

*Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, PART 2. (See end of Document for details)*

## [<sup>F1</sup>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 2

### THE RELIEF

#### *Full relief*

2. (1) This paragraph applies to a land transaction if—
  - (a) at least 90% of the chargeable consideration for the transaction is attributable to qualifying green freeport land, and
  - (b) the effective date of the transaction is within the period beginning on 1 October 2023 and ending on 30 September 2028.
- (2) The transaction is exempt from charge.

#### *Partial relief*

3. (1) This paragraph applies to a land transaction if—
  - (a) the proportion of the chargeable consideration for the transaction that is attributable to qualifying green freeport land (“the relevant proportion”) is less than 90% but at least 10%, and
  - (b) the effective date of the transaction is within the period beginning on 1 October 2023 and ending on 30 September 2028.
- (2) The tax chargeable in respect of the transaction is reduced by the relevant proportion.

#### *Attributing chargeable consideration to land*

4. (1) For the purposes of this schedule, the chargeable consideration for a land transaction that is attributable to qualifying green freeport land must be determined on a just and reasonable basis.
- (2) Sub-paragraphs (3) and (4) apply if less than 100% of the chargeable consideration attributable to transaction land situated in a green freeport tax site (the “freeport consideration”) is attributable to land that satisfies the condition in paragraph 6(1)(b).
- (3) If at least 90% of the freeport consideration is attributable to land that satisfies the condition in paragraph 6(1)(b) then, for the purposes of this schedule, all of the freeport consideration is to be treated as being attributable to qualifying green freeport land.
- (4) If less than 10% of the freeport consideration is attributable to land that satisfies the condition in paragraph 6(1)(b) then, for the purposes of this schedule, none of the freeport consideration is to be treated as being attributable to qualifying green freeport land.]

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