

*Status: Point in time view as at 01/01/2004.*

*Changes to legislation: Finance Act 2003, SCHEDULE 18 is up to date with all changes known to be in force on or before 07 September 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 18

Section 123

#### STAMP DUTY LAND TAX: CONSEQUENTIAL AMENDMENTS

##### *Provisional Collection of Taxes Act 1968*

- 1 In section 1(1) of the Provisional Collection of Taxes Act 1968 (c. 2), after “stamp duty reserve tax,” insert “ stamp duty land tax, ”.

##### *Inheritance Tax Act 1984*

- 2 In section 190(4) of the Inheritance Tax Act 1984 (c. 51) (sale of land from deceased’s estate: determination of price), after “stamp duty” insert “ or stamp duty land tax ”.

##### *Income and Corporation Taxes Act 1988*

- 3 (1) The Income and Corporation Taxes Act 1988 (c. 1) is amended as follows.
- (2) In section 209B(4) (hedging arrangements), in subsection (4) for “or stamp duty” substitute “ (including stamp duty or stamp duty land tax) ”.
- (3) In section 213 (exempt distributions), in subsection (11)(a) for “stamp duty” substitute “ stamp duty or stamp duty land tax ”.
- (4) In section 214 (chargeable payments connected with exempt distributions), in subsection (2) for “stamp duty” substitute “ stamp duty or stamp duty land tax ”.
- (5) In section 215 (advance clearance by Board of distributions and payments), in subsection (2) for “stamp duty” substitute “ stamp duty or stamp duty land tax ”.
- (6) In section 827 (penalties and interest not allowed as deductions for tax purposes), after subsection (1F) insert—
- “(1G) Where a person is liable to make a payment by way of—
- (a) any penalty under Part 4 of the Finance Act 2003 (stamp duty land tax), or
- (b) interest under any provision of that Part,
- the payment shall not be allowed as a deduction in computing any income, profits or losses for any tax purposes.”.

##### *Finance Act 1989*

- 4 In section 178(2) of the Finance Act 1989 (c. 26) (power of Treasury to set rates of interest: enactments to which the section applies), after paragraph (s) add—
- “(t) sections 87, 88 and 89 of the Finance Act 2003.”.

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*Taxation of Chargeable Gains Act 1992*

- 5        In section 38(2) of the Taxation of Chargeable Gains Act 1992 (c. 12) (incidental costs of acquisition or disposal), after “stamp duty” insert “ or stamp duty land tax ”.

*Income Tax (Earnings and Pensions) Act 2003*

- 6        In section 277 of the Income Tax (Earnings and Pensions) Act 2003 (c. 1) (removal benefits and expenses: acquisition of property), in subsection (3)(e) after “stamp duty” insert “ or stamp duty land tax ”.

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