

Stamp Duty (Special Provisions) Act No 12 of 2006

This consolidated text of the Stamp Duty (Special Provisions) Act No 12 of 2006 incorporates the amendment made to that Act by the Stamp Duty (Special Provisions) (Amendment) Act No.10 of 2008.

Please note, however, that this consolidated text cannot be regarded as a statutory copy of the Stamp Duty (Special Provisions) Act No 12 of 2006. It is prepared for the purpose of convenient reference only.

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Stamp Duty (Special Provisions) Act No 12 of 2006
certified on 31st March 2006

AN ACT TO PROVIDE FOR THE RE-IMPOSITION OF STAMP DUTY ; TO PROVIDE FOR THE
REPEAL OF PART III OF THE FINANCE ACT, No. 11 OF 2002 ; AND TO PROVIDE FOR
MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO

Incorporating
Stamp Duty (Special Provision) Amendment Act No 10 of 2008
Certified on 29th February 2008

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

- | | | |
|----|---|--|
| 1. | (1) This Act may be cited as the Stamp Duty (Special Provisions) Act, No. 12 of 2006. | Short title. |
| | (2) The provisions of this Act shall come into operation with effect from April 1, 2006. | |
| 2. | The Commissioner – General shall, be charged with the proper implementation and administration of this Act. | Commissioner – General charged with the responsibility of implementing this Act. |

CHAPTER 1

IMPOSITION OF STAMP DUTY AND EXEMPTIONS AND APPLICABLE PROCEDURE

- | | | |
|----|--|--|
| 3. | (1) From and after the date of the coming into operation of this Act, there shall be charged a duty (hereinafter to be called “stamp duty”) at such rate as the Minister may determine by Order published in the <i>Gazette</i> on every “specified instrument”-

(a) executed, drawn or presented in Sri Lanka; or

(b) executed outside Sri Lanka being an instrument which relates to property situated in Sri Lanka, at the time such instrument was presented in Sri Lanka. | Charging of stamp duty on instruments and documents. |
| | (2) Different rates may be determined in respect of different classes or categories of instruments. | |
| | (3) Every Order made under this section shall come into operation on the date of its publication in the <i>Gazette</i> or on such later date as may be specified therein. Every such Order shall within three months of the making thereof, be placed before Parliament for approval. If no meeting of Parliament is held within such period, such Order shall be so placed at the first meeting of Parliament held immediately thereafter for approval. | |
| | (4) Any Order not so approved by Parliament shall with effect from the date of such disapproval be deemed to be rescinded but without prejudice to anything previously done thereunder. Notification of the date on which the Order was so rescinded shall be published in the <i>Gazette</i> . | |

4. For the purposes of section 3, “specified instrument” means- Specified instruments.
- (a) an affidavit;
 - (b) a policy of insurance;
 - (c) a warrant to act as Notary Public;
 - (d) a licence issued for a specified period under any written law for the time being in force, being a licence which authorizes the holder thereof to carry on any trade, business, profession or vocation;
 - (e) a claim, demand or request made by a service provider from the holder of a credit card, for the payment of a stated sum of money, due in respect of a transaction entered into using such credit card;
 - (f) a share certificate on new or additional issue or on transfer or assignment;
 - (g) a bond or mortgage for any definite and certain sum of money and affecting any property;
 - (h) a promissory note;
 - (i) a lease or hire of any property;
 - (j) a receipt or discharge given for any money or other property;
 - (k) any other instrument which the Minister may in the interest of the economic progress of Sri Lanka, specify by Order published in the *Gazette*.
5. From and after the date of the coming into operation of this Act, the Minister may from time to time by Order published in the *Gazette* specify the instruments, which shall be exempt from the payment of stamp duty. Exemptions.
6. Otherwise than in cases where there is an agreement to the contrary, stamp duty shall be payable:- By whom stamp duty is payable.
- (a) in the case of a policy of insurance, by the person effecting the insurance;
 - (b) in the case of a transfer or assignment of any share, by the transferee or assignee of such share;
 - (c) in the case of a lease, by the lessee;
 - (d) in the case of a claim, demand or request by a service provider from the holder of a credit card, by the **credit card holder** ; *Substituted
\$ 2, 10 of 2008*

(dd) in the case of a warrant to act as Notary Public, by the person applying for the office of Notary;

*\$ 2, 10 of 2008
w.e.f.01.01.2008*

(ddd) in the case of a licence, by the person applying for the same; and

*\$ 2, 10 of 2008
w.e.f.01.01.2008*

(e) in all other cases, by the person drawing, making or executing such instrument.

