

## SCHEDULE 4

### CHARGEABLE CONSIDERATION

#### *Buyer bearing capital gains tax liability*

- 16 (1) Where—
- (a) there is a land transaction under which the chargeable interest in question—
    - (i) is acquired otherwise than by a bargain made at arm's length, or
    - (ii) is treated by section 18 of the [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#) (transactions between connected persons) as so acquired,and
  - (b) the buyer is or becomes liable to pay, or does in fact pay, any capital gains tax due in respect of the corresponding disposal of the chargeable interest, the buyer's liability or payment does not count as chargeable consideration for the transaction.
- (2) Sub-paragraph (1) does not apply if there is chargeable consideration for the transaction (disregarding the liability or payment referred to in sub-paragraph (1)(b)).