



Finance Act 1975

1975 CHAPTER 7

PART III

CAPITAL TRANSFER TAX

Miscellaneous

43 Chargeable transfers affecting more than one property

- (1) Where the value transferred by a chargeable transfer is determined by reference to the values of more than one property the tax chargeable on the value transferred shall be attributed to the respective values in the proportions which they bear to their aggregate, but subject to any provision reducing the amount of tax attributable to the value of any particular property.
- (2) Where the value transferred by more than one chargeable transfer made by the same person on the same day depends on the order in which the transfers are made, they shall be treated as made in the order which results in the lowest value chargeable.

44 Associated operations

- (1) In this Part of this Act " associated operations " means, subject to subsection (2) below, any two or more operations of any kind, being—
 - (a) operations which affect the same property, or one of which affects some property and the other or others of which affect property which represents, whether directly or indirectly, that property, or income arising from that property, or any property representing accumulations of any such income; or
 - (b) any two operations of which one is effected with reference to the other, or with a view to enabling the other to be effected or facilitating its being effected, and any further operation having a like relation to any of those two, and so on; whether those operations are effected by the same person or different persons, and whether or not they are simultaneous ; and " operation " includes an omission.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (2) The granting of a lease for full consideration in money or money's worth shall not be taken to be associated with any operation effected more than three years after the grant, and no operation effected on or after 27th March 1974 shall be taken to be associated with an operation effected before that date.
- (3) Where a transfer of value is made by associated operations carried out at different times it shall be treated as made at the time of the last of them; but where any one or more of the earlier operations also constitute a transfer of value made by the same transferor, the value transferred by the earlier operations shall be treated as reducing the value transferred by all the operations taken together, except to the extent that the transfer constituted by the earlier operations but not that made by all the operations taken together is exempt under paragraph 1 of Schedule 6 to this Act.

45 Persons treated as domiciled in the United Kingdom

- (1) Except as otherwise provided, a person not domiciled in the United Kingdom at any time (in this section referred to as " the relevant time ") shall be treated for the purposes of this Part of this Act as domiciled in the United Kingdom at the relevant time if—
 - (a) he was domiciled in the United Kingdom on or after 10th December 1974 and within the three years immediately preceding the relevant time; or
 - (b) he was resident in the United Kingdom on or after 10th December 1974 and in not less than seventeen of the twenty years of assessment ending with the year of assessment in which the relevant time falls ; or
 - (c) he has, since 10th December 1974, become and has remained domiciled in the Islands and, immediately before becoming domiciled there, he was domiciled in the United Kingdom.
- (2) For the purposes of subsection (1)(b) above the question whether a person was resident in the United Kingdom in any year of assessment shall be determined as for the purposes of income tax, but without regard to any dwelling-house available in the United Kingdom for his use.
- (3) In this section " the Islands " means the Channel Islands and the Isle of Man.