



Stamp Act 1891

1891 CHAPTER 39 54 and 55 Vict

PART III

SUPPLEMENTAL

112,113.....^{F1}

Textual Amendments

F1 Ss. 112, 113 repealed with saving by [Finance Act 1973 \(c. 51\)](#), ss. 49(1), 59(7), **Sch. 22 Pt. V**

Composition for certain Stamp Duties.

114^{F2}

Textual Amendments

F2 S. 114 repealed by [Finance Act 1970 \(c. 24\)](#), **Sch. 7 para. 13(1)**, **Sch. 8 Pt. IV** but transfers of any stock in respect of which payments have been made under s. 114 shall continue to be exempt from stamp duty

115^{F3}

Textual Amendments

F3 S. 115 repealed by [Finance Act 1976 \(c. 40\)](#), **Sch. 15 Pt. VI**

Status: Point in time view as at 01/07/2004.

Changes to legislation: There are currently no known outstanding effects for the Stamp Act 1891, Part III. (See end of Document for details)

116^{F4}

Textual Amendments
F4 S. 116 repealed by [Finance Act 1970 \(c. 24\)](#), [Sch. 8 Pt. IV](#)

Miscellaneous

117 **Conditions and agreements as to stamp duty void.**

Every condition of sale framed with the view of precluding objection or requisition upon the ground of absence or insufficiency of stamp upon any instrument executed after the sixteenth day of May one thousand eight hundred and eighty-eight, and every contract, arrangement, or undertaking for assuming the liability on account of absence or insufficiency of stamp upon any such instrument or indemnifying against such liability, absence, or insufficiency, shall be void.

118^{F5}

Textual Amendments
F5 S. 118 repealed by [Finance Act 1989 \(c. 26, SIF 114\)](#), ss. 173(4)(9), 187(1), [Sch. 17 Pt. IX](#)

119 **Instruments relating to Crown property.**

Except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

120 **As to instruments charged with duty of 35s.**

Any instrument which by any Act passed before the first day of January one thousand eight hundred and seventy-one and not relating to stamp duties, is specifically charged with the duty of [^{F6}£1·75], shall be chargeable only with the duty of [^{F6}50p] in lieu of the said duty of [^{F6}£1·75].

Textual Amendments
F6 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), [s. 10\(1\)](#)

^{F7}**121**

Status: Point in time view as at 01/07/2004.

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Textual Amendments

F7 S. 121 repealed (1.10.1999) by 1999 c. 16, s. 139, **Sch. 20**, Pt. V(3), Note

122 Definitions.

(1) In this Act, unless the context otherwise requires,—

The expression “Commissioners” means Commissioners of Inland Revenue:

The expression “material” includes every sort of material upon which words or figures can be expressed:

The expression “instrument” includes every written document:

The expression “stamp” means as well a stamp impressed by means of a die as an adhesive stamp:

The expression “stamped”, with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto:

The expressions “executed” and “execution”, with reference to instruments not under seal, mean signed and signature: [^{F8}(but subject to subsection (1A) of this section)]

The expression “money” includes all sums expressed in British or in any foreign or colonial currency:

The expression “stock” includes any share in any stocks or funds transferable [^{F9} by the Registrar of Government Stock]^{F10}. . . , [^{F11}any strip (within the meaning of section 47 of the ^{M1}Finance Act 1942) of any such stocks or funds,]. . . and any share in the stocks or funds of any foreign or colonial state or government, or in the capital stock or funded debt of any county council, corporation, company, or society in the United Kingdom, or of any foreign or colonial corporation, company, or society:

The expression “marketable security” means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

The expression “steward” of a manor includes deputy steward.

[^{F12}(1A) For the purposes of this Act a deed (or, in Scotland, a deed for which delivery is required) shall be treated as executed when it is delivered or, if it is delivered subject to conditions, when the conditions are fulfilled]

(2) In the application of this Act to Scotland expressions referring to the High Court shall be construed as referring to the Court of Session sitting as the Court of Exchequer.

Textual Amendments

F8 Words in s. 122(1) added (3.5.1994 with effect as mentioned in s. 239(3) of the amending Act) by 1994 c. 9, s. 239(1)(b)(3)

F9 Words in s. 122(1) substituted (1.7.2004) by [The Government Stock \(Consequential and Transitional Provision\) \(No. 2\) Order 2004 \(S.I. 2004/1662\)](#), art. 1, **Sch. paras. 1, 6** (with art. 3)

F10 Words in s. 122(1) repealed (28.10.2002) by S.I. 2002/2521, arts. 1(2), 2(1), 10(2), **Sch. 2 Pt. I**

F11 Words inserted (29.4.1996) by 1996 c. 8, s. 202, **Sch. 40 para. 1**

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F12 S. 122(1A) inserted (3.5.1994 with effect as mentioned in s. 239(3) of the amending Act) by 1994 c. 9, s. 239(1)(a)(3)

Modifications etc. (not altering text)

C1 S. 122(1) excluded (8.10.1997 but with application 20.10.1997) by 1986 c. 41, s. 80A(7) (as inserted by 1997 c. 16, s. 97(1); S.I. 1997/2428, art. 2(2))

Words in s. 122(1) excluded (8.10.1997 but with application 20.10.1997) by 1986 c. 41, s. 80C(5) (as inserted by 1997 c. 16, s. 98(1); S.I. 1997/2428, art. 2(2))

C2 Definition of “instrument” extended by Companies Act 1948 (c. 38), s. 52(2)

Marginal Citations

M1 1942 c. 21.

Repeal; Commencement; Short Title

123 **F13**

Textual Amendments

F13 S. 123 repealed by Statute Law Revision Act 1908 (c. 49)

124 Commencement.

This Act shall come into operation on the first day of January one thousand eight hundred and ninety-two.

125 Short title.

This Act may be cited as the Stamp Act 1891.

Status:

Point in time view as at 01/07/2004.

Changes to legislation:

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