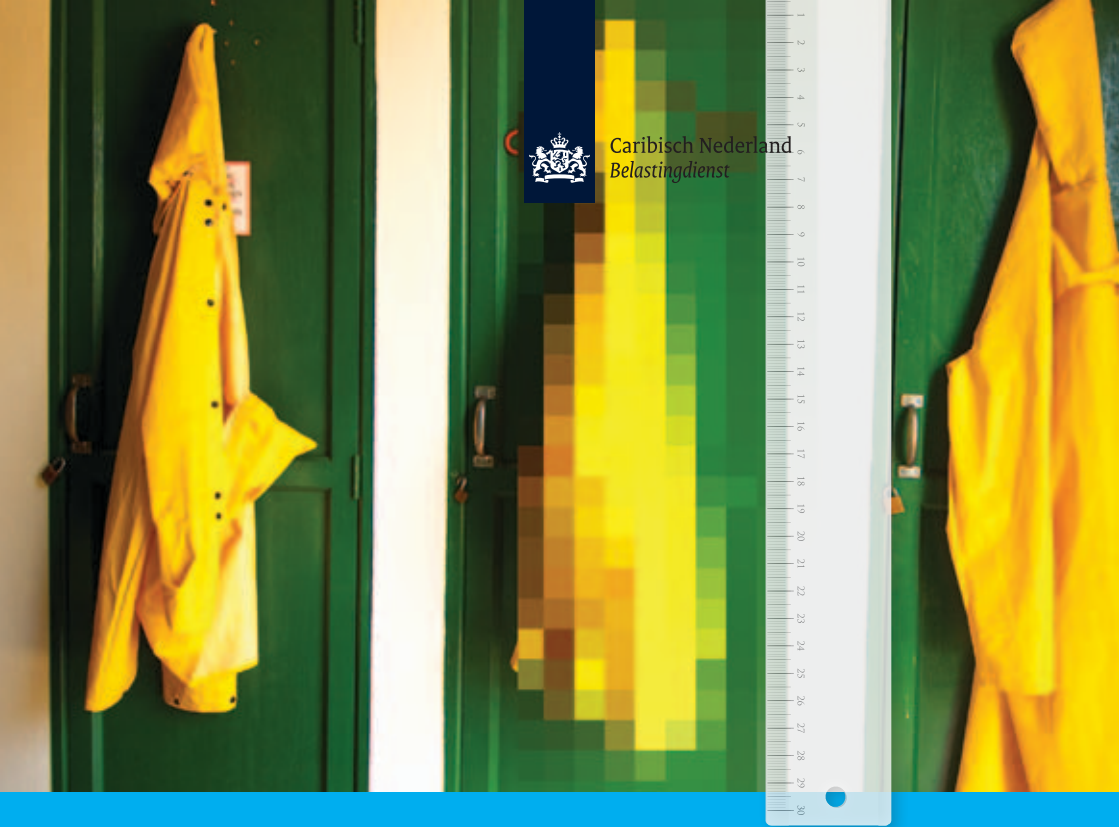




Caribisch Nederland
Belastingdienst



Overdrachtsbelasting



Overdrachtsbelasting

This folder offers you information on Overdrachtsbelasting

What is taxed?

The transfer of property situated in Caribisch Nederland and of ships registered in Caribisch Nederland is taxed.

Deduction

If a property or a registered ship is transferred again within 6 months, the “overdrachtsbelasting” which has already been paid (on the initial transfer) can be deducted. On balance, the “overdrachtsbelasting” is not therefore paid again on the full value.

Transfer

The term “transfer” requires to be interpreted broadly. The term is interpreted as including for example, the establishment of, the renunciation of and the termination of:

- a usufruct
- right of occupancy
- easements
- leasehold
- a right to build
- land (ground) rents

What are the most important amendments?

These are the provisions relating to the value on which “overdrachtsbelasting” requires to be paid. “overdrachtsbelasting” has to be paid on the fair market value. This value is at least equivalent to

the consideration. That means that a sale at too a low price, for example to a family member, does not result in “overdrachtsbelasting” being due on the low sale price. “Overdrachtsbelasting” is due on a fair and reasonable price (“arms-length price”) such as that which would be reached between random third parties.

Tariff

The tariff is 5%. The tax is levied from the purchaser, i.e. the transferee, who may be a natural but also a legal person. The notary plays an important role in respect of the “overdrachtsbelasting”. He ensures that the tax due is paid by tax return to the Belastingdienst.

“Overdrachtsbelasting” exemptions

A transfer may, in some cases be exempt from “overdrachtsbelasting”. For example:

- A transfer in the context of a division of matrimonial property and possessions or an estate in succession, to an assignee, such as one of the spouses or an heir.
- The contribution or investment of a business in a partnership (“maatschap”) or company (“vennootschap”).
- For the transfer of a newly constructed building or part of a building and the associated site.

