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## SCHEDULES

### SCHEDULE 6

Section 57

#### STAMP DUTY LAND TAX: DISADVANTAGED AREAS RELIEF

##### PART 1

##### DISADVANTAGED AREAS

###### *Meaning of “disadvantaged area”*

- 1 (1) For the purposes of this Schedule a “disadvantaged area” means an area designated as a disadvantaged area by regulations made by the Treasury.
- (2) The regulations may—
- (a) designate specified areas as disadvantaged areas, or
  - (b) provide for areas of a description specified in the regulations to be designated as disadvantaged areas.
- (3) If the regulations so provide, the designation of an area as a disadvantaged area shall have effect for such period as may be specified by or determined in accordance with the regulations.
- (4) The regulations may—
- (a) make different provision for different cases, and
  - (b) contain such incidental, supplementary, consequential or transitional provision as appears to the Treasury to be necessary or expedient.

###### *Continuation of regulations made for purposes of stamp duty*

- 2 Any regulations made by the Treasury—
- (a) designating areas as disadvantaged areas for the purposes of section 92 of the Finance Act 2001 (c. 9) (stamp duty exemption for land in disadvantaged areas), and
  - (b) in force immediately before the implementation date,
- have effect for the purposes of this Schedule as if made under paragraph 1 above and may be varied or revoked accordingly.

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## PART 2

### LAND WHOLLY SITUATED IN A DISADVANTAGED AREA

#### *Introduction*

- 3 This Part of this Schedule applies to a land transaction if the subject matter of the transaction is a chargeable interest in relation to land that is wholly situated in a disadvantaged area.

#### *Land all non-residential*

- 4 If all the land is non-residential property, the transaction is exempt from charge.

#### *Land all residential*

- 5 (1) This paragraph applies where all the land is residential property.
- (2) If—
- (a) the consideration for the transaction does not include rent and the relevant consideration does not exceed £150,000, or
  - (b) the consideration for the transaction consists only of rent and the relevant rental value does not exceed £150,000,
- the transaction is exempt from charge.
- (3) If the consideration for the transaction includes rent and the relevant rental value does not exceed £150,000, the rent does not count as chargeable consideration.
- (4) If the consideration for the transaction includes consideration other than rent, then—
- (a) if—
    - (i) the annual rent does not exceed £600, and
    - (ii) the relevant consideration does not exceed £150,000,
 the consideration other than rent does not count as chargeable consideration;
  - (b) if the annual rent exceeds £600, the 0% band in Table A in subsection (2) of section 55 does not apply in relation to the consideration other than rent and any case that would have fallen within that band is treated as falling within the 1% band.

#### *Land partly non-residential and partly residential*

- 6 (1) This paragraph applies where the land is partly non-residential property and partly residential property.
- References in this paragraph to the consideration attributable to land that is non-residential property or land that is residential property (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.
- (2) The consideration attributable to land that is non-residential property does not count as chargeable consideration.
- (3) The following provisions apply in relation to the consideration attributable to land that is residential property.

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- (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—
- (a) if—
    - (i) the annual rent so attributable does not exceed £600, and
    - (ii) the relevant consideration does not exceed £150,000,the consideration other than rent does not count as chargeable consideration;
  - (b) if the annual rent so attributable exceeds £600, the 0% band in the Tables in subsection (2) of section 55 does not apply in relation to the consideration other than rent and any case that would have fallen within that band is treated as falling within the 1% band.

### PART 3

#### LAND PARTLY SITUATED IN A DISADVANTAGED AREA

##### *Introduction*

- 7 (1) This Part of this Schedule applies to a land transaction if 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.
- (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.

##### *Land all non-residential*

- 8 If all of the land situated in a disadvantaged area is non-residential property, the consideration attributable to the land situated in the disadvantaged area does not count as chargeable consideration.

##### *Land all residential*

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

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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—
- (i) the annual rent so attributable does not exceed £600, and
- (ii) the relevant consideration does not exceed £150,000,
- the non-rent consideration so attributable does not count as chargeable consideration;
- (b) if the annual rent so attributable exceeds £600, the 0% band in Table A in subsection (2) of section 55 does not apply in relation to the non-rent consideration so attributable and any case that would have fallen within that band is treated as falling within the 1% band.

*Land partly non-residential and partly residential*

- 10 (1) This paragraph applies where the land situated in a disadvantaged area is partly non-residential property and partly residential property.
- References in this paragraph to the consideration attributable to land that is non-residential property or 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.
- (2) The consideration attributable to land that is non-residential property does not count as chargeable consideration.
- (3) The following provisions apply in relation to the consideration attributable to land that is residential property.
- (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—
- (a) if—
- (i) the annual rent so attributable does not exceed £600, and
- (ii) the relevant consideration does not exceed £150,000,
- the consideration other than rent does not count as chargeable consideration;
- (b) if the annual rent so attributable exceeds £600, the 0% band in the Tables in subsection (2) of section 55 does not apply in relation to the consideration other than rent and any case that would have fallen within that band is treated as falling within the 1% band.

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## PART 4

### INTERPRETATION

#### *Relevant consideration and relevant rental value*

- 11 (1) References in this Schedule to the “relevant consideration” in relation to a transaction are to the amount falling to be taken into account for the purposes of section 55(2) in determining the rate of tax chargeable under that section in relation to the transaction apart from any relief under this Schedule (whether in relation to that or any other transaction).
- (2) References in this Schedule to the “relevant rental value” in relation to a transaction are to the amount falling to be taken into account for the purposes of paragraph 2(3) of Schedule 5 in determining the rate of tax chargeable under that Schedule in relation to the transaction apart from any relief under this Schedule (whether in relation to that or any other transaction).

#### *Rent and annual rent*

- 12 For the purposes of this Schedule “rent” has the same meaning as in Schedule 5 (amount of tax chargeable: rent) and “annual rent” has the same meaning as in paragraph 9(2) of that Schedule.

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