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SCHEDULE 1

Section 7.

RATES OF TAX

First Table

Portion of value		Rate of tax
Lower limit	Upper limit	Per cent.
£	£	
0	64,000	Nil
64,000	85,000	30
85,000	116,000	35
116,000	148,000	40
148,000	185,000	45
185,000	232,000	50
232,000	285,000	55
285,000	—	60

Second Table

Portion of value		Rate of tax
Lower limit	Upper limit	Per cent.
£	£	
0	64,000	Nil
64,000	85,000	15
85,000	116,000	17 ½
116,000	148,000	20
148,000	185,000	22 ½
185,000	232,000	25
232,000	285,000	27 ½
285,000	—	30

SCHEDULE 2

Section 9.

PROVISIONS APPLYING ON REDUCTION OF TAX

Interpretation

1 In this Schedule—

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- (a) references to a reduction are to a reduction of tax by the substitution of new Tables in Schedule 1 to this Act, and
- (b) references to something happening before or after a reduction are to its happening before or, as the case may be, on or after the date on which the Tables giving effect to the reduction come into force.

Death within three years of chargeable transfer

- 2 Where a person who has made a chargeable transfer before a reduction dies after that reduction (or after that and one or more subsequent reductions) and within three years of the transfer, additional tax shall be chargeable by reason of his death only if, and to the extent that, it would have been so chargeable if the first of the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had applied to that transfer.

Settlement without interest in possession

- 3 Where tax is chargeable under section 65 of this Act on any occasion after a reduction and the rate at which it is charged is determined under section 69 by reference to the rate that was (or would have been) charged under section 64 on an occasion before that reduction (or before that and one or more other reductions), the rate charged on the later occasion shall be determined as if the second of the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had been in force on the earlier occasion.

Disposal of trees etc. following exemption on death

- 4 Where the value of any trees or underwood has been left out of account under Chapter III of Part V of this Act in determining the value transferred by the chargeable transfer made on a death before a reduction and tax is chargeable under section 126 on a disposal of the trees or underwood after that reduction (or after that and one or more subsequent reductions) the rate or rates mentioned in section 128 shall be determined as if the first of the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had applied to that transfer.

Conditionally exempt transfers

- 5 Where tax is chargeable under section 32 of this Act by reason of a chargeable event occurring after a reduction and the rate or rates at which it is charged fall to be determined under the provisions of section 33(1)(b)(ii) by reference to a death which occurred before that reduction (or before that and one or more other reductions) those provisions shall apply as if the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had been in force at the time of the death.

Maintenance funds for historic buildings

- 6 Where tax is chargeable under paragraph 8 of Schedule 4 to this Act on any occasion after a reduction and the rate at which it is charged falls to be determined under paragraph 14 of that Schedule by reference to a death which occurred before that reduction (or before that and one or more other reductions) paragraph 14 shall apply

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as if the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had been in force at the time of the death.

Mutual transfers

- 7 Any question whether any, and if so what, tax is repayable or ceases to be payable by virtue of subsection (1)(a) of section 149 of this Act in a case where—
- (a) the donor's transfer was before a reduction, and
 - (b) the donee's transfer is after that reduction (or after that and one or more subsequent reductions),
- shall be determined as if the Tables in Schedule 1 as substituted by that reduction (or by the most recent of those reductions) had applied to the donor's transfer; but this paragraph shall not be construed as affecting the amount of tax which, under subsection (3) of that section, falls to be taken into account in calculating the cancelled value.

SCHEDULE 3

Sections 25, 32, 230 etc.

GIFTS FOR NATIONAL PURPOSES, ETC

The National Gallery.

The British Museum.

The Royal Scottish Museum.

The National Museum of Wales.

The Ulster Museum.

Any other similar national institution which exists wholly or mainly for the purpose of preserving for the public benefit a collection of scientific, historic or artistic interest and which is approved for the purposes of this Schedule by the Treasury.

Any museum or art gallery in the United Kingdom which exists wholly or mainly for that purpose and is maintained by a local authority or university in the United Kingdom.

Any library the main function of which is to serve the needs of teaching and research at a university in the United Kingdom.

The Historic Buildings and Monuments Commission for England.

The National Trust for Places of Historic Interest or Natural Beauty.

The National Trust for Scotland for Places of Historic Interest or Natural Beauty.

The National Art Collections Fund.

The Trustees of the National Heritage Memorial Fund.

The Friends of the National Libraries.

The Historic Churches Preservation Trust.

The Nature Conservancy Council.

Any local authority.

Any Government department (including the National Debt Commissioners).

Any university or university college in the United Kingdom.

SCHEDULE 4

Sections 27, 58, 77 etc.

MAINTENANCE FUNDS FOR HISTORIC BUILDINGS, ETC

PART I

TREASURY DIRECTIONS

Giving of directions

- 1 (1) If the conditions mentioned in paragraph 2(1) below are fulfilled in respect of settled property, the Treasury shall, on a claim made for the purpose, give a direction under this paragraph in respect of the property.
- (2) The Treasury may give a direction under this paragraph in respect of property proposed to be comprised in a settlement or to be held on particular trusts in any case where, if the property were already so comprised or held, they would be obliged to give the direction.
- (3) Property comprised in a settlement by virtue of a transfer of value made before the coming into force of section 94 of the Finance Act 1982 and exempt under section 84 of the Finance Act 1976 shall be treated as property in respect of which a direction has been given under this paragraph.

Conditions

- 2 (1) The conditions referred to in paragraph 1 above are—
- (a) that the Treasury are satisfied—
 - (i) that the trusts on which the property is held comply with the requirements mentioned in paragraph 3 below, and
 - (ii) that the property is of a character and amount appropriate for the purposes of those trusts; and
 - (b) that the trustees—
 - (i) are approved by the Treasury,
 - (ii) include a trust corporation, a solicitor, an accountant or a member of such other professional body as the Treasury may allow in the case of the property concerned, and
 - (iii) are, at the time the direction is given, resident in the United Kingdom.
- (2) For the purposes of this paragraph trustees shall be regarded as resident in the United Kingdom if—
- (a) the general administration of the trusts is ordinarily carried on in the United Kingdom, and
 - (b) the trustees or a majority of them (and, where there is more than one class of trustees, a majority of each class) are resident in the United Kingdom ;
- and where a trustee is a trust corporation, the question whether the trustee is resident in the United Kingdom shall, for the purposes of paragraph (b) above, be determined as for the purposes of corporation tax.
- (3) In this paragraph—

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" accountant" means a member of an incorporated society of accountants ;
" trust corporation " means a person that is a trust corporation for the purposes of the Law of Property Act 1925 or for the purposes of Article 9 of the Administration of Estates (Northern Ireland) Order 1979.

