

Changes to legislation: There are currently no known outstanding effects for the Value Added Tax Act 1994, Paragraph 27. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 10

BUILDINGS AND LAND

Textual Amendments

- F1** Sch. 10 substituted (with effect in accordance with art. 1(2) of the amending S.I.) by [The Value Added Tax \(Buildings and Land\) Order 2008 \(S.I. 2008/1146\)](#), arts. 1(1), 2 (with [Sch. 2](#))

PART 1

THE OPTION TO TAX LAND

Scope of the option, its duration, notification etc

Exclusion of new building from effect of an option

27. (1) This paragraph applies if—
- (a) a person (“the taxpayer”) has at any time opted to tax any land,
 - (b) at any subsequent time the construction of a building (“the new building”) on the land begins, and
 - (c) no land within the curtilage of the new building is within the curtilage of an existing building.
- (2) The taxpayer may exclude—
- (a) the whole of the new building, and
 - (b) all the land within its curtilage,
- from the effect of the option if notification of that exclusion is given to the Commissioners.
- (3) The exclusion has effect from the earliest of the following times—
- (a) the time when a grant of an interest in, or in any part of, the new building is first made,
 - (b) the time when the new building, or any part of it, is first used,
 - (c) the time when the new building is completed.
- (4) The notification of the exclusion must—
- [^{F2}(za) be given before the end of the period of 30 days beginning with the day on which it is to have effect or such longer period as the Commissioners may in any case allow,]
 - (a) be made in a form specified in a public notice,
 - [^{F3}(b) state the time from which it is to have effect, and]

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- (c) contain other information so specified.
- (5) Sub-paragraphs (4) to (6) of paragraph 18 (meaning of “building”) apply for the purposes of this paragraph as they apply for the purposes of that paragraph.
- (6) For the purposes of this paragraph the reference to the construction of a building is to be read without regard to Note (17) or (18)(b) of Group 5 of Schedule 8 (which would otherwise apply as a result of paragraph 33 of this Schedule).
- (7) The Commissioners may publish a notice for determining the time at which the construction of a building on any land is to be taken to begin for the purposes of this paragraph.]

Textual Amendments

- F2** Sch. 10 para. 27(4)(za) inserted (with effect in accordance with art. 1(2) of the amending S.I.) by [The Value Added Tax \(Buildings and Land\) Order 2009 \(S.I. 2009/1966\)](#), arts. 1(1), **7(2)**
- F3** Sch. 10 para. 27(4)(b) substituted (with effect in accordance with art. 1(2) of the amending S.I.) by [The Value Added Tax \(Buildings and Land\) Order 2009 \(S.I. 2009/1966\)](#), arts. 1(1), **7(3)**

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