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## SCHEDULES

### SCHEDULE 6

Sections 7 and 17.

#### EXEMPTIONS

#### [<sup>F1</sup>GROUP 1—LAND

##### Textual Amendments

**F1** Sch. 6 Group 1 substituted by Finance Act 1989 (c. 26, SIF 40:2), s. 18, Sch. 3 paras. 4(1), 12

Item No.]

- 1 The grant of any interest in or right over land or of any licence to occupy land, other than-
- (a) the grant of the fee simple in mdash;
    - (i) a building which has not been completed and which is neither designed as a dwelling or number of dwellings nor intended for use solely for a relevant residential purpose or a relevant charitable purpose;
    - (ii) a new building which is neither designed as a dwelling or number of dwellings nor intended for use solely for a relevant residential purpose or a relevant charitable purpose after the grant;
    - (iii) a civil engineering work which has not been completed;
    - (iv) a new civil engineering work;
  - (b) the grant of any interest, right or licence consisting of a right to take game or fish;
  - (c) the provision in an hotel, inn, boarding house or similar establishment of sleeping accommodation or of accommodation in rooms which are provided in conjunction with sleeping accommodation or for the purpose of a supply of catering;
  - [<sup>F2</sup>(d) the grant of any interest in, right over or licence to occupy holiday accomodation;]
  - (e) the provision of seasonal pitches for caravans, and the grant of facilities at caravan parks to persons for whom such pitches are provided;
  - (f) the provision of pitches for tents or of camping facilities;
  - (g) the grant of facilities for parking a vehicle;
  - (h) the grant of any right to fell and remove standing timber;
  - (i) the grant of facilities for housing, or storage of, an aircraft or for mooring, or storage of, a ship, boat or other vessel;
  - (j) the grant of any right to occupy a box, seat or other accommodation at a sports ground, theatre, concert hall or other place of entertainment; and

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- (k) the grant of facilities for playing any sport or participating in any physical recreation.

*Notes:*

- (1) “Grant” includes an assignment, other than an assignment of an interest made to the person to whom a surrender of the interest could be made.
  - (2) A building shall be taken to be completed when an architect issues a certificate of practical completion in relation to it or it is first fully occupied, whichever happens first; and a civil engineering work shall be taken to be completed when an engineer issues a certificate of completion in relation to it or it is fully used, whichever happens first.
  - (3) Notes (2) to (6) to Group 8 of Schedule 5 to this Act apply in relation to this Group as they apply in relation to that Group.
  - (4) A building or civil engineering work is new if it was completed less than three years before the grant.
  - (5) Subject to Note (6), the grant of the fee simple in a building or work completed before 1st April 1989 is not excluded from this Group by paragraph (a)(ii) or (iv).
  - (6) Note (5) does not apply where the grant is the first grant of the fee simple made on or after 1st April 1989 and the building was not fully occupied, or the work not fully used, before that date.
  - (7) Where a grant of an interest in, right over or licence to occupy land includes a valuable right to take game or fish, an apportionment shall be made to determine the supply falling outside this Group by virtue of paragraph (b).
  - (8) “Similar establishment” includes premises in which there is provided furnished sleeping accommodation, whether with or without the provision of board or facilities for the preparation of food, which are used by or held out as being suitable for use by visitors or travellers.
  - (9) “Houseboat” includes a houseboat within the meaning of Group 11 of Schedule 5 to this Act.
- [<sup>F3</sup>(10) Paragraph (d) includes—
- (a) any grant excluded from item 1 of Group 8 of Schedule 5 to this Act by Note (7) in that Group;
  - (b) any supply made pursuant to a tenancy, lease or licence under which the grantee is or has been permitted to erect and occupy holiday accommodation.]

[<sup>F4</sup>(10A) Paragraph (d) does not include a grant in respect of a building or part which is not a new building of—

    - (a) the fee simple, or
    - (b) a tenancy, lease or licence to the extent that the grant is made for a consideration in the form of a premium.

(10B) “Holiday accommodation” includes any accommodation in a building, hut (including a beach hut or chalet), caravan, houseboat or tent which is advertised or held out as holiday accommodation or as suitable for holiday or leisure use, but excludes any accommodation within paragraph (c).]

