



Finance Act 2019

2019 CHAPTER 1

PART 2

OTHER TAXES

Stamp duty land tax

42 Relief for first-time buyers in cases of shared ownership

- (1) Schedule 9 to FA 2003 (stamp duty land tax: shared ownership leases etc) is amended as follows.
- (2) In paragraph 4 (shared ownership lease: election where staircasing allowed), after subparagraph (4) insert—

“(4A) See paragraph 15 for further provision in connection with relief for first-time buyers.”
- (3) After paragraph 14 insert—

15 “Relief for first-time buyers: shared ownership lease where election made

Where—

- (a) paragraph 4 applies, and
 - (b) relief is claimed under paragraph 1 of Schedule 6ZA in respect of the grant of the lease concerned,
- no tax is chargeable in respect of so much of the chargeable consideration for the grant as consists of rent.”
- (4) After paragraph 15 (as inserted by subsection (3)) insert—

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2019, Section 42. (See end of Document for details)

15A “Relief for first-time buyers: shared ownership lease where no election made

- (1) This paragraph applies where—
 - (a) a shared ownership lease is granted, and
 - (b) no election is made for tax to be charged in accordance with paragraph 2 or 4.
- (2) For the purpose of determining whether the second condition in paragraph 1 of Schedule 6ZA is met in respect of the grant, the chargeable consideration for the grant is to be treated as being the amount stated in the lease in accordance with paragraph 2(2)(e) or paragraph 4(2)(e)(i) or (ii).
- (3) If relief is claimed in respect of the grant under paragraph 1 of Schedule 6ZA no tax is chargeable in respect of so much of the chargeable consideration for the grant as consists of rent.
- (4) In this paragraph “shared ownership lease” has the same meaning as in paragraph 4A.

15B Relief for first-time buyers: shared ownership trust where no election made

- (1) This paragraph applies where—
 - (a) a shared ownership trust is declared, and
 - (b) no election is made for tax to be charged in accordance with paragraph 9.
- (2) For the purpose of determining whether the second condition in paragraph 1 of Schedule 6ZA is met in respect of the declaration, the chargeable consideration for the declaration is to be treated as being the sum specified in the trust in accordance with paragraph 7(4)(f).
- (3) If relief is claimed in respect of the declaration under paragraph 1 of Schedule 6ZA no tax is chargeable in respect of any rent-equivalent payment treated by reason of paragraph 11(b) as rent.”
- (5) For the italic cross-heading before paragraph 16 substitute “ No relief for first-time buyers for staircasing transactions etc ”.
- (6) In paragraph 16 (cases where first-time buyer's relief is not available)—
 - (a) in sub-paragraph (1), omit paragraphs (a), (b) and (d) (but not “or” at the end of paragraph (d)), and
 - (b) in sub-paragraph (2), omit paragraphs (a) and (c) (but not “or” at the end of paragraph (c)).
- (7) The amendments made by this section have effect in relation to—
 - (a) any land transaction of which the effective date is on or after 29 October 2018, and
 - (b) any land transaction of which the effective date is before 29 October 2018 and in respect of which a land transaction return has not been given by that date.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2019, Section 42.