



Finance Act 2003

2003 CHAPTER 14

PART 4

STAMP DUTY LAND TAX

Reliefs

71 Certain acquisitions by ^[F1]registered providers of social housing etc]

^[F2](A1) A land transaction under which the purchaser is a profit-making registered provider of social housing is exempt from charge if the transaction is funded with the assistance of a public subsidy.]

(1) A land transaction under which the purchaser is a ^[F3]relevant housing provider] is exempt from charge if—

- ^[F4](a) the purchaser is a non-profit registered provider of social housing controlled by its tenants,]
- (b) the vendor is a qualifying body, or
- (c) the transaction is funded with the assistance of a public subsidy.

^[F5](1A) In this section “relevant housing provider” means—

- (a) a non-profit registered provider of social housing, ^{F6}...
 - ^[F7](b) a housing association registered in the register maintained under Article 14 of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15)), or
 - (c) an English local authority that is a registered provider of social housing.]
- (2) The reference in subsection (1)(a) to a ^[F8]non-profit registered provider of social housing] “controlled by its tenants” is to a ^[F8]non-profit registered provider of social housing] the majority of whose board members are tenants occupying properties owned or managed by it.

“Board member”, in relation to a ^[F8]non-profit registered provider of social housing], means—

- (a) if it is a company, a director of the company,

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- (b) if it is a body corporate whose affairs are managed by its members, a member,
 - (c) if it is body of trustees, a trustee,
 - (d) if it is not within paragraphs (a) to (c), a member of the committee of management or other body to which is entrusted the direction of the affairs of the [^{F8}non-profit registered provider of social housing].
- (3) In subsection (1)(b) “qualifying body” means—
- (a) a [^{F9}relevant housing provider],
 - ^{F10}(b)
 - (c) a principal council within the meaning of the Local Government Act 1972 (c. 70),
 - (d) the Common Council of the City of London,
 - ^{F11}(e)
 - ^{F11}(f)
 - ^{F11}(g)
 - ^{F12}(h) the Department for Communities in Northern Ireland, or]
 - (i) the Northern Ireland Housing Executive.
- (4) In [^{F13}this section] “public subsidy” means any grant or other financial assistance—
- (a) made or given by way of a distribution pursuant to section 25 of the National Lottery etc. Act 1993 (c. 39) (application of money by distributing bodies),
 - ^{F14}(b)
 - (c) under section 126 of the Housing Grants, Construction and Regeneration Act 1996 (c. 53) (financial assistance for regeneration and development),
 - ^{F15}(ca) [under section 19 of the Housing and Regeneration Act 2008 (financial assistance by the Homes and Communities Agency),]
 - ^{F16}(cb) [made or given by the Greater London Authority,]
 - ^{F17}(d) or
 - (e) under Article 33 [^{F18}or 33A] of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15)).
- [In this section “public subsidy” also means [^{F20}—
- ^{F19}(5) (a) any amount that is receipts of the disposal of social housing, provided the purchaser is entitled to use the amount for the purpose of the provision of social housing, or
- (b)] any grant under section 31 of the Local Government Act 2003 (grants towards expenditure incurred or to be incurred by local authorities) towards expenditure incurred or to be incurred on the provision of social housing ^{F21}....]
- [In subsection (5) “social housing” has the meaning it has in Part 2 of the Housing and
- ^{F22}(6) Regeneration Act 2008 (see, in particular, section 68 of that Act).
- (7) In this section “English local authority” means—
- (a) a principal council within the meaning of the Local Government Act 1972, or
 - (b) the Common Council of the City of London.]]

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Textual Amendments

- F1** Words in s. 71 heading substituted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(2)
- F2** S. 71(A1) inserted (with effect in accordance with s. 81(8) of the amending Act) by Finance Act 2009 (c. 10), s. 81(3)
- F3** Words in s. 71(1) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 9 para. 30(2); S.I. 2010/862, art. 2 (with Sch.)
- F4** S. 71(1)(a) substituted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(3)
- F5** S. 71(1A) inserted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 9 para. 30(3); S.I. 2010/862, art. 2 (with Sch.)
- F6** Word in s. 71(1A) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(4)(b)
- F7** S. 71(1A)(b)(c) substituted for s. 71(1A)(b) (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(4)(a)
- F8** Words in s. 71(2) substituted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(5)
- F9** Words in s. 71(3) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 9 para. 30(2); S.I. 2010/862, art. 2 (with Sch.)
- F10** S. 71(3)(b) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(6)(a)
- F11** S. 71(3)(e)-(g) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(6)(a)
- F12** S. 71(3)(h) substituted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(6)(b)
- F13** Words in s. 71(4) substituted (with effect in accordance with s. 81(8) of the amending Act) by Finance Act 2009 (c. 10), s. 81(4)
- F14** S. 71(4)(b) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(7)
- F15** S. 71(4)(ca) inserted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 79; S.I. 2008/3068, art. 2(1)(w)(3) (with arts. 6-13)
- F16** S. 71(4)(cb) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 19 para. 40; S.I. 2012/628, art. 6(i) (with arts. 9, 11, 14, 15, 17)
- F17** S. 71(4)(d) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(7)
- F18** Words in s. 71(4)(e) inserted (N.I.) (1.4.2007) by The Housing (Amendment) (Northern Ireland) Order 2006 (S.I. 2006/3337), art. 1(3), Sch. para. 8; S.R. 2007/37, art. 2
- F19** S. 71(5) inserted (15.3.2023 in relation to land transactions the effective date of which falls on or after that date) by Finance (No. 2) Act 2023 (c. 30), s. 314(1)(2)
- F20** S. 71(5)(a)(b) inserted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(8)(a)
- F21** Words in s. 71(5)(b) omitted (with effect in accordance with s. 9(12) of the amending Act) by virtue of Finance (No. 2) Act 2024 (c. 12), s. 9(8)(b)
- F22** S. 71(6)(7) inserted (with effect in accordance with s. 9(12) of the amending Act) by Finance (No. 2) Act 2024 (c. 12), s. 9(9)

Commencement Information

- I1** Pt. 4 wholly in force at Royal Assent subject to Sch. 19, see s. 124, Sch. 19 para. 1(1)

Status:

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