

## SCHEDULES

### SCHEDULE 5

#### STAMP DUTY LAND TAX: AMOUNT OF TAX CHARGEABLE: RENT

##### *Tax chargeable in respect of consideration other than rent*

- 9 (1) Where in the case of a transaction to which this Schedule applies there is chargeable consideration other than rent, the provisions of this Part apply in relation to that consideration as in relation to other chargeable consideration.
- (2) If the annual rent exceeds £600 a year, the 0% band in the Tables in subsection (2) of section 55 does not apply and any case that would have fallen within that band is treated as falling within the 1% band.
- (3) For the purposes of sub-paragraph (2) the “annual rent” means the average annual rent over the term of the lease or, if—
- (a) different amounts of rent are payable for different parts of the term, and
  - (b) those amounts (or any of them) are ascertainable at the effective date of the transaction,
- the average annual rent over the period for which the highest ascertainable rent is payable.
- (4) Tax chargeable under this Schedule is in addition to any tax chargeable under section 55 in respect of consideration other than rent.
- (5) Where a transaction to which this Schedule applies falls to be taken into account for the purposes of that section as a linked transaction, no account shall be taken of rent in determining the relevant consideration.