7. (1) Notwithstanding the provisions of section 6, -

Compounding of stamp duty.

(a) any person issuing insurance policies;

(b) any authority issuing licences;

(c) any service provider, on the presentation of a claim, demand or request for the payment of any money on the use of a credit card;

(d) any employer employing more than one hundred persons accepting receipts for payments made to the employees; and

(e) any other person issuing any other instrument of a category, having regard to the impracticability or inexpediency of stamping instruments of such category, at the time and in the manner prescribed,

shall if permitted in writing by the Commissioner General, compound the amount of stamp duty in respect of such insurance policies, license, claim, instrument, receipt or other instrument respectively, and unless otherwise directed shall remit quarterly, such amount to the Commissioner General within fifteen days from the end of the relevant quarter ending on March 31, June 30, September 30 and December 31, of every year:

Provided that any person compounding the amount due as stamp duty in terms of this Act, shall register with the Commissioner-General and enter into a Bond in such form as is specified by the Commissioner General.

(2) Where any stamp duty which has been compounded in terms of subsection (1) is paid, the person authorized to compound such duty (other than an employer referred to in paragraph (d) of subsection (1), shall issue to the person liable to pay stamp duty a Certificate substantially in the form set out below:-

“It is hereby Certified that a sum of Rs..... payable as stamp duty in respect of (specify type of instrument).....has been collected and remitted in terms of section 7 of the Stamp Duty (Special Provisions) Act, No. 12 of 2006.”.

8. (1) Otherwise than when stamp duty is compounded in terms of section 7, stamp duty shall be paid by means of affixing adhesive stamps to the required value, at the time of execution of the instrument; the person liable to pay the duty shall cancel the stamp or stamps so affixed thereby preventing the stamps from being used again:

Manner of payment of stamp duty.
Applicable up to 31.12.2007
Repealed
\$ 3, 10 of 2008
w. e. f. 01.01.2008

Provided that share transfers executed in Sri Lanka should be stamped within one month from the execution of the same.

- (2) Where the duty payable on an instrument is paid in the manner specified in subsection (1), the instrument shall be deemed to have been properly stamped.

8. (1) Otherwise than, when stamp duty is compounded in terms of section 7, the stamp duty payable on any specified instrument shall be paid by means of affixing adhesive stamps to the required value, prior to, or at the time of, the execution of the instrument. The value of the stamp duty so paid shall be specified on the face of the instrument so executed:

Manner of payment of stamp duty.

*§ 3, 10 of 2008
w.e.f.01.01.2008*

Provided that, share transfers executed in Sri Lanka shall be stamped within one month from the execution of the same.

- (2) Stamp duty payable on any specified instrument relating to a mortgage or lease of any immovable property may be paid, prior to, or at the time of, the execution of the specified instrument, to a prescribed bank. Where however, the stamp duty cannot be so paid due to reasons beyond the control of the person by whom the stamp duty is payable, the stamp duty shall be paid to the prescribed bank within seven days from the date of such execution. The bank shall thereupon issue a certificate in the prescribed form certifying that the stamp duty has been duly paid and such certificate shall be affixed to the instrument so executed.

- (3) Any person executing a specified instrument shall at the time of the execution of such specified instrument which is not stamped with an impressed stamp, cancel the stamps thereon by writing or marking in ink on or across each stamp, his name or initials, thereby preventing the stamp from being used again. Further, where such specified instrument bears an adhesive stamp of the value of fifty rupees or more, such stamp shall be cancelled by the person executing a specified instrument by perforating the same by either cutting or pricking the stamp with a suitable instrument.

- (4) Any specified instrument bearing an adhesive stamp which has not been cancelled in the manner set out in subsection (3) shall be deemed to be unstamped to the extent of the value of such stamp.

9. All stamp duty payable to a Provincial Council in respect of documents and instruments referred to in List I of the Ninth Schedule to the Constitution, shall be paid to the respective Provincial Council within whose limits the instrument was executed or the property situated as the case may be :

Where stamp duty is to be paid.

Provided that in the case of any document executed within the limits of a Provincial Council established for any Province as set out in the Eighth Schedule to the Constitution, the stamp duty chargeable thereon, shall, in the event of the dissolution of any such Provincial Council, be paid to a Bank prescribed by the Commissioner - General for such purpose, until such time as a Provincial Council is established in respect of such Province.

