



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2018 Rhif 128 (Cy. 32)

2018 No. 128 (W. 32)

**TRETH TRAFODIADAU TIR,
CYMRU**

**LAND TRANSACTION TAX,
WALES**

Rheoliadau Treth Trafodiadau Tir
(Bandiau Treth a Chyfraddau Treth)
(Cymru) 2018

The Land Transaction Tax (Tax
Bands and Tax Rates) (Wales)
Regulations 2018

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

EXPLANATORY NOTE

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn pennu'r bandiau treth a'r cyfraddau treth canrannol cyntaf ar gyfer treth trafodiadau tir, a gyflwynir gan Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017 ("Deddf TTT").

These Regulations specify the first tax bands and percentage tax rates for land transaction tax, which is introduced by the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 ("the LTT Act").

Mae'r bandiau treth a'r cyfraddau treth canrannol yn y Rheoliadau hyn yn cael effaith mewn perthynas â thrafodiadau trethadwy y mae'r dyddiad y mae'r trafodiadau hynny'n cael effaith ar 1 Ebrill 2018 neu ar ôl hynny.

The tax bands and percentage tax rates in these Regulations have effect in relation to chargeable transactions with an effective date on or after 1 April 2018.

Mae bandiau treth a chyfraddau treth canrannol ar wahân yn gymwys i:

Separate tax bands and percentage tax rates apply to:

- Trafodiadau eiddo preswyl (*Tabl 1*);
- Trafodiadau eiddo preswyl cyfraddau uwch (*Tabl 2*);
- Trafodiadau eiddo amhreswyl (*Tabl 3*); a
- Cydnabyddiaeth drethadwy sydd ar ffurf rhent (ac sydd felly ond yn berthnasol yn achos lesioedd) (*Tabl 4*).

- Residential property transactions (*Table 1*);
- Higher rates residential property transactions (*Table 2*);
- Non-residential property transactions (*Table 3*); and
- Chargeable consideration which consists of rent (and therefore which is only relevant in the case of leases) (*Table 4*).

Mae'r dreth i'w chyfrifo yn unol ag adrannau 27 a 28 o'r Ddeddf TTT ac eithrio pan fo'r gydnabyddiaeth drethadwy ar ffurf rhent. Yn yr achosion hynny, mae'r dreth i'w chyfrifo yn unol â Rhan 5 o Atodlen 6 i'r Ddeddf TTT.

Tax is to be calculated in accordance with sections 27 and 28 of the LTT Act except where the chargeable consideration consists of rent. In these cases, tax is to be calculated in accordance with Part 5 of Schedule 6 to the LTT Act.

Yn rhinwedd adran 24(8) o'r Ddeddf TTT, mae trafodiadau sy'n cynnwys cymysgedd o eiddo preswyl ac eiddo amhreswyl i'w trin fel trafodiadau eiddo amhreswyl (ac mae'r bandiau treth a'r cyfraddau treth canrannol yn Nhabl 3 yn gymwys).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd Aseiad Effaith Rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

By virtue of section 24(8) of the LTT Act, transactions involving a mixture of residential and non-residential property are to be treated as non-residential property transactions (and the tax bands and percentage tax rates in Table 3 apply).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a Regulatory Impact Assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff CF10 3NQ.

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**TRETH TRAFODIADAU TIR,
CYMRU**

**Rheoliadau Treth Trafodiadau Tir
(Bandiau Treth a Chyfraddau Treth)
(Cymru) 2018**

Gwnaed 31 Ionawr 2018

Yn dod i rym 1 Ebrill 2018

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 24(1) o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017, a pharagraff 28(1) o Atodlen 6 iddi(1).

Yn unol ag adran 25(1) o'r Ddeddf honno, gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Treth Trafodiadau Tir (Bandiau Treth a Chyfraddau Treth) (Cymru) 2018.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2018.

Cymhwyso

2. Mae'r Rheoliadau hyn yn cael effaith mewn perthynas ag unrhyw drafodiad trethadwy(2) y mae'r dyddiad y mae'n cael effaith ar 1 Ebrill 2018 neu ar ôl hynny.

2018 No. 128 (W. 32)

**LAND TRANSACTION TAX,
WALES**

**The Land Transaction Tax (Tax
Bands and Tax Rates) (Wales)
Regulations 2018**

Made 31 January 2018

Coming into force 1 April 2018

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 24(1) of, and paragraph 28(1) of Schedule 6 to, the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017(1).

In accordance with section 25(1) of that Act, a draft of these Regulations was laid before and approved by a resolution of the National Assembly for Wales.

Title and commencement

1.—(1) The title of these Regulations is the Land Transaction Tax (Tax Bands and Tax Rates) (Wales) Regulations 2018.

(2) These Regulations come into force on 1 April 2018.

Application

2. These Regulations have effect in relation to any chargeable transaction(2) with an effective date on or after 1 April 2018.

(1) 2017 decc 1.

(2) *Gweler* adran 17 o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017 i gael y diffiniad o "trafodiad trethadwy".

(1) 2017 anaw 1.

(2) *See* section 17 of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 for the definition of "chargeable transaction".

