
Changes to legislation: There are currently no known outstanding effects for the Finance Act 2006, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 25

STAMP DUTY LAND TAX: AMENDMENTS OF SCHEDULE 17A TO FA 2003

Backdated lease granted to tenant holding over

- 3 (1) After paragraph 9 insert—

“Backdated lease granted to tenant holding over

- 9A (1) This paragraph applies where—

- (a) the tenant under a lease continues in occupation after the date on which, under its terms, the lease terminates (“the contractual termination date”),
- (b) he is granted a new lease of the same or substantially the same premises, and
- (c) the term of the new lease is expressed to begin on or immediately after the contractual termination date.

- (2) The term of the new lease is treated for the purposes of this Part as beginning on the date on which it is expressed to begin.

- (3) The rent payable under the new lease in respect of any period falling—

- (a) after the contractual termination date, and
- (b) before the date on which the new lease is granted,

is treated for the purposes of this Part as reduced by the amount of taxable rent that is payable in respect of that period otherwise than under the new lease.

- (4) For the purposes of sub-paragraph (3) rent is “taxable” if or to the extent that it is taken into account in determining liability to stamp duty land tax.

- (5) Sub-paragraph (3) does not have effect so as to require the rent payable under the new lease to be treated as a negative amount.”

- (2) In paragraph 7(3), for the words after “but disregard” substitute “paragraphs 9(2) and 9A(3) (deemed reduction of rent, where further lease granted, for period during which rents overlap) “.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2006, Paragraph 3.