



# Finance Act 1981

## 1981 CHAPTER 35

### PART VI

#### STAMP DUTY

#### 107 Sale of houses at discount by local authorities etc.

- (1) Where a conveyance or transfer to which this section applies is subject contingently to the payment of any money (whether by virtue of that conveyance or transfer or otherwise), then, notwithstanding section 57 of the <sup>M1</sup>Stamp Act 1891, that money shall not be deemed to be part of the consideration in respect of which the conveyance or transfer is chargeable with ad valorem duty.
- (2) ..... <sup>F1</sup>
- (3) This section applies to any conveyance or transfer on sale of a dwelling-house (including the grant of a lease) at a discount by—
  - (a) any Minister of the Crown or Northern Ireland department;
  - (b) a [<sup>F2</sup>local housing authority within the meaning of the Housing Act 1985], a county council, a district council within the meaning of the <sup>M2</sup>Local Government Act (Northern Ireland) 1972 or in Scotland a [<sup>F3</sup>council constituted under section 2 of the Local Government etc. (Scotland) Act 1994], the common good of such a council or any trust under its control;
  - (c) the Housing Corporation;
  - <sup>F4</sup>(ca) .....
  - (d) the [<sup>F5</sup>Scottish Homes];
  - (e) the Northern Ireland Housing Executive;
  - <sup>F6</sup>(ea) a registered social landlord within the meaning of Part I of the Housing Act 1996;]
  - (f) a housing association [<sup>F7</sup>registered—;
    - (i) in Scotland, under the Housing Associations Act 1985, or
    - (ii) in Northern Ireland, under Part II of the Housing (Northern Ireland) Order 1992;]

*Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.*

*Changes to legislation: Finance Act 1981, Section 107 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- [<sup>F8</sup>(ff) a housing action trust established under Part III of the Housing Act 1988;]
- (g) a development corporation established by an order made or having effect as if made under the <sup>M3</sup>New Towns Act 1965 or the <sup>M4</sup>New Towns (Scotland) Act 1968 or an urban development corporation established by an order made under section 135 of the <sup>M5</sup>Local Government, Planning and Land Act 1980;
- (h) the Commission for the New Towns or a new town commission established under section 7 of the <sup>M6</sup>New Towns Act (Northern Ireland) 1965;
- [<sup>F9</sup>(i) .....
- (j) the Council of the Isles of Scilly;
- (k) a police authority within the meaning of [<sup>F10</sup>section 101(1) of the Police Act 1996] or section 2(1) or 19(9)(b) of the <sup>M7</sup>Police (Scotland) Act 1967, or [<sup>F11</sup>the Northern Ireland Policing Board];
- (ka) [<sup>F12</sup>.....
- (l) an Education and Libraries Board established under the <sup>M8</sup>Education and Libraries (Northern Ireland) Order 1972;
- (m) any person mentioned in paragraph (e), (i), (j) or (l) of section 1(10) of the <sup>M9</sup>Tenants' Rights, Etc. (Scotland) Act 1980.
- [<sup>F13</sup>(n) the United Kingdom Atomic Energy Authority]
- [<sup>F14</sup>(o) such other body as the Treasury may, by order made by statutory instrument, prescribe for the purposes of this section]

[<sup>F15</sup>(3A) This section also applies to any conveyance or transfer on sale of a dwelling house where the conveyance or transfer is made pursuant to a sub-sale made at a discount by a body falling within [<sup>F16</sup>subsection (3)(ea) or (f)]above.]

[<sup>F17</sup>(3B) This section also applies to a conveyance or transfer on sale (including the grant of a lease) by a person against whom the right to buy under Part V of the Housing Act 1985 is exercisable by virtue of section 171A of that Act (preservation of right to buy on disposal to private sector landlord) to a person who is the qualifying person for the purposes of the preserved right to buy and in relation to whom that dwelling-house is the qualifying dwelling-house.]

[<sup>F18</sup>(3C) A grant under section 20 or 21 of the Housing Act 1996 (purchase grants in respect of disposals at a discount by registered social landlords) shall not be treated as part of the consideration for a conveyance or transfer to which this section applies made by a body falling within subsection (3)(ea) above.]

(4) This section applies to instruments executed on or after 23rd March 1981 and shall be deemed to have come into force on that date.

#### Textual Amendments

- F1** S. 107(2) repealed by Finance Act 1985 (c. 54, SIF 114), s. 98(6), **Sch. 27 Pt. IX(1)**
- F2** Words substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 48(a)**
- F3** Words in s. 107(3)(b) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 123**; S.I. 1996/323, **art. 4(c)**
- F4** S. 107(3)(ca) repealed (1.11.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1)); S.I. 1998/2244, **art. 5**
- F5** Reference to Scottish Homes substituted (E.W.S.) for the reference to Scottish Special Housing Association by Housing (Scotland) Act (c. 43, SIF 61), Ss. 1, 3 Sch. 2 para. 1
- F6** S. 107(3)(ea) inserted (1.10.1996) by 1996 c. 52, s. 55, **Sch. 3 para. 1(2)**; S.I. 1996/2402, **art. 3**

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- F7** Word and s. 107(3)(f)(i)(ii) substituted for words in s. 107(3)(f) (1.10.1996) by 1996 c. 52, s. 55, **Sch. 3 para. 1(3)**; S.I. 1996/2402, **art. 3**
- F8** S. 107(3)(ff) inserted by Finance Act 1988 (c. 39, SIF 114), **s. 142(2)**
- F9** S. 107(3)(i) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 141(1)); S.I. 1998/2244, **art. 4**
- F10** Words in s. 107(3)(k) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104, **Sch. 7 Pt. II para. 33**
- F11** Words in s. 107(3)(k) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 7**; S.R. 2001/396, **art. 2, Sch.**
- F12** S. 107(3)(ka) repealed (1.4.2002) by 2001 c. 16, ss. 128, 137, Sch. 6 Pt. III para. 64, Sch. 7 Pt. 5(1); S.I. 2002/344, **art. 3** (with art. 4)
- F13** S. 107(3)(n) added by Finance Act 1984 (c. 43, SIF 114), **s. 110(1)(2)(4)**
- F14** S. 107(3)(o) added by Finance Act 1984 (c. 43, SIF 114), **s. 110(5)**
- F15** S. 107(3A) added by Finance Act 1984 (c. 43, SIF 114), **s. 110(1)(3)(4)**
- F16** Words in s. 107(3A) substituted (1.10.1996) by 1996 c. 52, s. 55, **Sch. 3 para. 1(4)**; S.I. 1996/2402, **art. 3**
- F17** S. 107(3B) inserted (17.8.1992) by Housing and Planning Act 1986 (c. 63, SIF 114), s. 24(1)(2), **Sch. 5 Pt. II para. 18**; S.I. 1992/1753, **art. 2(2)**.
- F18** S. 107(3C) inserted (1.4.1997) by 1996 c. 52, **s. 55**, Sch. 3 para. 1(5); S.I. 1997/618, **art. 2**

#### **Modifications etc. (not altering text)**

- C1** S. 107 applied by S.I. 1986/2092, **art. 12**

#### **Marginal Citations**

- M1** 1891 c. 39.
- M2** 1972 c. 9 (N.I.)
- M3** 1965 c. 59.
- M4** 1968 c. 16.
- M5** 1980 c. 65.
- M6** 1965 c. 13. (N.I.)
- M7** 1967 c. 77.
- M8** S.I. 1972/1263 (N.I. 12).
- M9** 1980 c. 52.

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