



Finance Act 1931

1931 CHAPTER 28 21 and 22 Geo 5

PART III

LAND VALUE TAX

Supplemental

26, 27.^{F1}

Textual Amendments

F1 Ss. 10–27, 29–31, 33 repealed by Finance Act 1934 (c. 32), Sch. 4

28 Production to Commissioners of instruments transferring land.

- (1) On the occasion of—
- (a) any transfer on sale of the fee simple of land;
 - (b) the grant of any lease of land for a term of seven or more years;
 - (c) any transfer on sale of any such lease;

it shall be the duty of the transferee, lessee, or proposed lessee to produce to the Commissioners the instrument by means of which the transfer is effected, or the lease granted or agreed to be granted, as the case may be, and to comply with the requirements of the Second Schedule to this Act, and if he fails so to produce any such instrument within thirty days after the execution thereof or, in the case of an instrument first executed at any place out of Great Britain after the instrument is first received in Great Britain, or fails to comply with the requirements of the said Schedule, he shall be liable on summary conviction to a fine not exceeding [^{F2}level 3 on the standard scale].

- (2) Where in accordance with the provisions of the last foregoing subsection any agreement for any lease of land for a term of seven or more years has been produced to the Commissioners, and the requirements of the said Second Schedule with respect

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thereto are complied with, it shall not be necessary under this section to produce to the Commissioners the instrument granting the lease in pursuance of the agreement or to comply with the requirements of the said Schedule with respect thereto, unless that instrument is inconsistent with the agreement, but the Commissioners shall, if any such instrument is produced to them and application is made for that purpose, denote on the instrument that the instrument has been so produced.

- (3) This section shall not apply with respect to any instrument which relates solely to incorporeal hereditaments or to a grave or right of burial, . . . ^{F3}.
- (4) Notwithstanding anything in section twelve of the ^{M1}Stamp Act 1891, no instrument required by this section to be produced to the Commissioners shall be deemed, for the purposes of section fourteen of that Act, to be duly stamped unless it is stamped with a stamp denoting that the instrument has been so produced.
- (5) This section shall come into operation on the first day of September, nineteen hundred and thirty-one.
- [^{F4}(6) In Schedule 2 to this Act “local authority”, in relation to England and Wales, has the same meaning as in [^{F5}the ^{M2}Town and Country Planning Act 1990], and, in relation to Scotland, has the same meaning as in [^{F6}the ^{M3}Town and Country Planning (Scotland) Act 1972].]

Textual Amendments

- F2** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** and (N.I.) S.I. 1984/703 (N.I. 3), **arts. 5, 6**
- F3** Words repealed by Land Commission Act 1967 (c. 1), s. 101, **Sch. 17**
- F4** S. 28(6) inserted by Land Commission Act 1967 (c. 1), s. 87(1), **Sch. 14**
- F5** Words substituted (24.8.1990) by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 1(1)**
- F6** Words substituted by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 21 Pt.I**

Modifications etc. (not altering text)

- C1** S. 28 excluded by Finance Act 1985 (c. 54, SIF 114), **s. 89(1)**

Marginal Citations

- M1** 1891 c. 39.
- M2** 1990 c. 8.
- M3** 1972 c. 52.

29— ^{F7}
31.

Textual Amendments

- F7** Ss. 10–27, 29–31, 33 repealed by Finance Act 1934 (c. 32), **Sch. 4**

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32 General definitions.

In this Part of this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

.....^{F8}
“Lease” includes an underlease or other tenancy and an agreement for a lease, underlease or tenancy, but does not include a mortgage; and “lessee” and “grant” have corresponding meanings:

.....^{F8}
“Minerals” includes all minerals and substances in or under land of a kind ordinarily worked for removal by underground or by surface working:

.....^{F8}
“Mortgage” has the same meaning as in the^{M4}Law of Property Act 1925:
.....^{F8}

Textual Amendments

F8 Definitions repealed by [Finance Act 1934 \(c. 32\)](#), [Sch. 4](#)

Marginal Citations

M4 [1925 c. 20](#)

33^{F9}

Textual Amendments

F9 [Ss. 10–27, 29–31, 33](#) repealed by [Finance Act 1934 \(c. 32\)](#), [Sch. 4](#)

34 Provisions as to expenses.

Any expenses incurred by the Commissioners . . .^{F10} for the purposes of this Part of this Act . . .^{F10} shall be paid out of moneys provided by Parliament.

Textual Amendments

F10 Words repealed by [Finance Act 1934 \(c. 32\)](#), [Sch. 4](#)

35 Application to Scotland.

In the application of this Part of this Act to Scotland—

- (a) . . .^{F11}
- (f) “easement” means “servitude”, . . .^{F12}“mortgage” means “heritable security”, and . . .^{F12}“mortgage debt” shall be construed accordingly: . . .^{F12}
- (g) . . .^{F11}
- (w) section twenty-eight of this Act shall apply on the occasion of any grant of a feu or of the creation of a ground annual in like manner as it applies on the occasion of a transfer on sale, and the expression “transferee” shall be

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construed accordingly and the said section shall not apply with respect to any instrument relating solely to shooting or fishing rights, or to a servitude:

- (x) F13
- (y) ... F11

Textual Amendments

- F11** S. 35(a)–(e) (g)–(v) (y) (z) repealed by Finance Act 1934 (c. 32), **Sch. 4**
- F12** Words repealed by Finance Act 1934 (c. 32), **Sch. 4**
- F13** S. 35(x) repealed by Finance Act 1985 (c. 54, SIF 114), ss. 89(5), 98(6), **Sch. 27 Pt. IX(5)**

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