- | | | |
|-----|--|---|
| 10. | Where an Assessor is of the opinion that an instrument liable to stamp duty has not been duly stamped, he shall assess the value of the stamp duty payable in respect of such instrument, by the person liable to pay such duty and forward a Notice to such person requiring him to pay the amount due thereon, within the time specified in the Notice. | Procedure where document is insufficiently stamped. |
| 11. | The provisions of Chapters XVIII to XXIV of the Inland Revenue Act relating to Assessment, Appeals, Determination of Appeals and Finality of Assessments and the Recovery or Refund of Income Tax, shall <i>mutatis mutandis</i> apply to Assessment, Appeals, Determination of Appeals and Finality of Assessments and the Recovery or Refund of Stamp Duty under this Act. | The provisions of the Inland Revenue Act to apply. |

CHAPTER II

GENERAL

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|-----|---|-----------------------------------|
| 12. | <p>(1) The Minister may make regulations in respect of all matters which are required by this Act to be prescribed or in respect of which regulations are required or authorized to be made under this Act.</p> <p>(2) Every regulation made under subsection (1) shall be published in the <i>Gazette</i> and shall come into operation on the date of publication, or on such later date as may be specified therein.</p> <p>(3) Every regulation made under subsection (1) shall, as soon as convenient after its publication in the <i>Gazette</i>, be placed before Parliament for approval. Every regulation which is not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to anything previously done thereunder.</p> <p>(4) Notification of the date on which any regulation is deemed to be so rescinded shall be published in the <i>Gazette</i>.</p> | Regulations. |
| 13. | From and after the date of the coming into operation of this Act, the provisions of the Stamp Duty Act, No. 43 of 1982, relating to the Imposition of Stamp Duty (other than any instrument relating to the transfer of immovable property, the transfer of motor vehicles or documents filed in Court), Exemptions and any other provision in the aforesaid Act, shall, in so far as the same are inconsistent with the provisions of this Act, have no operation and the provisions of this Act shall prevail. | Operation of Act, No. 43 of 1982. |
| 14. | <p>In this Act, unless the context otherwise requires –</p> <p>“Assessor” and Commissioner – General” shall have the same meaning as in the Inland Revenue Act;</p> <p>“Inland Revenue Act” means the Inland Revenue Act, No. 38 of 2000.</p> | Interpretation. |

CHAPTER III

REPEAL OF PART III OF THE FINANCE ACT, NO. 11 OF 2002.

- 15.** Without prejudice to anything done thereunder during the period commencing May 1, 2002 ending on the date of the coming into operation of this Act, Part III of the Finance Act, No.11 of 2002 (sections 15 to 18) is hereby repealed.

Repeal of Part III of Act, No. 11 of 2002.
- 16.** Where there is any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

Gazette Extraordinary No. 1439/3 dated 03/04/2006

**PART 1: SECCION (I) – GENERAL
Government Notification**

STAMP DUTY ACT, NO. 43 OF 1982

ORDER UNDER SECTION 69

REGULATIONS made by the President under Section 69 of the Stamp Duty Act, No. 43 of 1982, read with Section 2 of that Act.

MAHINDA RAJAPAKSHA
President
(Minister of Finance and Planning)

Ministry of Finance and Planning
Colombo 01
03 rd March, 2006.

By virtue of powers vested in me under Section 69 of the Stamp Duty Act, No. 43 of 1982 read with Article 44(2) of the Constitution, I Mahinda Rajapaksha, do hereby rescind the Order published in the Gazette Extraordinary No. 224/3 dated December 20, 1982 and all subsequent amendments thereon.

Stamp Duty shall be chargeable with effect from April 04, 2006, on every instrument specified in Column I of the Schedule hereto at the rates specified in the corresponding entry in column II of that Schedule.