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- (11) A seasonal pitch is a pitch—
- (a) which is provided for a period of less than a year; or
  - (b) which is provided for a year or a period longer than a year but which the person to whom it is provided is prevented by the terms of any covenant, statutory planning consent or similar permission from occupying by living in a caravan at all times throughout the period for which the pitch is provided.
- (12) “Mooring” includes anchoring or berthing
- (13) Paragraph (k) shall not apply where the grant of the facilities is for—
- (a) a continuous period of use exceeding twenty-four hours; or
  - (b) a series of ten or more periods, whether or not exceeding twenty-four hours in total, where the following conditions are satisfied—
    - (i) each period is in respect of the same activity carried on at the same place;
    - (ii) the interval between each period is not less than one day and not more than fourteen days;
    - (iii) consideration is payable by reference to the whole series and is evidenced by written agreement;
    - (iv) the grantee has exclusive use of the facilities; and
    - (v) the grantee is a school, a club, an association or an organisation representing affiliated clubs or constituent associations.

**Textual Amendments**

- F2** Sch. 6 para. (d) substituted by [S.I. 1990/2553, art. 3\(a\)](#)
- F3** Note (10) substituted by [S.I. 1990/2553, art. 3\(b\)](#)
- F4** Notes (10A) and (10B) inserted by [S.I. 1990/2553, art. 3\(c\)](#)

**GROUP 2—INSURANCE**

Item No.

- [<sup>F5</sup>1 The provision of insurance and reinsurance by—
- (a) a person permitted in accordance with section 2 of the Insurance Companies Act 1982, to carry on insurance business; or
  - (b) an insurer who belongs outside the United Kingdom against any risks other things described in Schedules 1 and 2 to the Insurance Companies Act 1982.]

**Textual Amendments**

- F5** Sch. 6 Group 2 Item 1 substituted by [S.I. 1990/2037, art. 2](#)

- 2 The provision of insurance and reinsurance by the Export Credits Guarantee Department.

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- 3 The making of arrangements for the provision of any insurance or reinsurance in items 1 and 2.
- 4 The handling of insurance claims by insurance brokers, insurance agents and persons permitted to carry on insurance business as described in item 1.
- Note:* Item 4 does not include supplies by loss adjusters, average adjusters, motor assessors, surveyors and other experts, and legal services, in connection with the assessment of any claim.

### GROUP 3—POSTAL SERVICES

Item No.

- 1 The conveyance of postal packets by the Post Office.
- 2 The supply by the Post Office of any services in connection with the conveyance of postal packets.
- Notes:*
- (1) “Postal packet” has the same meaning as in the <sup>M1</sup>Post Office Act 1953, except that it does not include a telegram.
- (2) Item 2 does not include the letting on hire of goods.

#### Marginal Citations

M1 1953 c. 36.

### GROUP 4—BETTING, GAMING AND LOTTERIES

Item No.

- 1 The provision of any facilities for the placing of bets or the playing of any games of chance.
- 2 The granting of a right to take part in a lottery.
- Notes:*
- (1) Item 1 does not include—
- (a) admission to any premises; or
  - (b) the granting of a right to take part in a game in respect of which a charge may be made by virtue of regulations under section 14 of the <sup>M2</sup>Gaming Act

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- 1968 [<sup>F6</sup>or regulations under Article 76 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985]; or
- (c) the provision by a club of such facilities to its members as are available to them on payment of their subscription but without further charge; or
  - (d) the provision of a gaming machine.
- (2) “Game of chance” has the same meaning as in the Gaming Act 1968 [<sup>F7</sup>or in the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985].
- (3)
- <sup>F8</sup>(4) “Gaming machine” means a machine in respect of which the following conditions are satisfied, namely—
- (a) it is constructed or adapted for playing a game of chance by means of it; and
  - (b) a player pays to play the machine (except where he has an opportunity to play payment-free as the result of having previously played successfully) either by inserting a coin or token into the machine or in some other way; and
  - (c) the element of chance in the game is provided by means of the machine.

#### Textual Amendments

**F6** Words inserted by [S.I. 1987/517, art. 2\(1\)](#)

**F7** Words inserted by [S.I. 1987/517, art. 2\(2\)](#)

**F8** Note (3) repealed by [Finance Act 1990 \(c.29, SIF 40:2\), s. 132, Sch. 19 Pt. III](#)

#### Marginal Citations

**M2** [1968 c. 65.](#)

## GROUP 5—FINANCE

Item No.

