



Finance Act 2013

2013 CHAPTER 29

PART 3

ANNUAL TAX ON ENVELOPED DWELLINGS

Reliefs

137 Dwellings opened to the public

- (1) A day in a chargeable period is relieviable in relation to a single-dwelling interest if the first or second condition is met on that day.
- (2) The first condition is that the dwelling is being exploited as a source of income in the course of a qualifying trade in the normal course of which the public are offered the opportunity to make use of, stay in or otherwise enjoy the dwelling as customers of the trade on least 28 days in any year.
- (3) The second condition is that steps are being taken to secure—
 - (a) that the dwelling will (in that or a future chargeable period) be exploited as a source of income in the course of a qualifying trade such as is mentioned in subsection (2), and
 - (b) that it will be so exploited without delay, except so far as delay is justified by commercial considerations or cannot otherwise be avoided.
- (4) In this section “qualifying trade” means a trade carried on on a commercial basis and with a view to profit.
- (5) For the purposes of this section persons are not taken to have an opportunity to make use of, stay in or otherwise enjoy a dwelling unless the areas that they are permitted to make use of, stay in or otherwise enjoy include a significant part of the interior of the dwelling.
- (6) The size (relative to the size of the whole dwelling), nature, and function of the area or areas concerned are to be taken into account in determining whether they form a significant part of the interior of the dwelling.

Status:

Point in time view as at 17/07/2014.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2013, Section 137.