



# Finance Act 2013

## 2013 CHAPTER 29

### PART 3

#### ANNUAL TAX ON ENVELOPED DWELLINGS

##### *Reliefs*

#### **142 Property traders: supplementary**

- (1) Subsection (2) applies if on a day in a chargeable period (“the day of non-qualifying occupation”)—
  - (a) a person carrying on a property trading business (“the property trader”) is entitled to a single-dwelling interest that is held as mentioned in section 141(1)(b), and
  - (b) a non-qualifying individual is permitted to occupy the dwelling.
- (2) No subsequent day is relievably in the case of the single-dwelling interest by virtue of section 141(1) if—
  - (a) the day falls within that chargeable period, or any of the subsequent 3 chargeable periods, and
  - (b) the property trader or a relevant partner is entitled to the interest on that day.
- (3) If on the day of non-qualifying occupation mentioned in subsection (1) the property trader carries on the property trading business in partnership, “relevant partner” means any other person who is, at any time, a member of that partnership.
- (4) Subsection (5) applies if—
  - (a) on a day in a chargeable period (“the day of non-qualifying occupation”) a person who is a non-qualifying individual in relation to a single-dwelling interest is occupying the dwelling in question, and
  - (b) on an earlier day in that, or the preceding, chargeable period (“the earlier day”) the conditions in section 141(1)(a) and (b) are met in relation to the same single-dwelling interest.

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*Changes to legislation: There are currently no known outstanding effects  
for the Finance Act 2013, Section 142. (See end of Document for details)*

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- (5) The earlier day is not relievable by virtue of section 141(1) in the case of the single-dwelling interest if—
- (a) a person who is entitled to the interest on the earlier day is also entitled to it on the day of non-qualifying occupation, or
  - (b) if the business mentioned in section 141(1) is carried on in partnership, a person who has at any time carried that business on in partnership is entitled to the interest on the day of non-qualifying occupation.
- (6) Subsection (5) does not apply in relation to the earlier day if a day that is relievable by virtue of section 133(1)(a) falls between the earlier day and the day of non-qualifying occupation.
- (7) For the purposes of this section and section 141—
- (a) “non-qualifying individual” has the meaning given by section 136(1);
  - (b) occupation of any part of a dwelling is regarded as occupation of the dwelling.

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 2013, Section 142.