- 3 (1) The requirements referred to in paragraph 2(1)(a)(i) above are (subject to paragraph 4 below)—
- (a) that none of the property held on the trusts can at any time in the period of six years beginning with the date on which it became so held be applied otherwise than—
 - (i) for the maintenance, repair or preservation of, or making provision for public access to, property which is for the time being qualifying property, for the maintenance, repair or preservation of property held on the trusts or for such improvement of property so held as is reasonable having regard to the purposes of the trusts, or for defraying the expenses of the trustees in relation to the property so held ;
 - (ii) as respects income not so applied and not accumulated, for the benefit of a body within Schedule 3 to this Act or of a qualifying charity ; and
 - (b) that none of the property can, on ceasing to be held on the trusts at any time in that period or, if the settlor dies in that period, at any time before his death, devolve otherwise than on any such body or charity ; and
 - (c) that income arising from property held on the trusts cannot at any time after the end of that period be applied except as mentioned in paragraph (a)(i) or (ii) above.
- (2) Property is qualifying property for the purposes of sub-paragraph (1) above if—
- (a) it has been designated under section 34(1) of the Finance Act 1975 or section 77(1)(b), (c), (d) or (e) of the Finance Act 1976 or section 31(1)(b), (c), (d) or (e) of this Act; and
 - (b) the requisite undertaking has been given with respect to it under section 34 of the Finance Act 1975 or under section 76, 78(5)(b) or 82(3) of the Finance Act 1976 or under section 30, 32(5)(b) or 79(3) of this Act or paragraph 5 of Schedule 5 to this Act; and
 - (c) tax has not (since the last occasion on which such an undertaking was given) become chargeable with respect to it under the said section 34 or under section 78 or 82(3) of the Finance Act 1976 or under section 32 or 79(3) of this Act or paragraph 3 of Schedule 5 to this Act.
- (3) If it appears to the Treasury that provision is, or is to be, made by a settlement for the maintenance, repair or preservation of any such property as is mentioned in subsection (1)(b), (c), (d) or (e) of section 31 of this Act they may, on a claim made for the purpose—
- (a) designate that property under this sub-paragraph, and
 - (b) accept with respect to it an undertaking such as is described in subsection (4) of that section ;
- and, if they do so, sub-paragraph (2) above shall have effect as if the designation were under that section and the undertaking under section 30 of this Act and as if the reference to tax becoming chargeable were a reference to the occurrence of an event on which tax would become chargeable under section 32 of this Act if there

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had been a conditionally exempt transfer of the property when the claim was made and the undertaking had been given under section 30.

- (4) A charity is a qualifying charity for the purposes of sub-paragraph (1) above if it exists wholly or mainly for maintaining, repairing or preserving for the public benefit buildings of historic or architectural interest, land of scenic, historic or scientific interest or objects of national, scientific, historic or artistic interest; and in this sub-paragraph " national interest" includes interest within any part of the United Kingdom.
- (5) Designations, undertakings and acceptances made under section 84(6) of the Finance Act 1976 or section 94(3) of the Finance Act 1982 shall be treated as made under sub-paragraph (3) above.
- 4 (1) Paragraphs (a) and (b) of paragraph 3(1) above do not apply to property which—
- (a) was previously comprised in another settlement, and
 - (b) ceased to be comprised in that settlement and became comprised in the current settlement in circumstances such that by virtue of paragraph 9(1) below there was no charge (or, but for paragraph 9(4), there would have been no charge) to tax in respect of it;
- and in relation to any such property paragraph 3(1)(c) above shall apply with the omission of the words " at any time after the end of that period ".
- (2) Sub-paragraph (1) above shall not have effect if the time when the property comprised in the previous settlement devolved otherwise than on any such body or charity as is mentioned in paragraph 3(1)(a) above fell before the expiration of the period of six years there mentioned ; but in such a case paragraph 3(1) above shall apply to the current settlement as if for the references to that period of six years there were substituted references to the period beginning with the date on which the property became comprised in the current settlement and ending six years after the date on which it became held on the relevant trusts of the previous settlement (or, where this sub-paragraph has already had effect in relation to the property, the date on which it became held on the relevant trusts of the first settlement in the series).

Withdrawal

- 5 If in the Treasury's opinion the facts concerning any property or its administration cease to warrant the continuance of the effect of a direction given under paragraph 1 above in respect of the property, they may at any time by notice in writing to the trustees withdraw the direction on such grounds, and from such date, as may be specified in the notice ; and the direction shall cease to have effect accordingly.

Information

- 6 Where a direction under paragraph 1 above has effect in respect of property, the trustees shall from time to time furnish the Treasury with such accounts and other information relating to the property as the Treasury may reasonably require.

Enforcement of trusts

- 7 Where a direction under paragraph 1 above has effect in respect of property, the trusts on which the property is held shall be enforceable at the suit of the Treasury and the Treasury shall, as respects the appointment, removal and retirement of trustees, have the rights and powers of a beneficiary.

PART II

PROPERTY LEAVING MAINTENANCE FUNDS

Charge to tax

- 8 (1) This paragraph applies to settled property which is held on trusts which comply with the requirements mentioned in paragraph 3(1) above, and in respect of which a direction given under paragraph 1 above has effect.
- (2) Subject to paragraphs 9 and 10 below, there shall be a charge to tax under this paragraph—
- (a) where settled property ceases to be property to which this paragraph applies, otherwise than by virtue of an application of the kind mentioned in paragraph 3(1)(a)(i) or (ii) above or by devolving on any such body or charity as is mentioned in paragraph 3(1)(a)(ii);
 - (b) in a case in which paragraph (a) above does not apply, where the trustees make a disposition (otherwise than by such an application) as a result of which the value of settled property to which this paragraph applies is less than it would be but for the disposition.
- (3) Subsections (4), (5) and (10) of section 70 of this Act shall apply for the purposes of this paragraph as they apply for the purposes of that section (with the substitution of a reference to sub-paragraph (2)(b) above for the reference in section 70(4) to section 70(2)(b)).
- (4) The rate at which tax is charged under this paragraph shall be determined in accordance with paragraphs 11 to 15 below.
- (5) The devolution of property on a body or charity shall not be free from charge by virtue of sub-paragraph (2)(a) above if, at or before the time of devolution, an interest under the settlement in which the property was comprised immediately before the devolution is or has been acquired for a consideration in money or money's worth by that or another such body or charity; but for the purposes of this sub-paragraph any acquisition from another such body or charity shall be disregarded.
- (6) For the purposes of sub-paragraph (5) above a body or charity shall be treated as acquiring an interest for a consideration in money or money's worth if it becomes entitled to the interest as a result of transactions which include a disposition for such consideration (whether to that body or charity or to another person) of that interest or of other property.

Exceptions from charge

- 9 (1) Tax shall not be charged under paragraph 8 above in respect of property which, within the permitted period after the occasion on which tax would be chargeable under that paragraph, becomes comprised in another settlement as a result of a transfer of value which is exempt under section 27 of this Act
- (2) In sub-paragraph (1) above " the permitted period " means the period of thirty days except in a case where the occasion referred to is the death of the settlor, and in such a case means the period of two years.
- (3) Sub-paragraph (1) above shall not apply to any property if the person who makes the transfer of value has acquired it for a consideration in money or money's worth;

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and for the purposes of this sub-paragraph a person shall be treated as acquiring any property for such consideration if he becomes entitled to it as a result of transactions which include a disposition for such consideration (whether to him or another) of that or other property.

