

SCHEDULES

SCHEDULE 11

STAMP DUTY LAND TAX: HIGHER RATES FOR ADDITIONAL DWELLINGS

Exception where purchaser has prior interest in purchased dwelling

3 After paragraph 7 insert—

“Exception where purchaser has prior interest in purchased dwelling

- 7A (1) A chargeable transaction which would (but for this paragraph) fall within paragraph 3 or paragraph 6 does not fall within that paragraph if—
- (a) the purchaser had a major interest (“the prior interest”) in the relevant purchased dwelling immediately before the effective date of the transaction, and
 - (b) the relevant purchased dwelling had been the purchaser’s only or main residence throughout the period of three years ending with the effective date of the transaction.
- (2) Sub-paragraph (1) does not apply if—
- (a) the prior interest is a term of years absolute or a leasehold estate, and
 - (b) immediately before the effective date of the transaction, the remaining term of the prior interest is less than 21 years.
- (3) Sub-paragraph (1) does not apply if immediately before the effective date of the transaction—
- (a) the purchaser is beneficially entitled as a joint tenant to the prior interest, and
 - (b) there are more than three other joint tenants.
- (4) Sub-paragraph (1) does not apply if immediately before the effective date of the transaction the purchaser is beneficially entitled as a tenant in common or coparcener to less than a quarter of the prior interest.
- (5) In this paragraph “relevant purchased dwelling” means—
- (a) the purchased dwelling mentioned in paragraph 3(1)(b), or (as the case may be)
 - (b) the purchased dwelling which meets the conditions mentioned in paragraph 6(1)(c).”