

Status: Point in time view as at 21/07/2008.

Changes to legislation: Finance Act 2003, Part 3 is up to date with all changes known to be in force on or before 30 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

STAMP DUTY LAND TAX: DISADVANTAGED AREAS RELIEF

PART 3

LAND PARTLY SITUATED IN A DISADVANTAGED AREA

Introduction

- 7 (1) This Part of this Schedule applies to a land transaction if
- [^{F1}(a)] the subject matter of the transaction is a chargeable interest in relation to land that is partly in a disadvantaged area and partly outside such an area[^{F2}, and
 - (b) the land situated in a disadvantaged area is wholly or partly residential property].
- (2) References in this Part to the consideration attributable to land situated in a disadvantaged area and to land not so situated (or to the rent or annual rent so attributable) are to the consideration (or rent or annual rent) so attributable on a just and reasonable apportionment.

Textual Amendments

- F1** Word in Sch. 6 para. 7(1) inserted (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), [Sch. 9 para. 1\(5\)](#) (with [Sch. 9 para. 4](#))
- F2** Sch. 6 para. 7(1)(b) and word inserted (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), [Sch. 9 para. 1\(5\)](#) (with [Sch. 9 para. 4](#))

Land all non-residential

^{F3g}

Textual Amendments

- F3** Sch. 6 para. 8 repealed (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), [Sch. 9 para. 1\(6\)](#), [Sch. 11 Pt. 3\(2\)](#) (with [Sch. 9 para. 4](#))

Land all residential

- 9 (1) This paragraph applies where all the land situated in a disadvantaged area is residential property.
- (2) If—

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- (a) the consideration attributable to land situated in a disadvantaged area does not include rent and the relevant consideration does not exceed £150,000, or
 - (b) the consideration so attributable consists only of rent and the relevant rental value does not exceed £150,000,
- none of the consideration so attributable counts as chargeable consideration.
- (3) If the consideration attributable to land situated in a disadvantaged area includes rent and the relevant rental value does not exceed £150,000, the rent so attributable does not count as chargeable consideration.
- (4) If the consideration attributable to land in a disadvantaged area includes consideration other than rent (“non-rent consideration”), then—
- (a) if—
 - ^{F4}(i)
 - (ii) the relevant consideration does not exceed £150,000,
 the non-rent consideration so attributable does not count as chargeable consideration;
 - ^{F5}(b)

Textual Amendments

F4 Sch. 6 para. 9(4)(a)(i) omitted (with effect in accordance with s. 95(13) of the amending Act) by virtue of [Finance Act 2008 \(c. 9\), s. 95\(4\)\(c\)\(5\)\(a\)](#)

F5 Sch. 6 para. 9(4)(b) omitted (with effect in accordance with s. 95(13) of the amending Act) by virtue of [Finance Act 2008 \(c. 9\), s. 95\(4\)\(c\)\(5\)\(b\)](#)

Land partly non-residential and partly residential

- 10 (1) [^{F6}This paragraph applies, where the land situated in a disadvantaged area is partly non-residential property and partly residential property, in relation to the consideration attributable to land that is residential property.]

References in this paragraph to the consideration attributable to ^{F7}... land that is residential property (or to the rent or annual rent so attributable) are to the consideration (or rent or annual rent) attributable to land in a disadvantaged area that is, on a just and reasonable apportionment, so attributable.

- ^{F8}(2)
- ^{F8}(3)

- (4) If—
- (a) the consideration so attributable does not include rent and the relevant consideration does not exceed £150,000, or
 - (b) the consideration so attributable consists only of rent and the relevant rental value does not exceed £150,000,
- none of the consideration so attributable counts as chargeable consideration.
- (5) If the consideration so attributable includes rent and the relevant rental value does not exceed £150,000, the rent so attributable does not count as chargeable consideration.
- (6) If the consideration so attributable includes consideration other than rent, then—

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- (a) if—
- ^{F9}(i)
 - (ii) the relevant consideration does not exceed £150,000,
the consideration other than rent does not count as chargeable consideration;
- ^{F10}(b)

Textual Amendments

- F6** Words in Sch. 6 para. 10(1) substituted (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), **Sch. 9 para. 1(7)(a)** (with [Sch. 9 para. 4](#))
- F7** Words in Sch. 6 para. 10(1) repealed (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), [Sch. 9 para. 1\(7\)\(b\)](#), **Sch. 11 Pt. 3(2)** (with [Sch. 9 para. 4](#))
- F8** Sch. 6 para. 10(2)(3) repealed (with application in accordance with Sch. 9 para. 4(1) of the amending Act) by [Finance Act 2005 \(c. 7\)](#), [Sch. 9 para. 1\(7\)\(c\)](#), **Sch. 11 Pt. 3(2)** (with [Sch. 9 para. 4](#))
- F9** Sch. 6 para. 10(6)(a)(i) omitted (with effect in accordance with s. 95(13) of the amending Act) by virtue of [Finance Act 2008 \(c. 9\)](#), s. 95(4)(d)(5)(a)
- F10** Sch. 6 para. 10(6)(b) omitted (with effect in accordance with s. 95(13) of the amending Act) by virtue of [Finance Act 2008 \(c. 9\)](#), s. 95(4)(d)(5)(b)

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