SCHEDULE

Item No.	Column I	Column II
		Rs.
01.	Gift or Deed of Gift of any property	
	(a) Where the value of the property is Rs. 50,000/- or less for every Rs. 100 or part thereof	3.00

- (b) Where the value of the property exceeds Rs. 50,000/-
for every Rs. 100 of the value not exceeding Rs. 50,000 **3.00**
and
for every Rs. 100 or part thereof of the value
exceeding Rs. 50,000 **2.00**

02	Transfer or conveyance of any immovable property, otherwise than by way of gift, not including a transfer or conveyance of such property, without consideration, by an executor or administrator of an estate of a deceased to a person beneficially entitled to such property or to a trustee appointed under the will of the deceased, or by a trustee to a beneficiary or by an order of a court in matrimonial proceedings-	
(i)	Where the value of the property is Rs. 100,000 or less for every Rs. 100 or part thereof of the value	3.00
(ii)	Where the value of the property exceeds Rs. 100,000 for every Rs. 100 of the value not exceeding Rs.100,000 and for every Rs. 100 or part thereof of the value exceeding Rs. 100,000	3.00 4.00
03	In respect of each Document filed in civil proceedings instituted in the Supreme Court or in the Court of Appeal or in the High Court when exercising admiralty jurisdiction where the value of the proceed for every Rs. 1,000 or part thereof	2.00
	Where the value of the proceedings exceeds Rs. 1,000,000	2,000.00
04	In respect of each Document field in civil proceedings in a district Court. (a) Where the value of the proceedings does not exceed Rs. 1,000,000 for every Rs. 1,000 or part thereof	1.00
	(b) Where the value of the proceedings exceeds Rs. 1,000,000	1,000.00

Gazette Extraordinary No. 1439/2 dated 03/04/2006

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 5

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order exempt from stamp duty the instruments specified in the schedule hereto-

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

Ministry of Finance
Colombo 01
03 April , 2006

SCHEDULE

1. Affidavit made on the request of any public officer or in compliance with any requirement imposed by any written law;
- 2 . Bond or mortgage given by any public officer or his sureties for due execution of his office;
5. Instrument executed by, or on behalf of, or in favour of the Government of any country; being a country in respect of which an Order under section 67 (3) of Act, No.43 of 1982 is in force;
6. Any deed for the mortgage of food crops;
7. Share certificate issued in lieu of share certificate lost or destroyed, or new share certificate for a greater or less number of shares in lieu of existing share certificates but not exceeding in value of the existing share certificates;
8. Share certificate issued, in relation to which Share Transaction Levy under Part II of the Finance Act, No.5 of 2005 has been charged;
9. Any share certificate issued in pursuance of the issue, transfer or assignment of any share in the Credit Information Bureau of Sri Lanka established by Act No.18 of 1990;

10. Instrument executed in pursuance of the provisions of the Farmers Pension and Social Security Benefit Scheme Act No.12 of 1987;
11. Instrument executed by, or on behalf of, or in favour of, a registered co-operative society within the meaning of the Co-operative Societies Law, No.5 of 1972;
12. Instrument executed by a member of a registered co-operative society within the meaning of the Co-operative Societies law, No.5 of 1972 in favour of and relating to the business of such registered society;
13. Any specified Instrument in respect of supply of any good or service to a Diplomatic Mission of any State or any organization to which the provisions of the Diplomatic Privileges Act No 9 of 1996, apply provided that reciprocal benefits are available to their counterparts from Sri Lanka;
12. (a) Policy of life or medical insurance; or
(b) Policy of insurance on
 - (i) plant, machinery or equipment used in the construction industry or agriculture; or
 - (ii) any motor vehicle other than any motor vehicle used for private traveling .
- 13 Any deed of Mortgage affecting any air-craft registered under the Air Navigation Act (Chapter 365);
- 14 Mortgage executed in respect of any loan for Rs. 3 million less taken for the -
 - (a) construction of a house or
 - (b) purchase of a house or site for the construction of a house, where the mortgagee is any bank registered under the Banking Act, No. 30 of 1988 or any finance company registered under the Finance Company Act, No. 78 of 1988, or any provident fund approved by the Commissioner General of Inland revenue for the purposes of the Inland Revenue Act, No. 10 of 2006;
15. A finance lease executed in respect of any property (other than any such finance lease in respect of motor vehicles used for travelling);
16. Any lease or rent in respect of a building where such lease or rent payment does not exceed Rs.5, 000.00 per month.
17. Receipt or discharge given for any money or other property amounting to not more than 1,000 rupees or for remuneration amounting to not more than 25,000 rupees paid by any employer to any employee;
18. A receipt given for monies withdrawn from a current or savings account in a commercial or specialized bank registered under Banking Act. No.30 of 1988.
19. Conveyance or transfer by the Government or by any person, for or on behalf of the Government; where no consideration was received;
20. The following documents filed in legal proceedings:-

- (a) documents filed in any court, by public officers suing, or being sued or intervening, *virtute officii*, in any proceedings in such court;
- (b) documents filed in any court, by a person duly admitted to sue, defend or intervene, as a pauper in any proceedings instituted in such court;
- (c) documents filed in any court, by a person applying to be declared an insolvent by such court;
- (d) all documents filed in any court for the purposes of an application for an order in the nature of a writ of habeas corpus;
- (f) all documents filed by or on behalf of any person, who is certified by a prescribed officer as suing, defending or intervening with legal aid provided under the Legal Aid Law, No.27 of 1978;
- (g) all documents filed in any court by, or on behalf of any person claiming damages arising from death or damage caused by a motor vehicle;
- (h) motions filed in any court;
- (i) warrant issued by any court, whether on application or on its own motion.