- (4) If the amount on which tax would be charged apart from sub-paragraph (1) above in respect of any property exceeds the value of the property immediately after it becomes comprised in the other settlement (less the amount of any consideration for its transfer received by the person who makes the transfer of value), that sub-paragraph shall not apply but the amount on which tax is charged shall be equal to the excess.
- (5) The reference in sub-paragraph (4) above to the amount on which tax would be charged is a reference to the amount on which it would be charged apart from—
- (a) section 70(5)(6) of this Act (as applied by paragraph 8(3) above), and
 - (b) Chapters I and II of Part V of this Act;
- and the reference in that sub-paragraph to the amount on which tax is charged is a reference to the amount on which it would be charged apart from section 70(5)(b) and those Chapters.
- 10 (1) Tax shall not be charged under paragraph 8 above in respect of property which ceases to be property to which that paragraph applies on becoming—
- (a) property to which the settlor or his spouse is beneficially entitled, or
 - (b) property to which the settlor's widow or widower is beneficially entitled if the settlor has died in the two years preceding the time when it becomes such property.
- (2) If the amount on which tax would be charged apart from sub-paragraph (1) above in respect of any property exceeds the value of the property immediately after it becomes property of a description specified in paragraph (a) or (b) of that sub-paragraph (less the amount of any consideration for its transfer received by the trustees), that sub-paragraph shall not apply but the amount on which tax is charged shall be equal to the excess.
- (3) The reference in sub-paragraph (2) above to the amount on which tax would be charged is a reference to the amount on which it would be charged apart from—
- (a) section 70(5)(b) of this Act (as applied by paragraph 8(3) above), and
 - (b) Chapters I and II of Part V of this Act;
- and the reference in sub-paragraph (2) above to the amount on which tax is charged is a reference to the amount on which it would be charged apart from section 70(5)(b) and those Chapters.
- (4) Sub-paragraph (1) above shall not apply in relation to any property if, at or before the time when it becomes property of a description specified in paragraph (a) or (b) of that sub-paragraph, an interest under the settlement in which the property was comprised immediately before it ceased to be property to which paragraph 8 above applies is or has been acquired for a consideration in money or money's worth by the person who becomes beneficially entitled.
- (5) For the purposes of sub-paragraph (4) above a person shall be treated as acquiring an interest for a consideration in money or money's worth if he becomes entitled to the interest as a result of transactions which include a disposition for such consideration (whether to him or to another person) of that interest or of other property.

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- (6) Sub-paragraph (1) above shall not apply in respect of property if it was relevant property before it became (or last became) property to which paragraph 8 above applies and, by virtue of paragraph 16(1) or 17(1) below, tax was not chargeable (or, but for paragraph 16(2) or 17(4), would not have been chargeable) under section 65 of this Act in respect of its ceasing to be relevant property before becoming (or last becoming) property to which paragraph 8 above applies.
- (7) Sub-paragraph (1) above shall not apply in respect of property if—
- (a) before it last became property to which paragraph 8 above applies it was comprised in another settlement in which it was property to which that paragraph applies, and
 - (b) it ceased to be comprised in the other settlement and last became property to which that paragraph applies in circumstances such that by virtue of paragraph 9(1) above there was no charge (or, but for paragraph 9(4), there would have been no charge) to tax in respect of it.
- (8) Sub-paragraph (1) above shall not apply unless the person who becomes beneficially entitled to the property is domiciled in the United Kingdom at the time when he becomes so entitled.

Rates of charge

- 11 (1) This paragraph applies where tax is chargeable under paragraph 8 above and—
- (a) the property in respect of which the tax is chargeable was relevant property before it became (or last became) property to which that paragraph applies, and
 - (b) by virtue of paragraph 16(1) or 17(1) below tax was not chargeable (or, but for paragraph 16(2) or 17(4), would not have been chargeable) under section 65 of this Act in respect of its ceasing to be relevant property on or before becoming (or last becoming) property to which paragraph 8 above applies.
- (2) Where this paragraph applies, the rate at which the tax is charged shall be the aggregate of the following percentages—
- (a) 0.25 per cent for each of the first forty complete successive quarters in the relevant period,
 - (b) 0.20 per cent for each of the next forty,
 - (c) 0.15 per cent for each of the next forty,
 - (d) 0.10 per cent for each of the next forty, and
 - (e) 0.05 per cent for each of the next forty.
- (3) In sub-paragraph (2) above " the relevant period " means the period beginning with the latest of—
- (a) the date of the last ten-year anniversary of the settlement in which the property was comprised before it ceased (or last ceased) to be relevant property,
 - (b) the day on which the property became (or last became) relevant property before it ceased (or last ceased) to be such property, and
 - (c) 13th March 1975,
- and ending with the day before the event giving rise to the charge.

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- (4) Where the property in respect of which the tax is chargeable has at any time ceased to be and again become property to which paragraph 8 above applies in circumstances such that by virtue of paragraph 9(1) above there was no charge to tax in respect of it (or, but for paragraph 9(4), there would have been no charge), it shall for the purposes of this paragraph be treated as having been property to which paragraph 8 above applies throughout the period mentioned in paragraph 9(1).
- 12 (1) This paragraph applies where tax is chargeable under paragraph 8 above and paragraph 11 above does not apply.
- (2) Where this paragraph applies, the rate at which the tax is charged shall be the higher of—
- (a) the first rate (as determined in accordance with paragraph 13. below), and
 - (b) the second rate (as determined in accordance with paragraph 14 below).
- 13 (1) The first rate is the aggregate of the following percentages—
- (a) 0.25 per cent for each of the first forty complete successive quarters in the relevant period,
 - (b) 0.20 per cent for each of the next forty,
 - (c) 0.15 per cent for each of the next forty.
 - (d) 0.10 per cent for each of the next forty, and
 - (e) 0.05 per cent for each of the next forty.
- (2) In sub-paragraph (1) above " the relevant period " means the period beginning with the day on which the property in respect of which the tax is chargeable became (or first became) property to which paragraph 8 above applies, and ending with the day before the event giving rise to the charge.
- (3) For the purposes of sub-paragraph (2) above, any occasion on which property became property to which paragraph 8 above applies, and which occurred before an occasion of charge to tax under that paragraph in respect of the property, shall be disregarded.
- (4) The reference in sub-paragraph (3) above to an occasion of charge to tax under paragraph 8 does not include a reference to—
- (a) the occasion by reference to which the rate is being determined in accordance with this Schedule, or
 - (b) an occasion which would not be an occasion of charge but for paragraph 9(4) above.
- 14 (1) If the settlor is alive, the second rate is the effective rate at which tax would be charged, on the amount on which it is chargeable, under the appropriate Table if the amount were the value transferred by a chargeable transfer made by him on the occasion on which the tax becomes chargeable.
- (2) If the settlor is dead, the second rate is (subject to sub-paragraph (3) below) the effective rate at which tax would have been charged, on the amount on which it is chargeable, under the appropriate Table if the amount had been added to the value transferred on his death and had formed the highest part of it.
- (3) If the settlor died before 13th March 1975, the second rate is the effective rate at which tax would have been charged, on the amount on which it is chargeable (" the chargeable amount"), under the appropriate Table if the settlor had died when the event occasioning the charge under paragraph 8 above occurred, the value transferred on his death had been equal to the amount on which estate duty was chargeable when

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he in fact died, and the chargeable amount had been added to that value and had formed the highest part of it.