- 1 The issue, transfer or receipt of, or any dealing with, money, any security for money or any note or order for the payment of money.
- 2 The making of any advance or the granting of any credit.
- 3 The provision of the facility of instalment credit finance in a hire-purchase, conditional sale or credit sale agreement for which facility a separate charge is made and disclosed to the recipient of the supply of goods.
- 4 The provision of administrative arrangements and documentation and the transfer of title to the goods in connection with the supply described in item 3 if the total consideration therefor is specified in the agreement and does not exceed £10.

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- 5 The making of arrangements for any transaction comprised in item 1, 2, 3 or 4 [<sup>F9</sup> or the underwriting of an issue within item 1].

#### Textual Amendments

**F9** Words added by [Finance Act 1987 \(c. 16, SIF 40:2\)](#), s. [18\(1\)\(a\)\(2\)](#)

- [<sup>F10</sup>6 The issue, transfer or receipt of, or any dealing with, any security or secondary security being:—

- (a) shares, stock, bonds, notes (other than promissory notes), debentures, debenture stock or shares in an oil royalty; or
- (b) any document relating to money, in any currency, which has been deposited with the issuer or some other person, being a document which recognises an obligation to pay a stated amount to bearer or to order, with or without interest, and being a document by the delivery of which, with or without endorsement, the right to receive that stated amount, with or without interest, is transferable; or
- (c) any bill, note or other obligation of the Treasury or of a Government in any part of the world, being a document by the delivery of which, with or without endorsement, title is transferable, and not being an obligation which is or has been legal tender in any part of the world; or
- (d) any letter of allotment or rights, any warrant conferring an option to acquire a security included in this item, any renounceable or scrip certificates, rights, coupons, coupons representing dividends or interest on such a security, bond mandates or other documents conferring or containing evidence of title to or rights in respect of such a security; or
- (e) units or other documents conferring rights under any trust established for the purpose, or having the effect of providing, for persons having funds available for investment, facilities for the participation by them as beneficiaries under the trust, in any profits or income arising from the acquisition, holding, management or disposal of any property whatsoever.]

#### Textual Amendments

**F10** Item 6 substituted by [S.I. 1987/860, art. 2](#)

- [<sup>F11</sup>6A The making of arrangements for or the underwriting of any transaction within item 6.]

#### Textual Amendments

**F11** Item 6A inserted by [Finance Act 1987 \(c. 16, SIF 40:2\)](#), s. [18\(1\)\(b\)\(2\)](#) and, as substituted by [S.I. 1989/2272, art. 2\(2\)](#)

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7 The operation of any current, deposit or savings account.

[<sup>F12</sup>8 The management of an authorised unit trust scheme or of a trust based scheme by the operator of the scheme.]

#### Textual Amendments

**F12** Item 8 added by [S.I. 1989/2272, art. 2\(3\)](#)

7 *Notes:*

- (1) Item 1 does not include anything included in item 6.
- (2) This Group does not include the supply of a coin or a banknote as a collectors' piece or as an investment article.
- (3) Item 2 includes the supply of credit by a person, in connection with a supply of goods or services by him, for which a separate charge is made and disclosed to the recipient of the supply of goods or services.
- [<sup>F13</sup>(4) This Group includes any supply by a person carrying on a credit card, charge card or similar payment card operation made in connection with that operation to a person who accepts the card used in the operation when presented to him in payment for goods or services.
- (5) Item 6A includes the introduction to a person effecting transactions in securities or secondary securities within item 6 of a person seeking to acquire or dispose of such securities.
- (6) In item 8—
  - (a) “authorised unit trust scheme” and “operator” have the same meanings as in section 207(1) of the Financial Services Act 1986;
  - (b) “trust based scheme” has the same meaning as in regulation 2(1)(b) of the Financial Services Act 1986 (Single Property Schemes) (Exemption) Regulations 1989.]

#### Textual Amendments

**F13** Notes (4)(5)(6) added by [S.I. 1985/432, art. 2](#) and [S.I. 1989/2272, art. 2\(4\)](#)

## GROUP 6—EDUCATION

Item No.

VALID FROM 01/08/1994

<sup>F14</sup>Item No.