Gazette Extraordinary No. 1439/1 dated 03/04/2006

PART 1: SECCION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT, No.12 of 2006

ORDER UNDER SECTION 3

By virtue of the powers vested in me under Section 3 of the Stamp Duty (Special Provisions) Act, No.12of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President of the Democratic Socialist Republic of Sri Lanka,, do by this Order declare that stamp duty shall be chargeable with effect from April 04, 2006,on every instrument specified in any entry in Column I of the Schedule hereto at the rate specified in the corresponding entry in Column II of that Schedule –

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

Ministry of Finance,
Colombo 01
03 April, 2006

SCHEDULE

	Column I	Column II
Item No.		
01.	Affidavit	Rs. 100.00
02.	Policy of insurance for every Rs.1, 000/- or part thereof	Rs. 0.50
03	Warrant to act as a notary public	Rs. 1000.00

04.	A license issued authorizing the holder to carry on any trade, business, profession or vocation	Rs. 1000.00
05.	A claim, demand, or request presented for the payment of any sum of money due in respect of any transaction entered into during any period by using any credit card for every Rs.1, 000 or part thereof of such some of money	Rs. 10.00
06	On the issue, transfer or assignment of any share of a company, other than a quoted public company on the market value determined by the Commissioner General of Inland Revenue on the date of such issue, transfer or assignment of such share for each Rs. 1,000/- or part thereof of such market value of the value of the shares	Rs. 5.00
07.	Mortgage for any definite and certain sum of money affecting any property for every Rs.1,000 or part thereof	Rs. 1.00
08.	Promissory Note for every Rs.1, 000/- or part thereof	Rs. 1.00
09.	Lease or hire of any property For every Rs. 1,000 or part thereof of the aggregate rent or hire payable for the whole term comprised in the lease or hire Agreement including any premium	Rs. 10.00
10.	(a) Receipt or discharge given for any money or property not less than Rs. 1000/- in amount for every Rs.1, 000/- or part thereof	Rs. 1.00
	(b) Receipt or discharge given for payment of remuneration to employees exceeding Rs.25, 000.00	
	Rs. 25,000 or above, but less than Rs. 40,000	Rs. 25.00
	Rs. 40,000 or above, but less than Rs. 50,000	Rs. 40.00
	Rs. 50,000 or above	Rs. 50.00

Gazette Extraordinary No. 1441/18 dated 20/04/2006

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 5

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order, amend the Order published in the Gazette Extraordinary No. 1439/2 of 03rd April, 2006, in the schedule, with effect from 21st April, 2006 as follows:

1. by the deletion of item 14, and the substitution therefore, of the following item:-
“14. Mortgage executed in respect of any loan for Rs. 3,000,000 or less taken for the-
(a) construction of a house: or
(b) purchase of a house or site for the construction of a house;

Where the mortgagee is any bank registered under the Banking Act, No. 30 of 1988 or any finance company registered under the finance Company Act, No. 78 of 1988, or any Provident Fund approved by the Commissioner General of Inland revenue for the purposes of the Inland Revenue Act, No. 10 of 2006;”

2. by the deletion of item 18, and the substitution therefore, of the following item:-
“18. Any receipt given for any sum deposited with or withdrawn from, any finance company registered under the Finance company Act, No. 78 of 1988, or commercial or specialized bank registered under Banking Act, No. 30 of 1988;”
3. by the addition, immediately after item 20, of the following new items-
“21. Any instrument executed by or on behalf of, or in favour of, the Government in any case where, but for this exemption, the Government would be liable to pay the duty chargeable in respect of such instrument ;
22. Any receipt given by any person receiving payment, for any goods sold or services provided, immediately upon such sale or such provision:
23. Any receipt given by any person receiving any capital sum by way of death gratuity or as compensation for death of injury.”

