

**Changes to legislation:** There are currently no known outstanding effects for the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017, Cross Heading: Withdrawal of charities relief. (See end of Document for details)

## SCHEDULE 18

### CHARITIES RELIEF

#### *Withdrawal of charities relief*

- 4 (1) This paragraph applies where—
- (a) a land transaction is relieved from tax under paragraph 3 (“the relieved transaction”),
  - (b) a disqualifying event occurs in relation to a charity (“C”) which was the buyer under the relieved transaction, and
  - (c) the disqualifying event occurs in the circumstances required by sub-paragraphs (3) and (4).
- (2) Where this paragraph applies, relief under paragraph 3, or an appropriate proportion of it, is withdrawn and tax is chargeable (see sub-paragraph (5)).
- (3) The disqualifying event must occur—
- (a) before the end of the period of 3 years beginning with the effective date of the relieved transaction, or
  - (b) in pursuance of, or in connection with, arrangements made before the end of that period.
- (4) At the time of the disqualifying event C must hold a chargeable interest that—
- (a) was acquired by C under the relieved transaction, or
  - (b) that is derived from an interest so acquired.
- (5) The amount chargeable is the amount of tax that would have been chargeable but for paragraph 3 or, as the case may be, an appropriate proportion of that amount.
- (6) An “appropriate proportion” means an appropriate proportion having regard to—
- (a) what was acquired by C under the relieved transaction and what is held by C at the time of the disqualifying event, and
  - (b) the extent to which what is held by C at that time is or becomes used or held for purposes other than qualifying charitable purposes.

#### **Commencement Information**

**II** Sch. 18 para. 4 in force at 1.4.2018 by [S.I. 2018/34](#), [art. 3](#)

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