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### Textual Amendments

**F14** Words in [Sch. 6](#) Group 6 (Education) substituted (1.8.1994) by [S.I. 1994/1188](#), [art. 2](#)

VALID FROM 01/08/1994

#### <sup>F15</sup>Notes:

- (1) For the purposes of this Group an “eligible body” is—
- (a) a school within the meaning of the Education Acts 1944 to 1993 <sup>F16</sup>, the Education (Scotland) Act 1980 <sup>F17</sup>, the Education and Libraries (Northern Ireland) Order 1986 <sup>F18</sup> or the Education Reform (Northern Ireland) Order 1989 <sup>F19</sup>, which is—
    - (i) provisionally or finally registered or deemed to be registered as a school within the meaning of the aforesaid legislation in a register of independent schools; or
    - (ii) a school in respect of which grants are made by the Secretary of State to the proprietor or managers; or
    - (iii) a maintained school within the meaning of the Education Act 1993 <sup>F20</sup> or the Education and Libraries (Northern Ireland) Order 1986; or
    - (iv) a public school within the meaning of section 135(1) of the Education (Scotland) Act 1980 <sup>F21</sup>; or
    - (v) a grant-maintained school within the meaning of section 22 of the Education Act 1993; or
    - (vi) a self-governing school within the meaning of section 1(3) of the Self-Governing Schools (Scotland) Act 1989 <sup>F22</sup>
    - (vii) a grant-maintained special school within the meaning of section 182(3) of the Education Act 1993; or
    - (viii) a grant-maintained integrated school within the meaning of Article 65 of the Education Reform (Northern Ireland) Order 1989 <sup>F23</sup>;
  - (b) a United Kingdom university, and any college, institution, school or hall of such a university;
  - (c) an institution—
    - (i) falling within section 91(3)(a) or (b) or section 91(5)(b) or (c) of the Further and Higher Education Act 1992 <sup>F24</sup>; or
    - (ii) which is a designated institution as defined in section 44(2) of the Further and Higher Education (Scotland) Act 1992 <sup>F25</sup>; or
    - (iii) managed by a board of management as defined in section 36(1) of the Further and Higher Education (Scotland) Act 1992; or
    - (iv) to which grants are paid by the Department of Education for Northern Ireland under Article 66(2) of the Education and Libraries (Northern Ireland) Order 1986 <sup>F26</sup>;
  - (d) a public body of a description in Note (5) of Group 7 of Schedule 6 to this Act;
  - (e) a body recognised under the British Council Recognition Scheme for the teaching of English as a foreign language.
  - (f) a body not falling within paragraphs (a) to (e) above which—

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- (i) is precluded from distributing and does not distribute any profit it makes; and
  - (ii) applies any profits made from supplies of a description within this Group to the continuance or improvement of such supplies.
- (2) A supply by a body, which is an eligible body only by virtue of falling within Note (1) (e), shall not fall within this Group insofar as it consists of the provision of anything other than the teaching of English as a foreign language.
- (3) "Vocational training" means training or re-training for—
- (a) any trade, profession or employment; or
  - (b) any voluntary work connected with—
    - (i) education, health, safety, or welfare; or
    - (ii) the carrying out of activities of a charitable nature; and
  - (c) for the purposes of item 5, includes the provision of work experience.
- (4) "Examination services" include the setting and marking of examinations, the setting of educational or training standards, the making of assessments and other services provided with a view to ensuring educational and training standards are maintained.
- (5) For the purposes of item 5 a supply of any goods or services shall not be taken to be essential to the provision of vocational training unless the goods or services in question are provided directly to the trainee.
- (6) For the purposes of item 6 a club is a "youth club" if—
- (a) it is established to promote the social, physical, educational or spiritual development of its members;
  - (b) its members are mainly under twenty-one years of age; and
  - (c) it satisfies the requirements of Note (1)(f)(i) and (ii).