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

Ministry of Finance
Colombo 01
03 April , 2006

Gazette Extraordinary No. 1441/17 dated 20/04/2006

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 3

By virtue of the powers vested in me under Section 3 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order, amend the Order made in the Gazette Extraordinary No. 1439/1 of April 03, 2006, with effect from 21st April, 2006 by the deletion of time 10 of the schedule thereto and the substitution therefore, of the following item :

“10(a) Receipt or discharge given for any money or property amounting to

Rs. 1000 or above but less than Rs. 50,000 for every Rs. 1,000 or part thereof	Rs. 1.00
Rs. 50,000 or above	Rs. 50.00

(b) Receipt or discharge given for payment to any employee of a gross remuneration

Rs. 25,000 or less	Nil
Rs. 25,000 or above, but less than Rs. 40,000	Rs. 25.00
Rs. 40,000 or above, but less than Rs. 50,000	Rs. 40.00
Rs. 50,000 or above	Rs. 50.00 “

MAHINDA RAJAPAKSE
President
(Minister of Finance and
Planning)

Ministry of Finance
Colombo 01
20th April, 2006

Gazette Extraordinary No. 1478/7 dated 01/01/2007

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 5

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order, amend the Order made in the schedule under that Section and published in Gazette Extraordinary No. 1465/20 of October 05, 2006 with effective from 01.01.2007, as follows.

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

Ministry of Finance
Colombo 01
29th December, 2006

SCHEDULE

1. by the addition, immediately after the item 26 of the schedule to such regulations, of the following:
 27. Any unit trust certificate issued in pursuance of the issue, transfer or assignment of any unit in the unit trust or mutual fund;
 28. Any instrument required or authorized to be made or executed by any Bank established under the Regional Development Banks Act No. 06 of 1997 or any instrument made or executed in connection with the business of such Bank by the Bank, and any instrument made or executed by any other person in favour of such Bank in respect of any security for a loan.

Gazette Extraordinary No. 1465/20 dated 05/10/2006

PART I : SECTION (I) – GENERAL

**STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006
ORDER UNDER SECTION 5**

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order, -

(a) rescind with effect from 06th October, 2006 the Order made under that Section and published in Gazette Extraordinary No. 1439/2 of April 3, 2006 as amended by Order made under that Section and published in the Gazette Extraordinary No. 1441/18 of April 20, 2006 and.

(b) determine that with effect from 06th October, 2006 every instrument specified in the Schedule hereto, shall be exempt from stamp duty.

MAHINDA RAJAPAKSE
President
(Minister of Finance and
Planning)

Ministry of Finance
Colombo 01
05th October, 2006

SCHEDULE

1. Any affidavit made on the request of any public officer or in compliance with any requirement imposed by any written law ;
2. Any bond or mortgage given by any public officer or his sureties for due execution of his office ;
3. Any instrument executed by, or on behalf of, or in favour of the Government or any country; being a country in respect of which an Order under Section 67 (3) of Act, No. 43 of 1982 is in force;
4. Any instrument for the mortgage of food crops or jewellery;
5. Any Share certificate issued in lieu of share certificate lost or destroyed, or new share certificate for a greater or less number of shares in lieu of existing share certificates but not exceeding in value of the existing share certificates;
6. Any Share certificate issued, consequent to the sale by one person and purchase by another, of any share, being a sale or purchase in relation to which Share Transaction Levy under Part II of the Finance Act, No. 5 of 2005 has been charged;

7. Any share certificate issued in pursuance of the issue, transfer or assignment of any share in the Credit Information Bureau of Sri Lanka established by Act, No. 18 of 1990;
8. Any Instrument executed in pursuance of the provisions of the Farmers Pension and Social Security Benefit Scheme Act, No. 12 of 1987;
9. Any Instrument executed by, or on behalf of, or in favour of, a registered co-operative society within the meaning of the Co-operative Societies Law, No. 5 of 1972;
10. Any Instrument executed by a member of a registered co-operative society within the meaning of the Co-operative Societies law, No. 5 of 1972 in favour of and relating to the business of such registered society;
11. Any Instrument in respect of supply of any good or service to a Diplomatic Mission of any State or any organization to which the provisions of the Diplomatic Privileges Act, No. 9 of 1996, apply provided that reciprocal benefits are available to their counterparts from Sri Lanka;
12. (A) Any policy of life or medical insurance; or
(B) Any policy of insurance on
 - (i) plant, machinery or equipment used in the civil construction industry or agriculture; or
 - (ii) any motor vehicle other than any motor vehicle used for travelling;
13. Any deed of mortgage affecting any air-craft registered under the Civil Aviation Authority Act, No. 34 of 2002 or any ship registered under the Merchant shipping Act, No. 52 of 1971 ;
14. Any deed of mortgage executed in respect of any loan for Rs. 3 million or less taken for the –
 - (a) construction of a house; or
 - (b) purchase of a house, or of a site for the construction of a house

