

# **FINANCE ACT 2009**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

#### ***Section 80: Stamp Duty Land Tax: Exercise of Collective Rights by Tenants of Flats***

##### **Details of the Section**

2. Subsection (2) substitutes a new subsection (1) of section 74 of FA 2003, so that the section applies where a chargeable transaction is entered into by a nominee or appointee of qualifying tenants of flats in exercise of rights under Part 1 Landlord and Tenant Act 1987 or Chapter 1 of Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993.
3. Subsection (3) amends subsection (2) of section 74 of FA 2003, to provide that the rate of tax is determined by dividing the consideration for the transaction by the number of qualifying flats.
4. Subsection (4) substitutes a new subsection (4) into section 74 of FA 2003, to define “flat”, “qualifying tenant” and “qualifying flat”.
5. Subsection (6) amends a reference to section 74 in section 55 of FA 2003 (which determines the amount of tax chargeable) to reflect the amended heading.