
Changes to legislation: There are currently no known outstanding effects for the Finance Act 2012, Cross Heading: Application and transitional provision. (See end of Document for details)

SCHEDULES

SCHEDULE 39

REPEAL OF MISCELLANEOUS RELIEFS ETC

PART 1

STAMP DUTY AND STAMP DUTY LAND TAX

Application and transitional provision

- 10 (1) The amendments made by paragraphs 1 to 5, 6(1), 7 and 9(1)(a) of this Schedule have effect in relation to instruments executed on or after 6 April 2013.
- (2) The amendments made by—
- (a) paragraphs 6(2) and 9(1)(b) of this Schedule, and
 - (b) paragraph 9(1)(c) and (2) of this Schedule, so far as relating to the repeal of section 129 of FA 2003,
- have effect in relation to instruments stamped on or after 6 April 2013.
- (3) The amendments made by paragraph 9(1)(c) and (2), so far as not relating to that repeal, come into force on 6 April 2013.
- (4) The amendments made by paragraph 8 of this Schedule have effect in relation to transactions of which the effective date is on or after 6 April 2013.
- (5) This paragraph is subject to paragraphs 11 and 12.
- 11 The amendments made by paragraph 7 do not have effect in relation to an instrument giving effect to a contract entered into on or before 16 March 2005, unless—
- (a) the instrument is made in consequence of the exercise after that date of any option, right of pre-emption or similar right, or
 - (b) the instrument transfers the property in question to, or vests it in, a person other than the purchaser under the contract, because of an assignment (or assignation) or further contract made after that date.
- 12 (1) The amendments made by paragraph 8 do not have effect in relation to—
- (a) any transaction that is effected in pursuance of a contract entered into and substantially performed on or before 16 March 2005, or
 - (b) (subject to sub-paragraph (2)) any other transaction that is effected in pursuance of a contract entered into on or before that date.
- (2) The exclusion by sub-paragraph (1)(b) of transactions effected in pursuance of any contract entered into on or before 16 March 2005 does not apply if—
- (a) there is any variation of the contract or assignment of rights under the contract after that date,

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- (b) the transaction is effected in consequence of the exercise after that date of any option, right of pre-emption or similar right, or
 - (c) after that date there is an assignment, subsale or other transaction relating to the whole or part of the subject-matter of the contract as a result of which a person other than the purchaser under the contract becomes entitled to call for a conveyance.
- 13 (1) Any claim for relief under Schedule 6 to FA 2003 (disadvantaged areas relief) which is made in respect of a transaction of which the effective date is on or before 5 April 2013 must be made before 6 May 2014.
- (2) Sub-paragraph (1) applies—
 - (a) whether or not the claim is made in a land transaction return or an amendment of such a return, and
 - (b) whether the effective date of the transaction is before or after the day on which this Act comes into force.

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