where the mortgagee is any commercial or specialized bank licensed by the Monetary Board under the Banking Act, No. 30 of 1988, any finance company registered under the Finance Company Act, No. 78 of 1988, any institution registered under the Co-operative Societies Law No. 5 of 1972, any public corporation, any provident fund approved by the Commissioner General of Inland Revenue for the purposes of the Inland Revenue Act, No. 4 of 1963 or No. 28 of 1979 or No. 38 of 2000, or No. 10 of 2006, or any other institution approved by the Minister in charge of the subject of Housing ;
15. Any instrument relating to any finance lease executed in respect of any property other than any such finance lease in respect of any motor vehicles used for travelling ;
16. Any hire purchase agreement entered into under the Consumer Credit Act, No. 29 of 1982 in respect of any moveable property other than any motor vehicle used for travelling;
17. Any instrument relating to the lease or rent of any building where such lease or rent payment does not exceed Rs. 5,000 per month ;

18. Receipt or discharge given for remuneration amounting to not more than Rs. 25,000 paid by any employer to any employee; or for any money or other property amounting to not more than Rs. 1,000 ;
19. A receipt given for monies deposited with or withdrawn from, any finance company registered under the Finance Company Act, No. 78 of 1988, any commercial, or specialized bank licensed by the Monetary Board under Banking Act, No. 30 of 1988 or any institution registered under the Co-operative Societies Law No. 5 of 1972 ;
20. In instrument executed by or on behalf of, or in favour of the Government in any case where, but for this exemption, the Government would be liable to pay the duty chargeable in respect of such instrument ;
21. Any receipt given by any person receiving payment, for any goods sold or services provided, immediately upon such sale or such provision ;
22. Any receipt given by any person receiving any capital sum by way of death gratuity or as compensation for death or injury ;
23. Any receipt given for acknowledging of the receipt of any pension ;
24. Any Commercial paper of Debenture ;
25. Any deed of conveyance or transfer by the Government or by any person, for or on behalf of the Government ; where no consideration was received ;
26. The following documents filed in legal proceedings :-
 - (a) documents filed in any court, by public officers suing, or being sued or intervening, *virtue officii*, in any proceedings in such court ;
 - (b) documents filed in any court, by a person duly admitted to sue, defend or intervene, as a pauper in any proceedings instituted in such court ;
 - (c) documents filed in any court, by a person applying to be declared an insolvent by such court ;
 - (d) all documents filed in any court for the purposes of an application for an order in the nature of a writ of habeas corpus ;
 - (e) all documents filed by or on behalf of any person, who is certified by a prescribed officer as suing, defending or intervening with legal aid provided under the Legal Aid Law, No. 27 of 1978 ;
 - (f) all documents filed in any court by, or on behalf of any person claiming damages arising from death or damage caused by a motor vehicle ;
 - (g) motions filed in any court ;
 - (h) warrant issued by any court, whether on application or on its own motion.

Gazette Extraordinary No. 1465/19 dated 05/10/2006

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 3

BY virtue of the powers vested in me under Section 3 of the Stamp Duty (Special Provisions) Act, No. 12 of 2006 read with Article 44(2) of the Constitution, I, Mahinda Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka, do by this Order.

- (a) determine that Stamp duty shall be chargeable, with effect from 06th October, 2006 on every specified instrument specified in any entry in Column I of the Schedule hereto, at the rate specified in the corresponding entry in Column II of that Schedule.
- (b) rescind with effect from the 06th October, 2006 Order made under that Section and published in *Gazette Extraordinary* No. 1439/1 of April 3, 2006 as amended by Order made under that Section and published in the *Gazette Extraordinary* No. 1441/17 of April 20, 2006.

MAHINDA RAJAPAKSE,
President,
Minister of Finance and
Planning.

Ministry of Finance and Planning,
Colombo 01.
05th October, 2006.