- (4) Where, in the case of a settlement (" the current settlement"), tax is chargeable under paragraph 8 above in respect of property which—
- (a) was previously comprised in another settlement, and
 - (b) ceased to be comprised in that settlement and became comprised in the current settlement in circumstances such that by virtue of paragraph 9(1) above there was no charge (or, but for paragraph 9(4), there would have been no charge) to tax in respect of it,

then, subject to sub-paragraph (5) below, references in sub-paragraphs (1) to (3) above to the settlor shall be construed as references to the person who was the settlor in relation to the settlement mentioned in paragraph (a) above (or, if the Board so determine, the person who was the settlor in relation to the current settlement).

- (5) Where, in the case of a settlement (" the current settlement"), tax is chargeable under paragraph 8 above in respect of property which—
- (a) was previously comprised at different times in other settlements (" the previous settlements "), and
 - (b) ceased to be comprised in each of them, and became comprised in another of them or in the current settlement, in circumstances such that by virtue of paragraph 9(1) above there was no charge (or, but for paragraph 9(4), there would have been no charge) to tax in respect of it,

references in sub-paragraphs (1) to (3) above to the settlor shall be construed as references to the person who was the settlor in relation to the previous settlement in which the property was first comprised (or, if the Board so determine, any person selected by them who was the settlor in relation to any of the other previous settlements or the current settlement).

- (6) Sub-paragraph (7) below shall apply if—
- (a) in the period of ten years preceding a charge under paragraph 8 above (the " current charge"), there has been another charge under that paragraph where tax was charged at the second rate, and
 - (b) the person who is the settlor for the purposes of the current charge is the settlor for the purposes of the other charge (whether or not the settlements are the same and, if the settlor is dead, whether or not he has died since the other charge);

and in sub-paragraph (7) below the other charge is referred to as the " previous charge ".

- (7) Where this sub-paragraph applies, the amount on which tax was charged on the previous charge (or, if there have been more than one, the aggregate of the amounts on which tax was charged on each)—
- (a) shall, for the purposes of calculating the rate of the current charge under sub-paragraph (1) above, be taken to be the value transferred by a chargeable transfer made by the settlor immediately before the occasion of the current charge, and
 - (b) shall, for the purposes of calculating the rate of the current charge under sub-paragraph (2) or (3) above, be taken to increase the value there mentioned by an amount equal to that amount (or aggregate).

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- (8) References in sub-paragraphs (1) to (3) above to the effective rate are to the rate found by expressing the tax chargeable as a percentage of the amount on which it is charged.
- (9) For the purposes of sub-paragraph (1) above the appropriate Table is the second Table in Schedule 1 to this Act, and for the purposes of sub-paragraphs (2) and (3) above it is (if the settlement was made on death) the first Table in that Schedule and (if not) the second.
- 15 Where property is, by virtue of paragraph 1(3) above, treated as property in respect of which a direction has been given under paragraph 1, it shall for the purposes of paragraphs 11 to 14 above be treated as having become property to which paragraph 8 above applies when the transfer of value mentioned in paragraph 1(3) was made.

PART III

PROPERTY BECOMING COMPRISED IN MAINTENANCE FUNDS

- 16 (1) Tax shall not be charged under section 65 of this Act in respect of property which ceases to be relevant property on becoming property in respect of which a direction under paragraph 1 above then has effect.
- (2) If the amount on which tax would be charged apart from sub-paragraph (1) above in respect of any property exceeds the value of the property immediately after it becomes property in respect of which the direction has effect (less the amount of any consideration for its transfer received by the trustees of the settlement in which it was comprised immediately before it ceased to be relevant property), that sub-paragraph shall not apply but the amount on which tax is charged shall be equal to the excess.
- (3) Sub-paragraph (1) above shall not apply in relation to any property if, at or before the time when it becomes property in respect of which the direction has effect, an interest under the settlement in which it was comprised immediately before it ceased to be relevant property is or has been acquired for a consideration in money or money's worth by the trustees of the settlement in which it becomes comprised on ceasing to be relevant property.
- (4) For the purposes of sub-paragraph (3) above trustees shall be treated as acquiring an interest for a consideration in money or money's worth if they become entitled to the interest as a result of transactions which include a disposition for such consideration (whether to them or to another person) of that interest or of other property.
- 17 (1) Tax shall not be charged under section 65 of this Act in respect of property which ceases to be relevant property if within the permitted period an individual makes a transfer of value—
- (a) which is exempt under section 27 of this Act, and
 - (b) the value transferred by which is attributable to that property.
- (2) In sub-paragraph (1) above "the permitted period" means the period of thirty days beginning with the day on which the property ceases to be relevant property except in a case where it does so on the death of any person, and in such a case means the period of two years beginning with that day.
- (3) Sub-paragraph (1) above shall not apply if the individual has acquired the property concerned for a consideration in money or money's worth; and for the purposes of

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this sub-paragraph an individual shall be treated as acquiring any property for such consideration if he becomes entitled to it as a result of transactions which include a disposition for such consideration (whether to him or another) of that or other property.

- (4) If the amount on which tax would be charged apart from sub-paragraph (1) above in respect of any property exceeds the value of the property immediately after the transfer there referred to (less the amount of any consideration for its transfer received by the individual), that sub-paragraph shall not apply but the amount on which tax is charged shall be equal to the excess.
- 18 In paragraphs 16(2) and 17(4) above the references to the amount on which tax would be charged are references to the amount on which it would be charged apart from—
- (a) paragraph (b) of section 65(2) of this Act, and
 - (b) Chapters I and LT of Part V of this Act;
- and the references to the amount on which tax is charged are references to the amount on which it would be charged apart from that paragraph and those Chapters.

SCHEDULE 5

Section 35.

CONDITIONAL EXEMPTION: DEATHS BEFORE 7TH APRIL 1976

Charge on failure of condition of exemption—objects

- 1 (1) Where, under section 31 of the Finance Act 1975, the value of an object has been left out of account and the Treasury are satisfied that at any time the undertaking given under that section or under paragraph 5 below with respect to the object has not been observed in a material respect, tax shall be chargeable with respect to the object in accordance with paragraph 2 below.
- (2) Where, under section 31 of the Finance Act 1975, the value of any object has been left out of account and—
- (a) sub-paragraph (1) above does not apply, but
 - (b) the object is disposed of, whether on sale or otherwise,
- then, subject to the following provisions of this paragraph, tax shall be chargeable with respect to the object in accordance with paragraph 2 below ; but where the value of an object has been so left out of account on the death of more than one person, the tax chargeable under this sub-paragraph shall be chargeable only by reference to the last death.
- (3) Tax shall not be chargeable by virtue of sub-paragraph (2) above with respect to an object—
- (a) on its being sold by private treaty to a body mentioned in Schedule 3 to this Act or on its being disposed of to such a body otherwise than by sale, or
 - (b) if it is disposed of otherwise than by sale and the undertaking previously given with respect to it is replaced by a further undertaking under paragraph 5 below.
- (4) For the purposes of sub-paragraph (2) above, the acceptance of an object under section 230 of this Act shall not be treated as a disposal of the object.

