

Govt 106 + Govt 107

Mr Stephen Timms MP (Lab- East Ham)

Amendment 106, Clause 71, page 47, line 9

Leave out “sub-paragraph (1)(b)” and insert “sub-paragraphs (1)(b) and (4)”

Amendment 107, Schedule 27, page 299, line 36

Leave out “14 (1)(b)” and insert “14 (1)(b) and (4)”

GOVERNMENT AMENDMENT

EXPLANATORY NOTE

AMENDMENT TO CLAUSE 71: PARTNERSHIPS.

SUMMARY

1. This amendment clarifies a proposed change to FA2003 being made by Clause 71 concerning how stamp duty land tax is applied to transactions involving partnerships.

DETAILS OF THE CLAUSE

2. Subsection (6) of Clause 71 provides that paragraph 14 of Schedule 15 to FA 2003 should be amended by omitting sub-paragraph (1)(b). As a result subsection (4), which is only referred to in subsection (1), is redundant. The amendment deletes subsection (4).

BACKGROUND NOTE

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3. Clause 71 has been introduced to counter known avoidance schemes which have been developed to avoid payment of SDLT. The proposed amendment here has no effect on the overall intent or purpose of Clause 71. The amendment deletes a provision in existing SDLT legislation that is redundant as a result of Clause 71.