



The Conveyancing Committee has been advised by the Department of Finance that it is not proposed to make any changes to the primary legislation and an amended SD10A has been issued by Revenue which reflects the statutory position. (See the detailed practice note on the changes to stamp duty reliefs published at page 37 of this issue.) In relation to new houses under 125 square metres, first time buyers relief no longer applies and stamp duty relief is now available only if there is a Floor Area Compliance Certificate in existence at the date of the transfer / conveyance.

Purchasers' solicitors should insert special conditions in contracts for sale / building agreements relating to new houses under 125 square metres, to provide that the Floor Area Compliance Certificate must be available on closing. An undertaking is not acceptable. Practitioners must advise clients that purchasers buying these houses under stage payment contracts will not be able to claim exemption from stamp duty.

STAMP DUTY RELIEF - FLOOR AREA COMPLIANCE CERTIFICATES: A FOLLOW UP