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

- 2
- (1) The following provisions of this paragraph shall have effect where, under section 31 of the Finance Act 1975, the value of any object has been left out of account in determining the value transferred by the transfer of value made on the death of any person (in this paragraph referred to as the value transferred on death) and tax becomes chargeable with respect to the object under paragraph 1 above by reason of the disposal of the object or the non-observance of an undertaking (in this paragraph referred to as a chargeable event).
 - (2) The tax chargeable under paragraph 1 above with respect to an object shall be so much of the tax that would have been chargeable on the value transferred on death as would have been attributable to the value of the object if—
 - (a) section 31 of the Finance Act 1975 had not applied to the object, and
 - (b) the value of the object at the time of the death had been equal to its value at the time of the chargeable event and, if the chargeable event was a disposal on sale complying with paragraph 6 below, that value had been equal to the proceeds of sale.
 - (3) Where—
 - (a) under section 31 of the Finance Act 1975 the value of two or more objects has been left out of account in determining the value transferred on death, and
 - (b) those objects formed a set at the time of the death, and
 - (c) tax becomes chargeable under paragraph 1 above with respect to two or more of the objects by reason of chargeable events occurring at different times,
 the preceding provisions of this paragraph shall apply as if both or all the chargeable events had occurred at the time of the earlier or earliest one, and the tax chargeable with respect to the objects shall be adjusted accordingly on the occurrence of each of the subsequent chargeable events.
 - (4) Sub-paragraph (3) above shall not apply with respect to two or more chargeable events which are disposals to different persons who are neither acting in concert nor connected with each other.

Charge on failure of condition of exemption—buildings etc.

- 3
- (1) Where, under subsection (2) of section 34 of the Finance Act 1975, the value of any property has been left out of account and the Treasury are satisfied that at any time the undertaking given under that subsection or under paragraph 5 below in respect of that property has not been observed in a material respect, then, subject to sub-paragraph (3) below, tax shall be chargeable in accordance with paragraph 4 below with respect to the property and any property associated with it.
 - (2) Where, under section 34(2) of the Finance Act 1975, the value of any property has been left out of account in determining the value transferred on the death of any person and—
 - (a) sub-paragraph (1) above does not apply, but
 - (b) the property is disposed of, whether on sale or otherwise,
 then, subject to sub-paragraphs (3) and (4) below, tax shall be chargeable in accordance with paragraph 4 below with respect to the property and any property associated with it; but where the value of the property has been left out of account on the death of more than one person, the tax chargeable under this sub-paragraph shall be chargeable only by reference to the last death.

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

(3) The Treasury may direct that the tax chargeable under this paragraph on a failure to observe an undertaking with respect to any property or on the disposal of any property shall be chargeable with respect only to that property, if it appears to them that the entity consisting of the building, land and objects concerned has not been materially affected.

(4) Tax shall not be chargeable under sub-paragraph (2) above with respect to any property—

- (a) on its being sold by private treaty to a body mentioned in Schedule 3 to this Act or on its being disposed of to such a body otherwise than by sale, or
- (b) if it is disposed of otherwise than by sale and the undertaking previously given with respect to it is replaced by a further undertaking under paragraph 5 below ;

and for the purposes of sub-paragraph (2) above the acceptance of any property under section 230 of this Act shall not be treated as a disposal of the property.

(5) For the purposes of this paragraph, two or more properties are associated with each other if one of them is a building falling within subsection (1)(b) of section 34 of the Finance Act 1975 and the other or others such land or objects as, in relation to that building, fall within subsection (1)(c) or (d) of that section.

4 The tax chargeable under paragraph 3 above with respect to any property shall be so much of the tax that would have been chargeable on the value transferred on the death as would have been attributable to the value of the property if—

- (a) section 34 of the Finance Act 1975 had not applied to the property; and
- (b) the value of the property at the time of the death had been equal to its value at the time the tax becomes chargeable and, if it becomes chargeable on a sale complying with paragraph 6 below, that value had been equal to the proceeds of sale.

Further undertaking on disposal

5 (1) The further undertaking referred to in paragraph 1 above is an undertaking given, by such person as the Treasury think appropriate in the circumstances of the case, that, until the person entitled to the object dies or the object is disposed of, whether by sale or gift or otherwise,—

- (a) the object will be kept permanently in the United Kingdom and will not leave it temporarily except for a purpose and a period approved by the Treasury ; and
- (b) reasonable steps will be taken for the preservation of the object; and
- (c) reasonable facilities for examining the object for the purpose of seeing the steps taken for its preservation or, subject to sub-paragraph (3) below, for purposes of research, will be allowed to any person authorised by the Treasury to examine it.

(2) The further undertaking referred to in paragraph 3 above is an undertaking given by such person as the Treasury think appropriate in the circumstances of the case that, until the person entitled to the property dies or the property is disposed of, whether by sale or gift or otherwise, reasonable steps will be taken—

- (a) in the case of land falling within subsection (1)(a) of section 34 of the Finance Act 1975, for the maintenance of the land and the preservation of its character, and

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

- (b) in the case of any other property, for the maintenance, repair and preservation of the property and, if it is an object falling within subsection (1)(d) of that section, for keeping it associated with the building concerned, and for securing reasonable access to the public.
- (3) If it appears to the Treasury, on a claim made for the purpose, that any documents which are designated as objects to which section 31 of the Finance Act 1975 applies contain information which for personal or other reasons ought to be treated as confidential, they may exclude those documents, either entirely or to such extent as they think fit, from so much of an undertaking given or to be given under subparagraph (1)(c) above as relates to their examination for purposes of research.

Requirements of sale

- 6 A sale complies with this paragraph if—
- (a) it was not intended to confer any gratuitous benefit on any person, and
 - (b) it was either a transaction at arm's length between persons not connected with each other or a transaction such as might be expected to be made at arm's length between persons not connected with each other.

SCHEDULE 6

Section 273.

TRANSITION FROM ESTATE DUTY

General

- 1 References in any enactment, in any instrument made under any enactment, or in any document (whether executed before or after the passing of this Act) to estate duty or to death duties shall have effect, as far as may be, as if they included references to capital transfer tax chargeable under section 4 of this Act (or under section 22 of the Finance Act 1975).

Surviving spouse or former spouse

- 2 In determining for the purposes of this Act the value of the estate, immediately before his death, of a person whose spouse (or former spouse) died before 13th November 1974, there shall be left out of account the value of any property which, if estate duty were chargeable on the later death, would be excluded from the charge by section 5(2) of the Finance Act 1894 (relief on death of surviving spouse); and tax shall not be chargeable under section 52 of this Act on the coming to an end of an interest in possession in settled property if—
- (a) the spouse (or former spouse) of the person beneficially entitled to the interest died before 13th November 1974, and
 - (b) the value of the property in which the interest subsists would by virtue of the preceding provisions of this paragraph have been left out of account in determining the value of the survivor's estate had he died immediately before the interest came to an end.