#### Textual Amendments

- F15** Words in [Sch. 6](#) Group 6 (Education) substituted (1.8.1994) by [S.I. 1994/1188](#), [art. 2](#)
- F16** [1993 c.35](#); for definition of school see [section 14\(5\)](#) of the [Further and Higher Education Act 1992](#) ([1992 c.13](#)).
- F17** [1980 c.44](#).
- F18** [S.I. 1986/594](#) (N.I.3).
- F19** [S.I. 1989/2406](#) (N.I.20).
- F20** [1993 c.35](#).
- F21** [1980 c.44](#).
- F22** [1989 c.39](#).
- F23** [S.I. 1989/2406](#) (N.I.20).
- F24** [1992 c.13](#).
- F25** [1992 c.37](#).
- F26** [S.I. 1986/594](#) (N.I.3).

- <sup>1</sup> The provision of education or research by a school [<sup>F27</sup>, eligible institution]or university.

#### Textual Amendments

- F27** Words inserted by [S.I. 1989/267](#), [art. 2\(a\)](#)

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- 2 The provision, otherwise than for profit, of—
- (a) education or research of a kind provided by a school or university; or
  - (b) training or re-training for any trade, profession or employment.
- 3 Private tuition, in subjects (except those of a recreational or sporting nature) which are normally taught in the course of education provided by a school or university, to an individual pupil by a teacher acting independently of any employer or organisation.
- 4 The supply of any goods or services incidental to the provision of any education, training or re-training comprised in items 1 and 2.
- 5 The provision of any instruction supplemental to the provision of any education comprised in items 1 and 2.
- 6 The provision by a youth club or association of youth clubs of the facilities available to its members.
- [<sup>F287</sup> The supply to a person receiving training or retraining pursuant to any arrangements made by, or under the authority or direction of, the Secretary of State under section 2 of the Employment and Training Act 1973 or pursuant to any arrangements made by the Department of Economic Development under section 3 of the Employment and Training Act (Northern Ireland) 1950 of—
- (a) training or retraining for any trade, profession or employment, or
  - (b) any goods or services essential to such training or retraining, in respect of which payment is made by, or under the authority or direction of, the Secretary of State or by the Department of Economic Development, as the case may be.]

#### Textual Amendments

**F28** Item 7 added by [S.I. 1988/1282](#), [art. 2](#)

#### Notes:

- (1) “Education” includes training in any form of art [<sup>F29</sup>but excludes—
  - (a) courses in English as a foreign language which are provided for payment which exceeds the full cost of providing the courses; and
  - (b) holiday courses of an essentially recreational or sporting nature.]
- (2) “School” in items 1, 2 and 3 means an institution which, within the meaning of the Education Acts 1944 to 1981, the <sup>M3</sup>Education (Scotland) Act 1980 or the Education and Libraries (Northern Ireland) Orders 1972, 1976 and 1980, provides primary or secondary education or both, and which—
  - (a) either is provisionally or finally registered or deemed to be registered as a school within the meaning of the aforesaid legislation, in a register of

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independent schools or is a school in respect of which grants are made by the Secretary of State to the proprietor or managers; or

(b) is a voluntary school within the meaning of the <sup>M4</sup>Education Act 1944 or the Education and Libraries (Northern Ireland) Orders 1972, 1976 and 1980.

(3) “University” means a United Kingdom university and includes any college, institution, school or hall of such a university.

[<sup>F30</sup>(3A) For the purposes of item 1 above “eligible institution” means—

- (a) an institution to which section 132(6) of the Education Reform Act 1988 applies;
- (b) an institution to which section 77(5) of the Education (Scotland) Act 1980 applies;
- (c) an institution to which grants are paid by the Department of Education for Northern Ireland under article 66(2) of the Education and Libraries (Northern Ireland) Order 1986;
- (d) the Cambridge Institute of Education, the Royal College of Art and the Cranfield Institute of Technology.]

(4) Paragraph (a) of item 2 does not include recreational or sporting activities except where they are provided as part of a general educational curriculum.

[<sup>F31</sup>(5) Item 4 applies only where:-

- (a) Supplies described in that item are made to the persons receiving education, training or re-training comprised in items 1 and 2 (hereinafter referred to as students) by the same person who provides them with that education, training or re-training; or
- (b) Supplies described in that item are made to a person providing education, training or re-training comprised in items 1 or 2 (hereinafter referred to as the recipient), by another person providing such education, training or re-training and such supplies to his own students, and are directly used by the students of the recipient.]

(6) Item 5 applies only where the instruction described in that item is provided to persons receiving education comprised in items 1 and 2 by the same person who provides them with that education.