SCHEDULE

Item No.	<i>Column I</i>	<i>Column II</i> Rs. Cts.
01.	Any Affidavit	25.00
02.	Any Policy of insurance for every Rs. 1,000 or part thereof of the aggregate of the premia payable on the Policy	00.50
03.	A Warrant to act as a notary public	1,000.00
04.	Any licence issued authorizing the holder to carry on any trade, business, profession or vocation, for any period specified in such licence	Rs. 1,000 or 10% of licence fee whichever is less.
05.	Any claim, demand, or request presented for the	

	payment of any sum of money not including any finance or service charge due in respect of any transaction entered into during any period by using any credit card for every Rs. 1,000 or part thereof such sum of money	Rs. 10.00
06.	Any share certificate issued consequent to the issue, transfer or assignment of any number of shares of any company for every Rs. 1,000 or part thereof of the aggregate value of such Number.	Rs.5.00
07.	Any mortgage for any definite and certain sum of money affecting any property for every Rs. 1,000 or part thereof	Rs.1.00
08.	Any promissory Note for every Rs. 1,000 or part thereof	Rs. 1.00
09.	Any instrument relating to the lease or hire of any property	
	(a) For every Rs. 1,000 or part thereof of the aggregate lease or hire including any premium, payable for the whole term comprised in the lease or hire Agreement (other than a hire purchase agreement)	Rs. 10.00
	Provided that where the term of the lease or hire exceeds twenty years, the aggregate hire or lease payable for the whole term comprised in the lease shall be deemed to be the aggregate of the hire or lease payable for the first twenty years of such term;	
	(b) For every Rs. 1,000 or part thereof of the aggregate amount payable under a Hire Purchase Agreement entered into under the consumer Credit Act, No. 29 of 1982	Rs. 10.00
10.	Any Receipt or discharge	
	(a) given for any money or property: (other than remuneration referred to in paragraph (b) hereunder)	
	- Rs. 1,000 or above, but less than Rs. 50,000 for every Rs. 1,000 or part thereof	Rs. 1.00
	- Rs. 50,000 or above	Rs. 50.00
	(b) Given for payment of remuneration to employees:	
	Gross remuneration	
	More than Rs. 25,000 but less than Rs. 40,000	Rs. 25.00
	Rs. 40,000 or above, but less than Rs. 50,000	Rs. 40.00
	Rs. 50,000 or above	Rs. 50.00

Gazette Extraordinary No. 1530/13 dated 01/01/2008

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 3

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006 read with Article 44(2) of the Constitution I, Mahinda Rajapakse, President, of the Democratic Socialist Republic of Sri Lanka, do by this Order, amend with effective from 01.01.2008, the order made under that Section and published in the Gazette Extraordinary No. 1465/19 of October 05, 2006, as follows:-

By the deletion of item 4 and 10 of the Schedule thereto and the substitution respectively therefore, of the following items:

- | | | |
|----------|---|--|
| “04. (a) | Any licence issued authorising the holder to carry on any trade, business, profession or vocation, other than any trade or business for the sale of liquor, for any period specified in such licence. | Rs. 1,000 or 10% of licence fee whichever is less. |
| (b) | Any licence issued authorizing the holder to carry on any trade or business for sale of liquor for any period specified in such licence. | Rs. 10,000.00 |
| 10. | Any receipt of discharge given for any money or property | |
| (a) | Up to and including Rs. 25,000.00 | Exempt |
| (b) | Above Rs. 25,000.00 | Rs. 25.00” |

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

Ministry of Finance and Planning
Colombo 01
31st December, 2007

Gazette Extraordinary No. 1546/7 dated 22/04/2008

PART I : SECTION (I) – GENERAL

STAMP DUTY (SPECIAL PROVISIONS) ACT No.12 of 2006

ORDER UNDER SECTION 5

By virtue of the powers vested in me under Section 5 of the Stamp Duty (Special Provisions) Act, No.12 of 2006, I, Ranjith Siyambalapitiya, Acting Minister of Finance and Planning do by this order determine that the order made under that section and published in Gazette Extraordinary No. 1465/20 of October 05, 2006 shall be amended as follows.

MAHINDA RAJAPAKSE
President
(Minister of Finance and Planning)

11th April, 2008
Ministry of Finance and Planning
Colombo 01

SCHEDULE

1. by the deletion of item 13 of that schedule and subsection therefore, of the following item:-

“13 Any deed of mortgage or lease affecting any air-craft registered under the Air Navigation Act (Chapter 365) or any ship registered under the Merchant Shipping Act, No. 52 of 1971;”