

Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Paragraph 8. (See end of Document for details)

[^{F1}SCHEDULE 16D (INTRODUCED BY SECTION 27) GREEN FREEPORTS RELIEF

Textual Amendments

- F1** Sch. 16D inserted (1.10.2023) by The Land and Buildings Transaction Tax (Green Freeports Relief) (Scotland) Order 2023 (S.S.I. 2023/280), art. 1(1), **sch.**

PART 4

WITHDRAWAL OF RELIEF

Withdrawal of relief

8. (1) The relief is withdrawn if, at any time during the control period, the qualifying green freeport land is not used exclusively in a qualifying manner.
- (2) But the relief is not withdrawn where, because of a change in circumstances that is unforeseen and beyond the buyer's control, it is not reasonable to expect the qualifying green freeport land to be used exclusively in a qualifying manner at that time.
- (3) Where, at a time during the control period, the use of all or part of the qualifying green freeport land in a qualifying manner has not yet begun, that land (or that part of the land) is to be treated as being used exclusively in a qualifying manner if reasonable steps are being taken to ensure that it is used in that manner.
- (4) Where, at a time during the control period, the use of all or part of the qualifying green freeport land in a qualifying manner has ceased, that land (or that part of the land) is to be treated as being used exclusively in a qualifying manner if reasonable steps are being taken—
- (a) to ensure that it is used in that manner, or
 - (b) to dispose of all chargeable interests in that land (or that part of the land) that are held by the buyer and connected persons in a timely manner.
- (5) Where the relief is withdrawn, the amount of tax chargeable is the amount that would have been chargeable in respect of the transaction but for the relief.]

Changes to legislation:

There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Paragraph 8.