
STATUTORY INSTRUMENTS

2011 No. 86

The Value Added Tax (Buildings and Land) Order 2011

Amendment of Schedule 10 to the Value Added Tax Act 1994

6. In paragraph 15A(1) (meaning of “exempt land”: the building occupation conditions)—
- (a) in sub-paragraph (1)(b)(ii) for “10%” substitute “the maximum allowable percentage”;
 - (b) at the end of sub-paragraph (2) add—
“if that occupation is not wholly, or substantially wholly, for eligible purposes.”;
 - (c) for sub-paragraph (4) substitute—
 - “(4) In sub-paragraph (1)(b)(ii)—
“the maximum allowable percentage” means—
 - (a) 2% where P is the grantor or a person connected with the grantor, and
 - (b) 10% where P is a development financier or a person connected with a development financier (but not also the grantor or a person connected with the grantor), and“relevant building”—
 - (a) means a building any relevant interest in which is included in the grant, other than any part of such a building in which, immediately before the grant, neither the grantor nor any person connected with the grantor held a relevant interest, but
 - (b) does not include any building P’s occupation of which arises solely by reference to any automatic teller machine of P.”; and
 - (d) after sub-paragraph (6) insert—
“(6A) Sub-paragraph (5) of paragraph 15 (determination of whether occupation “wholly, or substantially wholly” for eligible purposes to be by reference to criteria in public notice) applies for the purposes of this paragraph.”.