
3. The ‘CBR returns index’ will appear listing a separate entry for each return period.
4. Click the ‘print’ button on the right hand side of the return period you wish to view.
5. Click the ‘print’ functionality in your browser.

14. Monthly payment

An *approved person* must, within a period of 15 days after the end of the month to which the monthly return statement relates, pay the relevant duty to *TRO*.

Payment can be made by:

* electronic funds transfer (EFT). To pay by EFT, simply identify the payment with your personal identification number (PIN), which is made up of your registration number, the code ‘*CBR*’ and the month to which the payment relates. E.g. if your registration number is 123456 and the payment is for May 2016, your PIN would be 123456*CBR*0516. For June 2016, your PIN would be 123456*CBR0616*.

Using the PIN, transmit the payment to:

**Bank** National Australia Bank

**BSB** 085-933

**Account No.** 187 960 174

**Account title** Territory Revenue Office

* a cheque drawn on a trust account of the *approved person*;
* a bank cheque or similar cheque of a recognised building society or credit union; or

15. Underpayments

The liability to pay duty in relation to a *conveyance* remains with the *conveyee* under the *SDA*. In addition, if a *conveyee* incorrectly or fraudulently claims a concession or rebate, this will be recovered from the *conveyee*.

However, where duty is paid by the *conveyee* to the *approved person*, but the *approved person* fails to make that payment to the TRO, in part of in whole, by the due date for payment, TRO will pursue the underpaid or unpaid amount from the *approved person* through civil recovery action.

16. Overpayments

No deductions are to be made from duty totals on returns of *approved persons*. Any claims for duty overpaid must be made by application in writing to the *Commissioner*.

17. Refunds

If a transaction is processed in *CBR Online* but does not proceed, an application for refund may be submitted to *TRO*. Original stamped *instruments* (including all duplicates and transfers) must be lodged with *TRO* and be accompanied by the relevant form (F-SD-014: *Refund or remission of stamp duty on cancelled conveyance*) along with any evidence necessary to support the claim.

Similarly, if a transaction is processed in *CBR Online* and the *conveyee* subsequently becomes entitled to a concession, rebate or discount on the duty paid, the *conveyee* must lodge their home incentive application with TRO along with all supporting information. If TRO is satisfied that the *conveyee* is eligible, a refund of duty equal the amount of the concession, rebate or discount will be made.

18. Penalties

Failure to deposit funds into the *approved persons* trust account, and acquit those funds to *TRO* by the due date for payment of the return, constitutes an offense under section 52 of the *Taxation Administration Act* and may result in prosecution action.

The *Commissioner* may also revoke the authority of an *approved person* to stamp *instruments* by return if the terms of the approval have been breached on a continual or significant basis.

In the case of a minor, isolated incident, an opportunity will generally be provided to the approved period to rectify the breach and put systems or processes in place to ensure it doesn’t recur.

19. Security

19.1 Creating a new user

Users of CBR can arrange for others in their organisation to gain access by following the steps below.

1. Log in to *CBR Online*.
2. Click on the ‘Users’ button from the ‘Client Index Panel’.
3. Click on the ‘Add User’ button from the ‘Manage Users’ screen.
4. Complete the fields in the ‘Add User’ screen and click on Save.
5. An email will be sent to the new user asking them to validate their email address and set their password.
6. Once done, the user will be able to access *CBR Online*.

19.2. Changing a password

1. Log in to *CBR Online*.
2. Click on your email address in the top right hand corner of the screen.
3. Select ‘Change Password’ from the drop down menu.
4. You will be asked to enter your current password, a new password and confirmation of your new password.
5. Click on ‘Update’ to finalise the change.
6. Your password has now been updated.

20. Undertaking by Commissioner

The *SDA* provides that any *instrument* completed during the month must be included in the return for that month. The *SDA* also provides that any *approved person* who fails to comply with this provision commits an offence under the *SDA*.

The *Commissioner* undertakes not to initiate any action for the offence if the *approved instruments* have been included in the *CBR* return in accordance with section 13 of this Guide.

21. Contact details

For assistance with *CBR Online* please contact the *CBR* helpdesk via email to [ntrevenue@nt.gov.au](mailto:ntrevenue@nt.gov.au) or by phone on 1300 305 353.

Forms and publications mentioned in this guide can be downloaded from TRO’s website at [www.revenue.nt.gov.au](http://www.revenue.nt.gov.au/).

Office hours:

* payments: 9.00 am to 4.00 pm, Monday to Friday
* enquiries: 8.00 am to 4.30 pm, Monday to Friday

**Note**: *TRO* closes at 2.00 pm on the last Tuesday of each month for staff training.

Office location: Postal address:

Level 14, Charles Darwin Centre GPO Box 154

19 The Mall, Darwin Darwin NT 0801

1. Care has been taken to ensure that the information contained in this guide is accurate however readers are advised to check the *Stamp Duty Act* and *Taxation Administration Act*, both of which can be found under the heading ‘Legislation’ on TRO’s website at www.revenue.nt.gov.au [↑](#footnote-ref-1)