



Land and Buildings Transaction Tax (Scotland) Act 2013

2013 asp 11

PART 4

RETURNS AND PAYMENT

CHAPTER 1

RETURNS

Adjustments and further returns

32 Contingency ceases or consideration ascertained: less tax payable

- (1) The buyer in a land transaction may take one of the steps mentioned in subsection (2) to obtain a repayment of tax if—
- (a) section 18(2) or 19(2) (contingent, uncertain and unascertained consideration) applies in relation to the transaction (or to any transaction in relation to which it is a linked transaction),
 - (b) an event mentioned in section 31(2) occurs, and
 - (c) the effect of the event is that less tax is payable in respect of the transaction than has already been paid.
- (2) The steps are—
- (a) within the period allowed for amendment of the land transaction return, amend the return accordingly,
 - (b) after the end of that period (if the land transaction return is not so amended), make a claim to the Tax Authority [^{F1}under section 107 of the Revenue Scotland and Tax Powers Act 2014 (asp 16)] for repayment of the amount overpaid.

[^{F2}(2A) For the period allowed for amendment of returns, see section 83 of the Revenue Scotland and Tax Powers Act 2014 (asp 16).]

Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Section 32. (See end of Document for details)

- (3) This section does not apply so far as the consideration consists of rent (see schedule 19 (leases)).

Annotations:

Amendments (Textual)

- F1** Words in s. 32(2)(b) inserted (1.4.2015) by [Revenue Scotland and Tax Powers Act 2014 \(asp 16\)](#), s. 260(2), **Sch. 4 para. 9(5)(a)** (with ss. 257-259); S.S.I. 2015/110, art. 2(1)
- F2** S. 32(2A) inserted (1.4.2015) by [Revenue Scotland and Tax Powers Act 2014 \(asp 16\)](#), s. 260(2), **Sch. 4 para. 9(5)(b)** (with ss. 257-259); S.S.I. 2015/110, art. 2(1)

Modifications etc. (not altering text)

- C1** S. 32 applied (1.4.2015) by [The Land and Buildings Transaction Tax \(Administration\) \(Scotland\) Regulations 2014 \(S.S.I. 2014/375\)](#), regs. 1, **12**

Commencement Information

- I1** S. 32 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Section 32.