

SCHEDULE 5 MULTIPLE DWELLINGS RELIEF

PART 4

THE RELIEF

Calculation of relief

10 The amount of tax chargeable in relation to a relevant transaction is—
 $(DT \times ND) + RT$

where—

DT is the tax due in relation to a dwelling,

ND is the number of dwellings that are, or are part of, the main subject-matter of the transaction, and

RT is the tax due in relation to remaining property.

11 However, if the result of paragraph 10 would be that the tax chargeable in relation to the transaction is less than the minimum prescribed amount, the tax chargeable is that amount.

12 The minimum prescribed amount is such proportion of the tax that would be chargeable in relation to the transaction but for the relief as may be prescribed by the Scottish Ministers by order.

Tax due in relation to a dwelling

13 The tax due in relation to a dwelling is determined as follows.

Step 1

Find the total consideration attributable to dwellings, that is—

(a) the consideration attributable to dwellings for the transaction, or

(b) where the transaction is one of a number of linked transactions, the sum of—

(i) the consideration attributable to dwellings for the transaction, and

(ii) the consideration attributable to dwellings for all other relevant transactions.

Step 2

Divide the total consideration attributable to dwellings by total dwellings.

“Total dwellings” is the total number of dwellings by reference to which the total consideration attributable to dwellings is calculated.

Step 3

Calculate the amount of tax that would be due in relation to the relevant transaction were—

(a) the chargeable consideration equal to the result obtained in Step 2,

(b) the transaction a residential property transaction, and

(c) the transaction not a linked transaction.

The result is the tax due in relation to a dwelling.

Status: This is the original version (as it was originally enacted).

Tax due in relation to remaining property

14 The tax due in relation to remaining property is determined as follows.

Step 1

Calculate the amount of tax that would be due in respect of the transaction but for this schedule.

Step 2

Divide the consideration attributable to remaining property by the chargeable consideration for the transaction.

Step 3

Multiply the amount calculated in Step 1 by the fraction reached in Step 2.

The result is the tax due in relation to remaining property.

General

15 “Attributable” means attributable on a just and reasonable basis.