



**The Conveyancing Committee would like to bring to the attention of the profession the text of a letter received from the Department of Finance clarifying the transitional arrangements for stamp duty contained in the Finance No. 2 Act, 2000.**

27 July, 2000

Mr. Brian Gallagher,  
Chairman of the Conveyancing Committee,  
Law Society of Ireland.

Dear Mr. Gallagher,

I have been asked by the Minister for Finance, Mr. Charlie McCreevy TD, to refer to your recent letter concerning the new stamp duty regime on the purchase of residential properties.

The Finance No. 2 Act, 2000, which provides for the new stamp duty regime, contains transitional arrangements. These cater for persons who were in the process of purchasing a residential property and who would be disadvantaged by the new stamp duty rates. Such persons can have the duty assessed under the previous rate structure provided they had a contract evidenced in writing before 15 June 2000 and provided that contract [this latter use of the word "contract" was subsequently acknowledged by Ms. O'Riordan to be incorrect and should be substituted by the words "the instrument giving effect to the contract"] is executed on or before 31 January 2001. It is only necessary that a contract exists and that it is evidenced in writing prior to 15 June 2000. It is not necessary that the contract be signed or that it be unconditional. In this respect, the provisions are similar to those put in place in the Finance No. 2 Act of 1998 which also changed the stamp duty regime for housing.

I trust that this clarifies the position for you.

Yours sincerely,

Hannah O'Riordan  
Private Secretary'

The above may be of assistance to practitioners.

**STAMP DUTY:  
TRANSITIONAL  
ARRANGEMENTS  
(FINANCE NO. 2  
ACT, 2000)**