#### Textual Amendments

**F29** Words added by [S.I. 1989/267, art. 2\(b\)](#)

**F30** Note (3A) inserted by [S.I. 1989/267, art. 2\(c\)](#)

**F31** Note (5) substituted by [S.I. 1987/1259, art. 2](#)

#### Marginal Citations

**M3** 1980 c. 44.

**M4** 1944 c. 31.

#### Textual Amendments

**F29** Words added by [S.I. 1989/267, art. 2\(b\)](#)

**F30** Note (3A) inserted by [S.I. 1989/267, art. 2\(c\)](#)

**F31** Note (5) substituted by [S.I. 1987/1259, art. 2](#)

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#### Marginal Citations

**M3** 1980 c. 44.

**M4** 1944 c. 31.

### GROUP 7—HEALTH [<sup>F32</sup>AND WELFARE]

#### Textual Amendments

**F32** Words added by S.I. 1985/1900, art. 2(a)

Item No.

- [<sup>F33</sup>1 The supply of services by a person registered or enrolled in any of the following—
- (a) the register of medical practitioners or the register of medical practitioners with limited registration;
  - (b) either of the registers of ophthalmic opticians or the register of dispensing opticians kept under the [<sup>F34</sup>Opticians Act 1989]or either of the lists kept under [<sup>F34</sup>section 9]of that Act of bodies corporate carrying on business as ophthalmic opticians or as dispensing opticians;
  - (c) any register kept under the <sup>M5</sup>Professions Supplementary to Medicine Act 1960;
  - (d) the register of qualified nurses, midwives and health visitors kept under section 10 of the Nurses, Midwives and Health Visitors Act <sup>M6</sup>1979;
  - (e) the register of dispensers of hearing aids or the register of persons employing such dispensers maintained under section 2 of the Hearing Aid Council Act <sup>M7</sup>1968.]

#### Textual Amendments

**F33** Items 1, 2 substituted for items 1, 1A, 2 (item 1A having been inserted by S.I. 1984/1784) by Finance Act 1988 (c. 39, SIF 40:1), s. 13(2)(4)

**F34** Words substituted by Opticians Act 1989 (c. 44, SIF 83:1), s. 37(3)

#### Marginal Citations

**M5** 1960 c. 66 (83:1).

**M6** 1979 c. 36 (83:1).

**M7** 1968 c. 50 (83:1).

- 2 The supply of any services or dental prostheses by-
- (a) a person registered in the dentists register;
  - (b) a person enrolled in any roll of dental auxiliaries having effect under section 45 of the Dentists Act <sup>M8</sup>1984; or
  - (c) a dental technician.

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**Marginal Citations**

**M8** 1984 c. 24 (83:1)

- 3 The supply of any services by a person registered in the register of pharmaceutical chemists kept under the <sup>M9</sup>Pharmacy Act 1954 or the <sup>M10</sup>Pharmacy (Northern Ireland) Order 1976.

**Marginal Citations**

**M9** 1954 c. 61.

**M10** 1976 S.I. No. 1213 (N.I. 22).

- 4 The provision of care or medical or surgical treatment and, in connection with it, the supply of any goods, in any hospital or other institution approved, licensed, registered or exempted from registration by any Minister or other authority pursuant to a provision of a public general Act of Parliament or of the Northern Ireland Parliament or of a public general Measure of the Northern Ireland Assembly or Order in Council under Schedule 1 to the <sup>M11</sup>Northern Ireland Act 1974, not being a provision which is capable of being brought into effect at different times in relation to different local authority areas.

**Marginal Citations**

**M11** 1974 c. 28.

- 5 The provision of a deputy for a person registered in the register of medical practitioners or the register of medical practitioners with limited registration.

- 6 Human blood.

- 7 Products for therapeutic purposes, derived from human blood.

- 8 Human (including foetal) organs or tissue for diagnostic or therapeutic purposes or medical research.

- [<sup>F359</sup> The supply, otherwise than for profit, by a charity or public body of welfare services and of goods supplied in connection therewith.]

