
WELSH STATUTORY INSTRUMENTS

2017 No. 953 (W. 240) (C. 87)

LAND TRANSACTION TAX, WALES

The Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (Commencement No. 1) Order 2017

Made - - - - 28 September 2017

The Welsh Ministers make the following Order in exercise of the power conferred on them by section 81(2) of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017(1).

Title

1. The title of this Order is the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (Commencement No. 1) Order 2017.

Provisions coming into force on 18 October 2017

2. The appointed day for the following provisions of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 coming into force is 18 October 2017—

- (a) section 9(6) (land partly in Wales and partly in England);
- (b) section 24 (regulations specifying tax bands and tax rates) to the extent necessary for the purpose of making regulations under subsections (1) and (11);
- (c) section 25 (procedure for regulations specifying tax bands and tax rates);
- (d) section 30(1) (reliefs) in so far as it relates to the paragraphs of Schedule 11 (relief for alternative finance investment bonds) referred to in paragraph (e);
- (e) in Schedule 11—
 - (i) paragraph 2 (interpretation);
 - (ii) paragraph 9(1) (condition 4) to the extent necessary for the purpose of making regulations;
 - (iii) paragraph 16 (discharge of charge when conditions for relief met) to the extent necessary for the purpose of making regulations;
 - (iv) paragraph 18(4)(a) and (5) (replacement of asset) to the extent necessary for the purpose of making regulations;

- (f) section 32(2) (leases) in so far as it relates to paragraphs 28 and 36(1)(b) of Schedule 6 (leases);
- (g) in Schedule 6—
 - (i) paragraph 28 (tax rates and bands: rent element of non-residential and mixed leases);
 - (ii) paragraph 36(1)(b) (relevant rent) to the extent necessary for the purpose of making regulations;
- (h) section 65(5), (6) and (7)(b) (registration of land transactions);
- (i) section 76 (amendments to TCMA) in so far as it relates to paragraph 8 of Schedule 23 (amendments to the Tax Collection and Management (Wales) Act 2016⁽²⁾); and
- (j) paragraph 8 of Schedule 23.

28 September 2017

Mark Drakeford
Cabinet Secretary for Finance and Local
Government, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the first commencement order made by the Welsh Ministers under the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (“the Act”).

Article 2 of this Order commences certain provisions of the Act on 18 October 2017. The relevant provisions enable preparatory work to be undertaken for the collection and management of devolved taxes. In particular, the relevant provisions—

- (a) contain powers for the Welsh Ministers to make subordinate legislation;
- (b) provide the Chief Land Registrar with a power to enter into arrangements with the Welsh Revenue Authority (“WRA”) for the purposes of enabling WRA to verify that the requirements of the Act have been complied with; and
- (c) impose a duty on the Welsh Ministers to publish guidance about transactions partly in Wales and partly in England.