
Changes to legislation: There are currently no known outstanding effects for the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017, Cross Heading: Determining the tax related to the consideration attributable to dwellings. (See end of Document for details)

SCHEDULE 13

RELIEF FOR ACQUISITIONS INVOLVING MULTIPLE DWELLINGS

Determining the tax related to the consideration attributable to dwellings

- 6 (1) For the purposes of paragraph 5(1)(a), “the tax related to the consideration attributable to dwellings” is determined as follows—

Step 1 Determine the amount of tax that would be chargeable under section 27 on the assumption that—

- (a) the chargeable transaction is a residential property transaction, and
- (b) the chargeable consideration were the fraction produced by dividing total dwellings consideration by total dwellings.

Step 2 Multiply the amount determined at Step 1 by total dwellings.

Step 3 If the relevant transaction is one of a number of linked transactions, go to Step 4. Otherwise, the amount found at Step 2 is the tax related to the consideration attributable to dwellings.

Step 4 Multiply the amount found at Step 2 by—

$$\frac{CD}{TDC}$$

Figure 12 where—

“CD” is the consideration attributable to dwellings for the relevant transaction, and

“TDC” is total dwellings consideration.

- (2) But if the amount found at Step 2 of sub-paragraph (1) is less than 1% of total dwellings consideration, for the purposes of paragraph 5(1)(a) “the tax related to the consideration attributable to dwellings” is an amount equal to 1% of the consideration attributable to dwellings.
- (3) “Total dwellings consideration” means—
- (a) for a transaction that is not one of a number of linked transactions, the consideration attributable to dwellings for that transaction;
 - (b) for one of a number of linked transactions—
 - (i) the total of the consideration attributable to dwellings for that transaction and all the other linked transactions that are relevant transactions, plus
 - (ii) so much of the chargeable consideration for any of the linked transactions (whether or not relevant transactions) as is not included in the calculation under paragraph (i) but is attributable to the same dwellings by reference to which that calculation is made.
- (4) “Total dwellings” means the total number of dwellings by reference to which total dwellings consideration is calculated.
- (5) In the application of sub-paragraph (1), no account is to be taken of—

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- (a) section 72(9) (transfer of 6 or more separate dwellings treated as non-residential property), or
 - (b) paragraph 34 (tax chargeable for consideration other than rent: mixed leases) of Schedule 6 (leases).
- (6) In the application of sub-paragraph (1), where a relevant transaction is a higher rates residential property transaction (as provided for in Schedule 5), the amount of tax that would be chargeable under section 27 is to be determined on that basis.
- (7) The Welsh Ministers may by regulations amend sub-paragraph (2) so as to substitute for the percentages for the time being specified there, different percentages.

Commencement Information

II Sch. 13 para. 6 in force at 1.4.2018 by S.I. 2018/34, art. 3

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