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*Status: This is the original version (as it was originally enacted).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

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## SCHEDULES :

### SCHEDULE 5

#### SETTLED PROPERTY

##### *Transitional relief for settlements made before 27th March 1974*

- 14 (1) In relation to a settlement made before 27th March 1974 paragraphs 6 to 12 above shall apply with the following modifications.
- (2) Subject to sub-paragraphs (3) to (5) below, the rate at which tax is chargeable on any capital distribution made before 1st April 1980 out of property comprised in the settlement (but not on any capital distribution which, under paragraph 9 above, is treated as made out of property comprised in a separate settlement made after 26th March 1974) shall be the following percentage of the rate at which it would be chargeable apart from this paragraph, that is to say—
- (a) 10 per cent, if the capital distribution is made before 1st April 1976 ;
  - (b) 12 1/2 per cent, if it is made after 31st March 1976 but before 1st April 1977;
  - (c) 15 per cent, if it is made after 31st March 1977 but before 1st April 1978 ;
  - (d) 17 1/2 per cent, if it is made after 31st March 1978 but before 1st April 1979 ; and
  - (e) 20 per cent, if it is made after 31st March 1979.
- (3) Where any capital distribution made after 31st March 1976 but before 1st April 1977 could not have been made except as the result of some proceedings before a court, this paragraph shall have effect in relation to it as if it had been made before 1st April 1976.
- (4) Sub-paragraph (2) above does not apply in relation to a capital distribution treated as made under paragraph 12(2) above.
- (5) Sub-paragraph (2) above does not apply—
- (a) in relation to a capital distribution treated as made under paragraph 6(2) above, unless the person becoming entitled as mentioned therein ; or
  - (b) in relation to a capital distribution treated as made under paragraph 15(3) below, unless each of the beneficiaries referred to therein ; or
  - (c) in relation to a distribution payment made for the benefit of any person, unless that person ;
- is an individual who is domiciled in the United Kingdom at the time the capital distribution is made and resident (within the meaning of the Income Tax Acts) in the United Kingdom in the year of assessment in which it is made.
- (6) In this paragraph expressions defined for the purposes of paragraphs 6 to 10 above have the same meanings as in those paragraphs.