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

Sales and mortgages of reversionary interests

- 3
- (1) Where a reversionary interest in settled property was before 27th March 1974 sold or mortgaged for full consideration in money or money's worth, no greater amount of tax shall be payable by the purchaser or mortgagee when the interest falls into possession than the amounts of estate duty that would have been payable by him if none of the provisions of the Finance Act 1975 or this Act had been passed ; and any tax which, by virtue of this paragraph, is not payable by the mortgagee but which is payable by the mortgagor shall rank as a charge subsequent to that of the mortgagee.
 - (2) Where the interest referred to in sub-paragraph (1) above was sold or mortgaged to a close company in relation to which the person entitled to the interest was a participator, sub-paragraph (1) above shall apply only to the extent that other persons had rights and interests in the company ; and this sub-paragraph shall be construed as if contained in Part IV of this Act

Objects of national etc. interest left out of account on death

- 4
- (1) In its application to a sale which does not comply with paragraph 6 of Schedule 5 to this Act, subsection (2) of section 40 of the Finance Act 1930 shall have effect as if the reference to the proceeds of sale were a reference to the value of the objects on that date.
 - (2) Where there has been a death in relation to which the value of any property has been left out of account under section 40 of the Finance Act 1930 and, before any estate duty has become chargeable under the provisions of that section or of section 48 of the Finance Act 1950, there is a conditionally exempt transfer of that property, then, on the occurrence of a chargeable event in respect of that property—
 - (a) if there has been no conditionally exempt transfer of the property on death, either tax shall be chargeable under section 32 of this Act or estate duty shall be chargeable under those provisions as the Board may elect, and
 - (b) if there has been such a conditionally exempt transfer, there shall be a charge under that section and not under those provisions ;and in this sub-paragraph " conditionally exempt transfer " includes a conditionally exempt occasion within the meaning of section 78(2) of this Act.
 - (3) In sections 33(7) and 79(1) of this Act, references to a conditionally exempt transfer of any property include references to a death in relation to which the value of any property has been left out of account under section 40 of the Finance Act 1930 and, in relation to such property, references to a chargeable event or to the tax chargeable in accordance with section 33 of this Act by reference to a chargeable event include references to an event on the occurrence of which estate duty becomes chargeable under section 40 of the Finance Act 1930 or section 48 of the Finance Act 1950 or to the estate duty so chargeable.
 - (4) In determining for the purposes of section 40(2) of the Finance Act 1930 what is the last death on which the objects passed, there shall be disregarded any death after 6th April 1976.
 - (5) In the application of this paragraph to Northern Ireland for references to section 40 of the Finance Act 1930 and section 48 of the Finance Act 1950 there shall be substituted references to section 2 of the Finance Act (Northern Ireland) 1931 and Article 6 of the Finance (Northern Ireland) Order 1972 respectively.

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

SCHEDULE 7

Section 274.

COMMENCEMENT: SUPPLEMENTARY RULES

- 1 In this Schedule " the repealed enactments " means the enactments repealed by this Act.
- 2 Sections 126 to 130 of this Act shall have effect (to the exclusion of the corresponding repealed enactments) in relation to any disposal after the end of 1984, whether the death in respect of which relief was given occurred before or after that time.
- 3 Where section 146 of this Act has effect in relation to a death after the end of 1984, it shall also have effect (to the exclusion of section 122 of the Finance Act 1976) in relation to any chargeable transfer of the kind referred to in section 146(2), whether made before or after that time.
- 4 Section 147 of this Act, so far as it relates to charges to tax in respect of claims to legitim made in the circumstances described in subsection (4) of that section, shall have effect (to the exclusion of the corresponding repealed enactments) in relation to claims made after the end of 1984, whether the testator died before or after that time.
- 5 Sections 148 and 149 of this Act shall have effect (to the exclusion of the corresponding repealed enactments) in any case where the donee's transfer is made after the end of 1984, whether the donor's transfer was made before or after that time.
- 6 Section 150 of this Act shall have effect (to the exclusion of section 88 of the Finance Act 1976) in relation to any claim made after the end of 1984.
- 7 Section 203 of this Act shall have effect (to the exclusion of the corresponding repealed enactments) in relation to any chargeable transfer made after the end of 1984 (whether the spouse transfer concerned was made before or after that time).
- 8 Section 218 of this Act, and section 245 so far as it relates to section 218, shall have effect in relation to settlements made after the end of 1984 to the exclusion of the corresponding repealed enactments, and those enactments shall continue to have effect in relation to settlements made before that time.
- 9 Section 219 of this Act, and section 245 so far as it relates to section 219, shall come into force on 1st January 1985 for all purposes to the exclusion of the corresponding repealed enactments, except that those enactments shall continue to have effect in relation to notices given before that time.
- 10 Section 220 of this Act shall come into force on 1st January 1985 for all purposes to the exclusion of the corresponding repealed enactments, except that those enactments shall continue to have effect in relation to authorisations given before that time.
- 11 Any order made under section 233 of this Act shall have effect in relation to interest chargeable (under the repealed enactments) in respect of chargeable transfers and other events before the end of 1984 as it has effect in relation to interest chargeable (under this Act) in respect of transfers and other events after that time.
- 12 Where payments are made or assets transferred after the end of 1984 in the circumstances described in section 262 of this Act, that section shall have effect (to the exclusion of the corresponding repealed enactments) whether the disposition first mentioned in that section was made before or after that time.

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- 13 Section 264 of this Act shall have effect (to the exclusion of section 114 of the Finance Act 1976) in any case where the later transfer is made after the end of 1984, whether the earlier transfer was made before or after that date.
- 14 This Act shall not have effect in a case which would otherwise fall within paragraph 2(3) of Schedule 5 if the first chargeable event occurred before the end of 1984.

SCHEDULE 8

Section 276.

CONSEQUENTIAL AMENDMENTS

The Land Registration Act 1925

- 1 In section 73 of the Land Registration Act 1925 for the words "Part III of the Finance Act 1975 " there shall be substituted the words " the Capital Transfer Tax Act 1984 " and for the words " that Part " there shall be substituted the words " that Act ".

The Crown Proceedings Act 1947

- 2 In section 14(1)(b) of the Crown Proceedings Act 1947, for the words from " payment" to the end there shall be substituted the words " payment of capital transfer tax under the Capital Transfer Tax Act 1984 ".

The Land Charges Act 1972

- 3 (1) In section 2 of the Land Charges Act 1972—
- (a) in subsection (4)(ii) for the words " Part III of the Finance Act 1975 " there shall be substituted the words " he Capital Transfer Tax Act 1984 "; and
 - (b) in subsection (5)(i) for the words "Part III of the Finance Act 1975 (capital transfer tax)" there shall be substituted the words " the Capital Transfer Tax Act 1984 ".
- (2) In section 4(6) of that Act for the words " Part III of the Finance Act 1975 " there shall be substituted the words " the Capital Transfer Tax Act 1984 ".

The Finance Act 1975

- 4 In section 49(4) of the Finance Act 1975 after the words "paragraph 1 of Schedule 6 to this Act" there shall be inserted the words " or section 18 of the Capital Transfer Tax Act 1984 ".

The Development Land Tax Act 1976

- 5 In section 10(5)(a) of the Development Land Tax Act 1976 for the words "paragraph 12 of Schedule 6 to the Finance Act 1975 " there shall be substituted the words " Schedule 3 to the Capital Transfer Tax Act 1984 ".
- 6 (1) Section 34 of the Development Land Tax Act 1976 shall be amended as follows.
- (2) In subsection (3)(d)(ii) for the words " Chapter II of Part IV of the Finance Act 1982 " there shall be substituted the words " any provision, apart from section 79, of Chapter III of Part III of the Capital Transfer Tax Act 1984 ".

