
STATUTORY INSTRUMENTS

1987 No. 516

The Stamp Duty (Exempt Instruments) Regulations 1987

1. These Regulations may be cited as the Stamp Duty (Exempt Instruments) Regulations 1987 and shall come into force on 1st May 1987.

2.—(1) An instrument which—

- (a) is executed on or after 1st May 1987,
- (b) is of a kind specified in the Schedule hereto for the purposes of this regulation, and
- (c) is certified by a certificate which fulfils the conditions of regulation 3 to be an instrument of that kind,

shall be exempt from duty under the provisions specified in paragraph (2) of this regulation.

(2) The provisions specified are—

- (a) the headings in Schedule 1 to the Stamp Act 1891⁽¹⁾—
 - “Conveyance or transfer of any kind not hereinbefore described”; or
 - “Disposition in Scotland of any property or of any right or interest therein not described in this Schedule”;
- (b) sections 83(2) and 84(8) of the Finance Act 1985.

3. The certificate—

- (a) shall be in writing and—
 - (i) be included as part of the instrument, or
 - (ii) be endorsed upon or, where separate, be physically attached to the instrument concerned;
- (b) shall contain a sufficient description of—
 - (i) the instrument concerned where the certificate is separate but physically attached to the instrument, and
 - (ii) the category in the Schedule hereto into which the instrument falls;
- (c) (i) shall be signed by the transferor or grantor or by his solicitor or duly authorised agent, and
- (ii) where it is not signed by the transferor or grantor or by his solicitor, it shall contain a statement by the signatory of the capacity in which he signs, that he is authorised so to sign and that he gives the certificate from his own knowledge of the facts stated in it.

4. The Schedule to these Regulations shall have effect for the specification of instruments for the purposes of regulation 2.

5. An instrument which is certified in accordance with these Regulations shall not be required under section 82(5) or section 84(9) of the Finance Act 1985 to be stamped in accordance with

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section 12 of the Stamp Act 1891 with a particular stamp denoting that it is duly stamped or that it is not chargeable with any duty.

24th March 1987

Mark Lennox-Boyd
Michael Neubert
Two of the Lords Commissioners of Her
Majesty's Treasury