



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 130

2013

PROMULGATION OF ACT OF PARLIAMENT

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 6 of 2013: Transfer Duty Amendment Act, 2013.

Act No. 6, 2013 **TRANSFER DUTY AMENDMENT ACT, 2013****EXPLANATORY NOTE:**

_____ Words underlined with a solid line indicate insertions in existing provisions.

[] Words in bold type in square brackets indicate omissions from existing provisions.

ACT

To amend the Transfer Duty Act, 1993, so as to change the rates at which transfer duty is levied; and to provide for incidental matters.

(Signed by the President on 16 May 2013)

BE IT ENACTED as passed by the Parliament, and assented to by the President, of the Republic of Namibia, as follows:

Amendment of section 2 of Act No. 14 of 1993, as amended by section 1 of Act No. 20 of 2003 and section 1 of Act No. 3 of 2010

1. Section 2 of the Transfer Duty Act, 1993 (Act No. 14 of 1993) is amended by the substitution for subsection (1) of the following subsection:

“(1) Subject to the provisions of section 9, there shall be levied for the benefit of the State Revenue Fund a transfer duty on the value of any property acquired by any person on or after the date of commencement of the Transfer Duty Amendment Act, ~~[2010]~~ 2013, by way of a transaction or in any other manner, or on the amount by which the value of any property is enhanced by renunciation, on or after the said date, of an interest in or a restriction upon the use or disposal of that property, at the rate of -

- (a) where the said value or the said amount, as the case may be -
- (i) does not exceed ~~[N\$400 000]~~ N\$600 000, nil per cent;
 - (ii) exceeds ~~[N\$400 000]~~ N\$600 000 but does not exceed ~~[N\$800 000]~~ N\$1 000 000, one per cent of such amount of the said value or the said amount, as the case may be, as exceeds ~~[N\$400 000]~~ N\$ 600 000;
 - (iii) exceeds ~~[N\$800 000]~~ N\$1 000 000 but does not exceed ~~[N\$1 500 000]~~ N\$2 000 000, N\$ 4000 plus five per cent of so much of the said value or the said amount, as the case may be, as exceeds ~~[N\$800 000]~~ N\$1 000 000;
 - (iv) exceeds ~~[N\$1 500 000]~~ N\$2 000 000, ~~[N\$39 000]~~ N\$ 54 000 plus eight per cent of so much of the said value or the said amount, as the case may be, as exceeds ~~[N\$1 500 000]~~ N\$ 2 000 000;

Act No. 6, 2013**TRANSFER DUTY AMENDMENT ACT, 2013**

if the property is not agricultural land as contemplated in paragraph (b) and the person by whom the property is acquired or in whose favour or for whose benefit the said interest or restriction is renounced is a natural person; **[or]**

- (b) where the value of the agricultural land acquired by a natural person to whom an advance, for the purposes of such acquisition, is made by the Agribank in accordance with the provisions of section 5 **[(a) or]** (c) of the Agricultural Bank Act, 2003 (Act No. 5 of 2003) –
- (i) does not exceed **[N\$500 000]** N\$1 500 000, nil per cent;
- (ii) exceeds **[N\$500 000]** N\$1 500 000 but does not exceed **[N\$1 000 000]** N\$2 500 000, one per cent of so much of the value of the agricultural land as exceeds **[N\$500 000]** N\$1 500 000; and
- (iii) exceeds **[N\$1 000 000]** N\$2 500 000, **[N\$5 000]** N\$ 10 000 plus three per cent of so much of the value of the agricultural land as exceeds **[N\$1 000 000]** N\$ 2 500 000.; or
- (c) 12 per cent of the said value or the said amount, as the case may be, if the person by whom the property is acquired or in whose favour or for whose benefit the said interest or restriction is renounced is a person other than a natural person.”.

Short title and commencement

2. This Act is called the Transfer Duty Amendment Act, 2013, and comes into operation on the first day of the month following the month in which this Act is published in the *Gazette*.
