STATUTORY INSTRUMENTS

1984 No. 1172

DEVELOPMENT LAND TAX

The Development Land Tax (Disposals by Non-Residents) (Amendment) Regulations 1984

Made - - - -	31*st July* 1984
Laid before the House of Commons -	1*st August* 1984
Coming into Operation	6*th August* 1984

The Commissioners of Inland Revenue, in exercise of the powers conferred on them by Section 40(7) of the Development Land Tax Act 1976(**a**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

1. These Regulations may be cited as the Development Land Tax (Disposals by Non-Residents) (Amendment) Regulations 1984, and shall come into operation on 6th August 1984.

2. The following amendments shall be made to the Development Land Tax (Disposals by Non-Residents) Regulations 1976(**b**) and shall have effect in relation to any disposal of an interest in land on or after 6 August 1984:

(a) in Regulation 3*(a)* for "£25,000" there shall be substituted "£150,000";

(b) Regulation 3*(b)* shall be omitted;

(c) in Regulation 6 for paragraph (1) there shall be substituted the following paragraph:—

"(1) Each of the following persons (referred to in this Regulation as 'the applicant') may apply in writing to the Board to give a direction under paragraph (2) or (3) below—

(a) a person whose usual place of abode is outside the United Kingdom and who has disposed of or intends to dispose of an interest in land;

(b) a person entitled to a security in any land or to the benefit of a

(**a**) 1976 c.24; section 40 was amended by Finance (No. 2) Act 1979 (c.47) section 24(4), Finance Act 1980 (c.48) section 122(4) and Schedule 20 Part XIV and Finance Act 1984 (c.43) section 121.
(**b**) S.I. 1976/1190.

charge or incumbrance affecting any land who has dealt with or intends to deal with an interest in that land for the purpose of enforcing or giving effect to the security, charge or incumbrance, provided that—

(i) the usual place of abode of the person entitled to that interest in land is outside the United Kingdom, and

(ii) he has sent a copy of his application to the person so entitled to that interest and has declared in his application that he has done so."

A. J. G. Isaac,
J. H. Gracey,
Two of the Commissioners
of Inland Revenue.

31st July 1984

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Development Land Tax (Disposals by Non-Residents) Regulations 1976 which supplement section 40 of the Development Land Tax Act 1976.

Subject to certain exceptions that section requires a purchaser of an interest in land from a person whose usual place of abode is outside the United Kingdom to deduct and pay to the Inland Revenue part of the consideration on account of the vendor's development land tax liability.

Regulation 3*(a)* of the 1976 Regulations excludes from the operation of section 40 a disposal of a dwelling-house with or without land occupied with the dwelling-house if the consideration for the disposal does not exceed £25,000; Regulation 2*(a)* increases that amount to £150,000. Regulation 2*(b)* withdraws the exclusion provided in Regulation 3*(b)* of the 1976 Regulations for disposals of non-development land. Regulation 2*(c)* amends Regulation 6 of the 1976 Regulations so that a mortgagee of land (owned by a person whose usual place of abode is outside the United Kingdom) who enforces his security by dealing with the land may, like the owner under the 1976 Regulations, apply to the Inland Revenue for a direction to be given to the purchaser that no amount, or some amount other than the standard amount, should be deducted from the consideration.

The Regulations apply to disposals on or after 6 August 1984.

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