**Textual Amendments**

**F35** Items 9, 10, 11 added by [S.I. 1985/1900](#), [art. 2\(b\)](#) and [S.I. 1989/2272](#), [art. 3](#)

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*Changes to legislation: There are currently no known outstanding effects for the Value Added Tax Act 1983 (repealed 1.9.1994), SCHEDULE 6. (See end of Document for details)*

- 10 The supply, otherwise than for profit, of goods and services incidental to the provision of spiritual welfare by a religious community to a resident member of that community in return for a subscription or other consideration paid as a condition of membership.
- 11 The supply of transport services for sick or injured persons in vehicles specially designed for that purpose.

*Notes:*

- (1) Item 1 does not include the letting on hire of goods except where the letting is in connection with a supply of other services comprised in the item.
- (2) [<sup>F36</sup>Paragraphs (a) to (d) of item 1 and paragraphs (a) and (b) of item 2 include supplies of services]made by a person who is not registered or enrolled in any of the registers or rolls specified in those paragraphs where the services are wholly performed or directly supervised by a person who is so registered or enrolled.
- (3) Item 3 does not include the letting on hire of goods.
- (4) For the purposes of this Group a person who is not registered in the visiting EEC practitioners list in the register of medical practitioners at the time he performs services in an urgent case as mentioned in subsection (3) of section 18 of the <sup>M12</sup>Medical Act 1983 is to be treated as being registered in that list where he is entitled to be registered in accordance with that section.
- [<sup>F37</sup>(5) “Public body” means-
- (a) a Government department within the meaning of section 27(4) of this Act;
- (b) a local authority within the meaning of section 20(6) of this Act;
- (c) a body which acts under any enactment or instrument for public purposes and not for its own profit and which performs functions similar to those of a Government department or local authority.
- (6) In item 9 “welfare services” means services which are directly connected with—
- (a) the provision of care, treatment or instruction designed to promote the physical or mental welfare of elderly, sick, distressed or disabled persons;
- (b) the protection of children and young persons; or
- (c) the provision of spiritual welfare by a religious institution as part of a course of instruction or a retreat, not being a course or a retreat designed primarily to provide recreation or a holiday.
- (7) Item 9 does not include the supply of accommodation or catering except where it is ancillary to the provision of care, treatment or instruction.]

#### Textual Amendments

**F36** Words substituted by [Finance Act 1988 \(c. 39, SIF 40:2\)](#), [s. 13\(3\)\(4\)](#)

**F37** Notes (5)(6)(7) added by [S.I. 1985/1900](#), [art. 2\(c\)](#)

#### Marginal Citations

**M12** [1983 c. 54](#).

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### **GROUP 8—BURIAL AND CREMATION**

Item No.

- 1 The disposal of the remains of the dead.
- 2 The making of arrangements for or in connection with the disposal of the remains of the dead.

### **GROUP 9—TRADE UNIONS AND PROFESSIONAL BODIES**

Item No.

- 1 The supply to its members of such services and, in connection with those services, of such goods as are both referable only to its aims and available without payment other than a membership subscription by any of the following non-profit-making organisations—
  - (a) a trade union or other organisation of persons having as its main object the negotiation on behalf of its members of the terms and conditions of their employment;
  - (b) a professional association, membership of which is wholly or mainly restricted to individuals who have or are seeking a qualification appropriate to the practice of the profession concerned;
  - (c) an association, the primary purpose of which is the advancement of a particular branch of knowledge, or the fostering of professional expertise, connected with the past or present professions or employments of its members;
  - (d) an association, the primary purpose of which is to make representations to the Government on legislation and other public matters which affect the business or professional interests of its members.

*Notes:*

- (1) Item 1 does not include any right of admission to any premises, event or performance, to which non-members are admitted for a consideration.
- (2) “Trade union” has the meaning assigned to it by section 28(1) of the <sup>M13</sup>Trade Union and Labour Relations Act 1974.
- (3) Item 1 shall include organisations and associations the membership of which consists wholly or mainly of constituent or affiliated associations which as individual associations would be comprised in the item; and “member” shall be construed as including such an association and “membership subscription” shall include an affiliation fee or similar levy.
- (4) Paragraph (c) does not apply unless the association restricts its membership wholly or mainly to individuals whose present or previous professions or employments are directly connected with the purposes of the association.

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- (5) Paragraph (d) does not apply unless the association restricts its membership wholly or mainly to individuals or corporate bodies whose business or professional interests are directly connected with the purposes of the association.

**Marginal Citations**

**M13** 1974 c. 52.

**GROUP 10—SPORTS COMPETITIONS**

Item No.

