



# Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017

2017 anaw 1

## PART 3

### CALCULATION OF TAX AND RELIEFS

#### *Reliefs*

VALID FROM 01/04/2018

#### **31 Reliefs: anti-avoidance**

- (1) Relief is not available under any of the provisions mentioned in subsection (2) or (3) of section 30 in respect of a land transaction—
  - (a) which is a tax avoidance arrangement, or
  - (b) which forms part of arrangements which are tax avoidance arrangements.
- (2) An arrangement is a “tax avoidance arrangement” if—
  - (a) the obtaining of a tax advantage for any person is the main purpose, or one of the main purposes, of the buyer in the land transaction entering into the arrangement, and
  - (b) the arrangement lacks genuine economic or commercial substance other than the obtaining of a tax advantage.
- (3) In this section—

“arrangement” (“*trefniant*”) includes any transaction, scheme, agreement, grant, understanding, promise, undertaking or series of any of those things (whether or not legally enforceable);

“tax” (“*treth*”) means land transaction tax, income tax, corporation tax, capital gains tax, stamp duty land tax, stamp duty reserve tax or stamp duty;

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**Status:** Point in time view as at 18/10/2017. This version of this provision is not valid for this point in time.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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“tax advantage” (“*mantais drethiannol*”) means—

- (a) relief or increased relief from tax,
- (b) repayment or increased repayment of tax,
- (c) avoidance or reduction of a charge to tax, or
- (d) deferral of a payment of tax or advancement of a repayment of tax.

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