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- (3) In subsection (5)(a) after the words "Act 1976 " there shall be inserted the words " or section 31 of the Capital Transfer Tax Act 1984 " and for the words "section 76 of that Act" there shall be substituted the words " section 30(2) of the Capital Transfer Tax Act 1984 ".
- (4) In subsection (6) for the words " Subsections (2) and (2A) of section 51 of the Finance Act 1975 " there shall be substituted the words " Sections 2(3) and 3(4) of the Capital Transfer Tax Act 1984 " and for the words "Part III of the Finance Act 1975 " there shall be substituted the words " the Capital Transfer Tax Act 1984 ".
- 7 (1) Schedule 6 to the Development Land Tax Act 1976 shall be amended as follows.
- (2) In paragraph 18(2)—
- (a) after the words " section 22 of the Finance Act 1927 " there shall be inserted the words " or section 4 of the Capital Transfer Tax Act 1984 " , for the words "that Act" there shall be substituted the words " the Finance Act 1975 " and after the words " section 77 of the Finance Act 1976 " there shall be inserted the words " or under section 31 of the Capital Transfer Tax Act 1984 " ; and
- (b) in paragraph (a) for the words from " subsection (7) " to " Act 1976 " there shall be substituted the words " section 32 of, or paragraph 3 of Schedule 5 to, the Capital Transfer Tax Act 1984 ".
- (3) In paragraph 19(4) for the words " paragraph 1(2) of Schedule 10 to the Finance Act 1975 " there shall be substituted the words " section 5(4) of the Capital Transfer Tax Act 1984 ".
- (4) In paragraph 24(1)—
- (a) in paragraph (b) for the words " subsection (3) of section 37 of the Finance Act 1975 " there shall be substituted the words " Schedule 1 to the Capital Transfer Tax Act 1984 " ; and
- (b) in paragraph (c) for the words " the said subsection (3) " there shall be substituted the words " the said Schedule 1 ".

The Finance Act 197

- 8 In section 38 of the Finance Act 1977—
- (a) in subsection (1) for the words " a direction has effect under section 93 of the Finance Act 1982 " there, shall be substituted the words " a direction has effect under paragraph 1 of Schedule 4 to the Capital Transfer Tax Act 1984 " ; and
- (b) in subsection (5)(a) for the words " the said section 93 " there shall be substituted the words " the said paragraph 1 ".

The Capital Gains Tax Act 1979

- 9 In subsections (1)(b) and (3)(a) of section 146 of the Capital Gains Tax Act 1979 for the words " paragraph 12 of Schedule 6 to the Finance Act 1975 " there shall be substituted the words " Schedule 3 to the Capital Transfer Tax Act 1984 ".
- 10 (1) Section 147 of the Capital Gains Tax Act 1979 shall be amended as follows.
- (2) In subsection (1) for the words " sub-paragraph (2) of paragraph 13 of Schedule 6 to the Finance Act 1975 " there shall be substituted the words " subsection (2) of section 26 of the Capital Transfer Tax Act 1984 " and for the words "sub-

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paragraph (1) of that paragraph " there shall be substituted the words " subsection (1) of that section ".

(3) In subsection (2)—

- (a) in paragraph (a) for the words "paragraph 12 of the said Schedule 6 " there shall be substituted the words " Schedule 3. to the Capital Transfer Tax Act 1984 "; and
- (b) in paragraph (b) for the words "paragraph 17 of Schedule 4. to the said Act of 1975 " there shall be substituted the words " section 230 of the Capital Transfer Tax Act 1984 ".

(4) In subsection (3) for the words " section 77 of the Finance Act 1976 " there shall be substituted the words " section 31 of the Capital Transfer Tax Act 1984 " and for the words " the said section 77 " there shall be substituted the words " the said section 31 ".

(5) In subsection (5) for the words " section 78 of the Finance Act 1976 " there shall be substituted the words " section 32 of the Capital Transfer Tax Act 1984 ".

(6) In subsection (7)—

- (a) for the words " section 77(1)(c), (d) or (e) of the Finance Act 1976" there shall be substituted the words " section 31(1)(c), (d) or (e) of the Capital Transfer Tax Act 1984 ";
- (b) for the words " the said section 77(1)(c)" there shall be substituted the words " the said section 31(1)(c) "; and
- (c) for the words " the said section 77(1)(d) or (e)" there shall be substituted the words " the said section 31(1)(d) or (e) ".

(7) In subsection (9) after the word " under " there shall be inserted the words " Chapter II of Part II or section 78 of, or Schedule 5 to, the Capital Transfer Tax Act 1984. ".

11 (1) Section 149 of the Capital Gains Tax Act 1979 shall be amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a) for the words " section 90 of the Finance Act 1976 " there shall be substituted the words " section 13 of the Capital Transfer Tax Act 1984 ";
- (b) in paragraph (b) for the words " section 67 of the Finance Act 1978 " there shall be substituted the words " section 28 of the Capital Transfer Tax Act 1984 ".

(3) In subsection (4)(b) for the words from "paragraph 17(1)" to " has effect)" there shall be substituted the words " section 86(1) of the Capital Transfer Tax Act 1984 (that is to say, those in relation to which the said section 13 of that Act has effect) ".

(4) In subsection (5) for the words "the said paragraph 17(1)" there shall be substituted the words " the said section 86(1) ".

12 In paragraphs 1 and 3 of Schedule 4 to the Capital Gains Tax Act 1979 for the words " Schedule 14 to the Finance Act 1981 " wherever they occur there shall be substituted the words " Chapter II of Part V of the Capital Transfer Tax Act 1984 ".

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The National Heritage Act J 980

- 13 In section 8(1) of the National Heritage Act 1980 after the words " Finance Act 1975 " there shall be inserted the words " or section 230 of the Capital Transfer Tax Act 1984 ".
- 14 In section 12(3) of the National Heritage Act 1980 for the words "the said paragraph 17(4)" there shall be substituted the words " section 230(4) of the Capital Transfer Tax Act 1984 ".
- 15 In section 13(3) of the National Heritage Act 1980 after the words " this section " there shall be inserted the words " or section 230(1) or 231(2) of the Capital Transfer Tax Act 1984 ".
- 16 In section 14(1) of the National Heritage Act 1980, for the words " or of the provisions amended by section 12 above " there shall be substituted the words " or under section 230 of the Capital Transfer Tax Act 1984 ".