Bandiau treth a chyfraddau treth canrannol

3. Mae'r Atodlen i'r Rheoliadau hyn yn pennu'r bandiau treth a'r cyfraddau treth canrannol at ddibenion adran 24(1) o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017, a pharagraff 28(1) o Atodlen 6 iddi—

- (a) mae Tabl 1 yn pennu'r bandiau treth a'r cyfraddau treth canrannol ar gyfer pob band o ran trafodiadau eiddo preswyl;
- (b) mae Tabl 2 yn pennu'r bandiau treth a'r cyfraddau treth canrannol ar gyfer pob band o ran trafodiadau eiddo preswyl cyfraddau uwch;
- (c) mae Tabl 3 yn pennu'r bandiau treth a'r cyfraddau treth canrannol ar gyfer pob band o ran trafodiadau eiddo amhreswyl; a
- (d) mae Tabl 4 yn pennu'r bandiau treth a'r cyfraddau treth canrannol ar gyfer pob band o ran trafodiadau pan fo'r gydnabyddiaeth drethadwy ar ffurf rhent.

Tax bands and percentage tax rates

3. The Schedule to these Regulations specifies the tax bands and percentage tax rates for the purposes of section 24(1) of, and paragraph 28(1) of Schedule 6 to, the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017—

- (a) Table 1 specifies the tax bands and percentage tax rates for each band for residential property transactions;
- (b) Table 2 specifies the tax bands and percentage tax rates for each band for higher rates residential property transactions;
- (c) Table 3 specifies the tax bands and percentage tax rates for each band for non-residential property transactions; and
- (d) Table 4 specifies the tax bands and percentage tax rates for each band for transactions where the chargeable consideration consists of rent.

Mark Drakeford

Ysgrifennydd y Cabinet dros Gyllid, un o Weinidogion
Cymru
31 Ionawr 2018

Cabinet Secretary for Finance, one of the Welsh
Ministers
31 January 2018

Tabl 1: Trafodiadau eiddo preswyl

<i>Band treth</i>	<i>Y gydnabyddiaeth berthnasol</i>	<i>Y gyfradd dreth ganrannol</i>
Band cyfradd sero	Nid mwy na £180,000	0%
Y band treth cyntaf	Mwy na £180,000 ond nid mwy na £250,000	3.5%
Yr ail fand treth	Mwy na £250,000 ond nid mwy na £400,000	5%
Y trydydd band treth	Mwy na £400,000 ond nid mwy na £750,000	7.5%
Y pedwerydd band treth	Mwy na £750,000 ond nid mwy na £1,500,000	10%
Y pumed band treth	Mwy na £1,500,000	12%

Table 1: Residential property transactions

<i>Tax band</i>	<i>Relevant consideration</i>	<i>Percentage tax rate</i>
Zero rate band	Not more than £180,000	0%
First tax band	More than £180,000 but not more than £250,000	3.5%
Second tax band	More than £250,000 but not more than £400,000	5%
Third tax band	More than £400,000 but not more than £750,000	7.5%
Fourth tax band	More than £750,000 but not more than £1,500,000	10%
Fifth tax band	More than £1,500,000	12%

Tabl 2: Trafodiadau eiddo preswyl cyfraddau uwch

<i>Band treth</i>	<i>Y gydnabyddiaeth berthnasol</i>	<i>Y gyfradd dreth ganrannol</i>
Y band treth cyntaf	Nid mwy na £180,000	3%
Yr ail fand treth	Mwy na £180,000 ond nid mwy na £250,000	6.5%
Y trydydd band treth	Mwy na £250,000 ond nid mwy na £400,000	8%
Y pedwerydd band treth	Mwy na £400,000 ond nid mwy na £750,000	10.5%
Y pumed band treth	Mwy na £750,000 ond nid mwy na £1,500,000	13%
Y chweched band treth	Mwy na £1,500,000	15%

Table 2: Higher rates residential property transactions

<i>Tax band</i>	<i>Relevant consideration</i>	<i>Percentage tax rate</i>
First tax band	Not more than £180,000	3%
Second tax band	More than £180,000 but not more than £250,000	6.5%
Third tax band	More than £250,000 but not more than £400,000	8%
Fourth tax band	More than £400,000 but not more than £750,000	10.5%
Fifth tax band	More than £750,000 but not more than £1,500,000	13%
Sixth tax band	More than £1,500,000	15%

Tabl 3: Trafodiadau eiddo amhreswyl

<i>Band treth</i>	<i>Y gydnabyddiaeth berthnasol</i>	<i>Y gyfradd dreth ganrannol</i>
Band cyfradd sero	Nid mwy na £150,000	0%
Y band treth cyntaf	Mwy na £150,000 ond nid mwy na £250,000	1%
Yr ail fand treth	Mwy na £250,000 ond nid mwy na £1,000,000	5%
Y trydydd band treth	Mwy na £1,000,000	6%

Table 3: Non-residential property transactions

<i>Tax band</i>	<i>Relevant consideration</i>	<i>Percentage tax rate</i>
Zero rate band	Not more than £150,000	0%
First tax band	More than £150,000 but not more than £250,000	1%
Second tax band	More than £250,000 but not more than £1,000,000	5%
Third tax band	More than £1,000,000	6%

Tabl 4: Cydnabyddiaeth drethadwy sydd ar ffurf rhent

<i>Band treth</i>	<i>Y gydnabyddiaeth berthnasol</i>	<i>Y gyfradd dreth ganrannol</i>
Band cyfradd sero LA	Nid mwy na £150,000	0%
Y band treth cyntaf	Mwy na £150,000 ond nid mwy na £2,000,000	1%
Yr ail fand treth	Mwy na £2,000,000	2%

Table 4: Chargeable consideration which consists of rent

<i>Tax band</i>	<i>Relevant consideration</i>	<i>Percentage tax rate</i>
NRL zero rate band	Not more than £150,000	0%
First tax band	More than £150,000 but not more than £2,000,000	1%
Second tax band	More than £2,000,000	2%

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