



Inheritance Tax Act 1984

1984 CHAPTER 51

PART V

MISCELLANEOUS RELIEFS

CHAPTER II

AGRICULTURAL PROPERTY

115 Preliminary.

- (1) In this Chapter references to a transfer of value include references to an occasion on which tax is chargeable under Chapter III of Part III of this Act (apart from section 79) and—
 - (a) references to the value transferred by a transfer of value include references to the amount on which tax is then chargeable, and
 - (b) references to the transferor include references to the trustees of the settlement concerned.
- (2) In this Chapter “agricultural property” means agricultural land or pasture and includes woodland and any building used in connection with the intensive rearing of livestock or fish if the woodland or building is occupied with agricultural land or pasture and the occupation is ancillary to that of the agricultural land or pasture; and also includes such cottages, farm buildings and farmhouses, together with the land occupied with them, as are of a character appropriate to the property.
- (3) For the purposes of this Chapter the agricultural value of any agricultural property shall be taken to be the value which would be the value of the property if the property were subject to a perpetual covenant prohibiting its use otherwise than as agricultural property [^{F1}(or, in the case of property outside the United Kingdom, the Channel Islands and the Isle of Man, if it were subject to provisions equivalent in effect to such a covenant)].

Changes to legislation: There are currently no known outstanding effects for the Inheritance Tax Act 1984, Section 115. (See end of Document for details)

(4) For the purposes of this Chapter the breeding and rearing of horses on a stud farm and the grazing of horses in connection with those activities shall be taken to be agriculture and any buildings used in connection with those activities to be farm buildings.

[^{F2}(5) This Chapter applies to agricultural property only if it is in—

- (a) the United Kingdom, the Channel Islands or the Isle of Man, or
- (b) a state ^{F3}... which is an EEA state (within the meaning given by Schedule 1 to the Interpretation Act 1978) at the time of the transfer of value in question.]

Textual Amendments

- F1** Words in s. 115(3) inserted (with effect as mentioned in s. 122(7)(8) of the amending Act) by [Finance Act 2009 \(c. 10\), s. 122\(2\)](#)
- F2** S. 115(5) substituted (with effect as mentioned in s. 122(7)(8) of the amending Act) by [Finance Act 2009 \(c. 10\), s. 122\(3\)](#)
- F3** Words in s. 115(5)(b) omitted (31.1.2020) by virtue of [The Taxes \(Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/689\), regs. 1, 3\(3\)](#) (with regs. 39-41); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Inheritance Tax Act 1984, Section 115.