

LAND TRANSACTION TAX AND ANTI-AVOIDANCE OF DEVOLVED TAXES (WALES) ACT 2017

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 8 – Interpretation and Final Provisions

Sections 67–75 - Interpretation

106. This Part sets out the meaning of key terms referred to throughout the Act. It includes final provisions and provides for subordinate legislation powers and commencement.
107. [Sections 72](#) and [73](#) provide the meaning of “residential property” and “dwelling”. LTT, like SDLT and Land and Buildings Transaction Tax (LBTT), and contains a definition of residential property. Residential property includes a building or part of a building used or suitable for use as a dwelling. It also includes the garden and grounds of the building or any other land that subsists for the benefit of the building. There are a number of buildings that are expressly included within the definition of residential property (for example residential accommodation for school pupils) and others which are excluded (for example a prison). There is also a rule providing that where 6 or more dwellings are acquired in a single transaction then, for the purposes of that transaction, those properties are to be treated as non-residential property. The Welsh Ministers may, by regulations subject to the affirmative procedure, amend the meaning of residential property (and accordingly non-residential property).
108. Non-residential property is defined in the negative as being property which is not residential property.
109. [Section 74](#) provides how connected persons are to be established (by use of section 1122 of the Corporation Tax Act 2010 subject to certain adjustments). [Section 75](#) provides other definitions, including “land” and “retail prices index”.