The Finance Act 1980

- 17 (1) Section 52 of the Finance Act 1980 shall be amended as follows.
- (2) In subsection (1)—
- (a) for the words " a direction has effect under section 93 of the Finance Act 1982 " there shall be substituted the words " a direction has effect under paragraph 1 of Schedule 4 to the Capital Transfer Tax Act 1984 ";
 - (b) in paragraph (a) for the words " subsection (3) of that section " there shall be substituted the words " sub-paragraph (1) of paragraph 3 of that Schedule "; and
 - (c) in paragraph (b) for the words " that subsection" there shall be substituted the words " that sub-paragraph ".
- (3) In subsections (2) and (3) for the words " subsection (3)(a)(i) or (ii) of the said section 93 " there shall be substituted the words " sub-paragraph (1)(a)(i) or (ii) of the said paragraph 3 ".
- (4) In subsection (7)—
- (a) in paragraph (a) for the words from " paragraph 3(1)" to "paragraph 3(4)" there shall be substituted the words " paragraph 9(1) of Schedule 4 to the Capital Transfer Tax Act 1984 there is (or. but for paragraph 9(4) "; and
 - (b) in paragraph (b) for the words " section 93 of that Act" there shall be substituted the words " paragraph 1 of that Schedule ".
- 18 (1) Section 53 of the Finance Act 1980 shall be amended as follows.
- (2) In subsection (1)—
- (a) for the words " subsection (3) of section 93 of the Finance Act 1982 " there shall be substituted the words " sub-paragraph (1) of paragraph 3 of Schedule 4 to the Capital Transfer Tax Act 1984 "; and
 - (b) in paragraph (a) for the words " the said section 93 " there shall be substituted the words " paragraph 1 of the said Schedule 4 ".
- (3) In subsection (4)—
- (a) in paragraph (a) for the words from " paragraph 3(1) " to " paragraph 3(4)" there shall be substituted the words " paragraph 9(1) of Schedule 4 to the Capital Transfer Tax Act 1984 there is (or, but for paragraph 9(4) "; and

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(b) in paragraph (b) for the words " section 93 of that Act" there shall be substituted the words " paragraph 1 of that Schedule ".

- 19 In section 98 of the Finance Act 1980 for the words between " by virtue of" and " but" there shall be substituted the words " paragraph 9(1) or 17(1) of Schedule 4 to the Capital Transfer Tax Act 1984 there is no charge to capital transfer tax in respect of the property ceasing to be comprised in the settlement or a reduced charge to that tax by virtue of paragraph 9(4) or 17(4) of that Schedule ".

The Supreme Court Act 1981

- 20 In section 109 of the Supreme Court Act 1981—
- (a) in subsections (1) and (2) for the words " Part III of the Finance Act 1975" there shall be substituted the words " the Capital Transfer Tax Act 1984 "; and
 - (b) in subsection (3) for the words " section 94(1)(a) of the Finance Act 1980 " there shall be substituted the words " section 256(1)(a) of the Capital Transfer Act 1984 ".

The Finance Act 1982

- 21 In section 61(1) of the Finance Act 1982—
- (a) for the words " section 93 below " there shall be substituted the words " paragraph 1 of Schedule 4 to the Capital Transfer Tax Act 1984 "; and
 - (b) in paragraph (a) for the words " subsection (3)(a)(i) of section 93 " there shall be substituted the words " paragraph 3(1)(a)(i) of that Schedule ".
- 22 In section 62 of the Finance Act 1982 for the words " section 93 below" there shall be substituted the words " paragraph 1 of Schedule 4 to the Capital Transfer Tax Act 1984 ".

The Finance (No. 2) Act 1983

- 23 In section 7(8) of the Finance (No. 2) Act 1983 for the words "paragraph 11 of Schedule 6 to the Finance Act 1975 " there shall be substituted the words " section 24 of the Capital Transfer Tax Act 1984 ".

The Value Added Tax Act 1983

- 24 In Group II of Schedule 6 to the Value Added Tax Act 1983—
- (a) in item 2, for the words from " section 32(3)(a) " onwards there shall be substituted the words " paragraph 1(3)(a) or (4), paragraph 3(4)(a), or the words following paragraph 3(4), of Schedule 5 to the Capital Transfer Tax Act 1984 "; and
 - (b) in item 3, for the words " section 78(4) of the Finance Act 1976 " there shall be substituted the words " section 32(4) of the Capital Transfer Tax Act 1984 ".

The Land Registration Act (Northern Ireland) 1970

- 25 In paragraph 7 of Part II of Schedule 6 to the Land Registration Act (Northern Ireland) 1970 for the words "Part III of the Finance Act 1975 " there shall be substituted the words " the Capital Transfer Tax Act 1984 ".

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

SCHEDULE 9

Section 277.

REPEALS

Chapter	Short Title	Extent of Repeal
1975 c. 7.	The Finance Act 1975.	Section 19(1). Sections 20 to 47. In section 49, subsections (3) and (5). Section 51. Schedule 4, except paragraph 38. Schedules 5, 6 and 7. Schedules 9 and 10. In Schedule 12, paragraphs 1, 8(b) and 18(3).
1976 c. 40.	The Finance Act 1976.	Sections 73 to 125. Section 132(3)(d) Schedules 10 to 14.
1977 c. 36.	The Finance Act 1977.	Sections 52 and 53. Section 59(3)(d).
1978 c. 42.	The Finance Act 1978.	Sections 64 to 74. Section 80(3)(d). In Schedule 11, paragraph 3.
1979 c. 14.	The Capital Gains Tax Act 1979.	In paragraph 8 of Schedule 7, in the Table, the entries relating to the Finance Act 1975. In paragraph 9 of Schedule 7, in the Table, the entries relating to the Finance Act 1975, section 82 of and the Schedules to the Finance Act 1976, and section 64 of the Finance Act 1978.
1979 c. 46.	The Ancient Monuments and Archaeological Areas Act 1979.	In Schedule 4, paragraph 15.
1980 c. 17.	The National Heritage Act 1980.	Section 12(1). In section 12(2), the words from " (which " onwards.

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Chapter	Short Title	Extent of Repeal
1980 c. 48.	The Finance Act 1980.	Section 13(1). Sections 85 to 87 Sections 92 and 93 Section 94, except subsection (7) Section 118(5) Section 122(3)(b) Schedules 14 and 15
1981 c. 35.	The Finance Act 1981.	Section 46(8). Sections 92 to 95. Section 96(1) and (2). In section 96(3), the words from the beginning to " and " at the end of paragraph (d), and in paragraph (e) the words from "for the" to " 1981, and ". Sections 97 to 106. In section 135(1), the words " capital transfer tax ". Section 139(4). Schedules 13 and 14.
1981 c. 54.	The Supreme Court Act 1981.	In Schedule 5, the entry relating to the Finance Act 1980.
1981 c. 66.	The Compulsory Purchase (Vesting Declarations) Act 1981.	In Schedule 3, paragraph 2.
1982 c. 39.	The Finance Act 1982.	Sections 90 to 127. Section 131. Section 157(4). In Schedule 10, paragraphs 1(2), 2(2)(a) and (3), and 3(2)(a) and (b). Schedules 14 to 17.
1982 c. 50.	The Insurance Companies Act 1982.	In Schedule 5, paragraph 28(a).
1983 c. 20.	The Mental Health Act 1983.	In Schedule 4, paragraph 40.
1983 c. 28.	The Finance Act 1983.	Section 46(5).

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Chapter	Short Title	Extent of Repeal
1983 c. 49.	The Finance (No. 2) Act 1983.	Section 47. In Schedule 9, paragraphs 3 to 7. Sections 8 to 13. Section 16(3).
1984 c. 43.	The Finance Act 1984.	Section 96(8). Sections 101 to 107. Section 128(4). In Schedule 9, paragraph 13. In Schedule 14, paragraph 16. In Schedule 21, paragraphs 1 to 17, 19(6) and 20 to 26. In Schedule 22, in paragraph 6, the words from " and paragraph " to "Act 1975 "