- 1 The grant of a right to enter a competition in sport or physical recreation where the consideration for the grant consists in money which is to be allocated wholly towards the provision of a prize or prizes awarded in that competition.
- 2 The grant, by a non-profit-making body established for the purposes of sport or physical recreation, of a right to enter a competition in such an activity.

*Note:*

Item 2 does not include any supply where the consideration consists wholly or partly in a charge which the body ordinarily makes for the use of its facilities or the admission to its premises.

**GROUP 11—WORKS OF ART, ETC.**

Item No.

- 1 The disposal of an object with respect to which estate duty is not chargeable by virtue of section 30(3) of the <sup>M14</sup>Finance Act 1953, section 34(1) of the <sup>M15</sup>Finance Act 1956 or the proviso to section 40(2) of the <sup>M16</sup>Finance Act 1930.

**Marginal Citations**

**M14** 1953 c. 34.

**M15** 1956 c. 54.

**M16** 1930 c. 28.

- 2 The disposal of an object with respect to which capital transfer tax is not chargeable by virtue of [<sup>F38</sup>paragraph 1(3)(a) or (4), paragraph 3(4)(a), or the words following paragraph 3(4), of Schedule 5 to the Capital Transfer Tax Act <sup>M17</sup>1984].

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*Changes to legislation: There are currently no known outstanding effects for the Value Added Tax Act 1983 (repealed 1.9.1994), SCHEDULE 6. (See end of Document for details)*

#### Textual Amendments

**F38** Words substituted by virtue of [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), **Sch. 8 para. 24** (group 11 being therein referred to as group II)

#### Marginal Citations

**M17** [1984 c. 51 \(65\)](#)

- 3 The disposal of property with respect to which capital transfer tax is not chargeable by virtue of [<sup>F39</sup>section 32(4) [<sup>F40</sup>or 32A(5) or (7)]of the <sup>M18</sup>Capital Transfer Tax Act 1984].

#### Textual Amendments

**F39** Words substituted by virtue of [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), **Sch. 8 para. 24** (group 11 being therein referred to as group II)

**F40** Words inserted in relation to events on or after 19.3.1985 by [Finance Act 1985 \(c. 54, SIF 18\)](#), **Sch. 26 para. 14**

#### Marginal Citations

**M18** [1984 c. 51 \(65\)](#)

- 4 The disposal of an asset in a case in which any gain accruing on that disposal is not a chargeable gain by virtue of [<sup>F41</sup>section 258(2) of the Taxation of Chargeable Gains Act 1992].

#### Textual Amendments

**F41** Words in Item 4 substituted (in relation to tax for the year 1992-93 and subsequent years as mentioned in s. 289 of the amending Act) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), ss. 289, 290, **Sch. 10 para.6** (with ss. 60, 101(1) and 201(3))

### [<sup>F42</sup>GROUP 12—FUND-RAISING EVENTS BY CHARITIES AND OTHER QUALIFYING BODIES]

#### Textual Amendments

**F42** [Sch. 6](#) Group 12 added after Group 11 by [S.I. 1989/470](#), **art. 3**

Item No.

- 1 The supply of goods and services by a charity in connection with a fund-raising event organised for charitable purposes by a charity or jointly by more than one charity.

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- 2 The supply of goods and services by a qualifying body in connection with a fund-raising event organised exclusively for its own benefit.

*Notes:*

- (1) For the purposes of items 1 and 2 “fund-raising event” means a fete, ball, bazaar, gala show, performance or similar event, which is separate from and not forming any part of a series or regular run of like or similar events.
- [<sup>F43</sup>(1A) For the purposes of item 1 “charity” includes a body corporate which is wholly owned by a charity and whose profits (from whatever source) are payable to a charity by virtue of a deed of covenant or trust or otherwise.]
- (2) For the purposes of item 2 “qualifying body” means any non-profit making body mentioned in either section 47(3) of this Act or item 1 of Group 9 of Schedule 6 to this Act.

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**Textual Amendments**

**F43** Sch. 6 Group 12 Note (1A) inserted by S.I. 1991/737, art. 9

**Status:**

Point in time view as at 06/03/1992. This version of this schedule contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Value Added Tax Act 1983 (repealed 1.9.1994), SCHEDULE 6.