
STATUTORY INSTRUMENTS

2009 No. 730

The Enactment of Extra-Statutory Concessions Order 2009

The Inheritance Tax Act 1984

Foreign-owned works of art

13.—(1) The Inheritance Tax Act 1984⁽¹⁾ is amended as follows.

(2) In section 5(1)(b) (property excluded from estate immediately before death)⁽²⁾, insert at the end “or a foreign-owned work of art which is situated in the United Kingdom for one or more of the purposes of public display, cleaning and restoration (and for no other purpose).”.

(3) In section 64 (charge at ten-year anniversary), the existing text becomes subsection (1) of that section; and after that subsection insert—

“(2) For the purposes of subsection (1) above, a foreign-owned work of art which is situated in the United Kingdom for one or more of the purposes of public display, cleaning and restoration (and for no other purpose) is not to be regarded as relevant property.”.

(4) In section 272 (general interpretation), insert at the appropriate places—

““foreign-owned”, in relation to property, means property in the case of which the person beneficially entitled to it is domiciled outside the United Kingdom or, if the property is comprised in a settlement, in the case of which the settlor was domiciled outside the United Kingdom when the property became comprised in the settlement;”, and

““public display” means display to which the public are admitted, on payment or not, but does not include display with a view to sale;”.

(5) The amendments made by this article have effect in relation to deaths and ten-year anniversaries occurring on or after 6th April 2009.

(1) 1984 c. 51.

(2) Section 5(1)(b) was amended by paragraph 10 of Schedule 20 to the Finance Act 2006 (c. 25).