STATUTORY INSTRUMENTS

2006 No. 776

STAMP DUTY LAND TAX

The Stamp Duty Land Tax (Administration) (Amendment) Regulations 2006

Made - - - -	*15th March 2006*
Laid before the House of Commons	*16th March 2006*
Coming into force - -	*17th April 2006*

The Commissioners for Her Majesty's Revenue and Customs make the following Regulations in exercise of the powers conferred by section 113(2) of, and paragraph 2 of Schedule 11 to, the Finance Act 2003(**a**), and now exercisable by them.

Citation and commencement

1. These Regulations may be cited as the Stamp Duty Land Tax (Administration) (Amendment) Regulations 2006 and shall come into force on 17th April 2006.

Amendment of the Stamp Duty Land Tax (Administration) Regulations 2003

2.—(1) The Stamp Duty Land Tax (Administration) Regulations 2003 ("the principal Regulations")(**b**) are amended as follows.

(2) For Schedule 1 (which sets out the form of a self-certificate in respect of a land transaction) substitute the form set out in the Schedule to these Regulations.

Transitional provision

3. In relation to forms delivered before 16th April 2007, the requirement to deliver a self certificate in the form prescribed by Schedule 1 to the principal Regulations containing the information required by that form, is satisfied by delivering a certificate—

(a) on the form prescribed in the Schedule to these Regulations containing the information required by that form, or

(b) on the form formerly prescribed by Schedule 1 to the principal Regulations containing the information required by that form.

David Varney
Mike Eland

15th March 2006 Two of the Commissioners for Her Majesty's Revenue and Customs

(**a**) 2003 c. 14. The functions of the Commissioners of Inland Revenue were transferred to the Commissioners for Her Majesty's Revenue and Customs by section 5(2) of the Commissioners for Revenue and Customs Act 2005 (c. 11). Section 50 of that Act provides that insofar as it is appropriate in consequence of section 5 a reference, however expressed, to the Commissioners of Inland Revenue is to be read as a reference to the Commissioners for Her Majesty's Revenue and Customs.

(**b**) S.I. 2003/2837. There are amendments which are not relevant for present purposes.

SCHEDULE Regulation 2(2)

Certificate that no Land Transaction Return required

HM Revenue & Customs

Stamp duty land tax

Certification that no Land Transaction Return is required for a land transaction

This is a self-certificate under Section 79(3) of Finance Act 2003

Effective date of transaction

/ /

Property or land address

Name(s) and address of purchaser

Title number/folio number

Name and address of purchaser's solicitor/agent

Name(s) and address of vendor

Please turn over

SDLT 60

HMRC 03/06

Reason no Land Transaction Return is required

√

- ☐ Transfer or conveyance of a freehold interest in land for no chargeable consideration.
- ☐ Grant of a lease in England & Wales or Northern Ireland for a term of seven years or more and for no chargeable consideration (that is, no premium and no rent of any monetary value).
- ☐ Transfer or assignment of a lease for no chargeable consideration.
- ☐ Grant of a lease where all the following are satisfied:
  - the term of the lease is less than seven years, and
  - the amount of any premium is not such as to attract a charge to SDLT at a rate of 1% or higher (ignoring the availability of any relief), and
  - the amount of any rent is not such as to attract a charge to SDLT at a rate of 1% or higher (ignoring the availability of any relief).
- ☐ Transfer or assignment of a lease where both the following are satisfied:
  - the term of the lease when granted was less than seven years, and
  - the amount of any consideration for the assignment is not such as to attract a charge to SDLT at a rate of 1% or higher (ignoring the availability of any relief).
- ☐ Land transaction (other than the transfer of a freehold interest in land, or grant or assignment of a lease) where the amount of the consideration is not such as to attract a charge to SDLT at a rate of 1% or higher (ignoring the availability of any relief).
- ☐ Land transaction exempt from SDLT under Schedule 3 paragraph 3 Finance Act 2003 (transactions in connection with divorce or dissolution of a civil partnership formed under the Civil Partnership Act 2004).
- ☐ Land transaction exempt from SDLT under Schedule 3 paragraph 4 Finance Act 2003 (variation of testamentary dispositions).
- ☐ Transfer or conveyance of a freehold interest in land consisting entirely of residential property where the chargeable consideration, together with that of any linked transaction(s), is less than £1,000.
- ☐ Acquisition by a beneficiary entitled under a will or on intestacy, where the only consideration given is the assumption of 'secured debt' as defined in paragraph 3A of Schedule 3 Finance Act 2003.
- ☐ Transfer of interest in a partnership for chargeable consideration not exceeding the zero rate threshold.

Note: in Scotland

- for 'a freehold interest in land' read 'ownership of land'
- 'a lease' includes missives of let constituting a lease
- for 'assignment of a lease' read 'assignation of a tenant's interest under a lease (including missives of let constituting a lease)'

Declaration

This certificate must be signed by the person acquiring the interest. Signature by an agent is not acceptable. Where there is more than one transferee all of them must sign the certificate, except in certain circumstances (please refer to guidance notes).

I certify that for the reason given (as ticked) I do not need to submit a Land Transaction Return to HM Revenue & Customs.

If you give false information in this certificate you may face financial penalties and prosecution.

I declare that the information I have given in this form is true and complete to the best of my knowledge and belief.

Signature of purchaser(s)

Name (printed)

Capacity in which signing

Date

/ /

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide a new form SDLT 60 (a "self-certificate" within the meaning of Schedule 11 to the Finance Act 2003) in connection with land transactions for the purposes of stamp duty land tax.

Regulation 1 provides to the citation and commencement of these Regulations.

Regulation 2 substitutes a new form SDLT 60 for that previously prescribed by Schedule 1 to the Stamp Duty Land Tax (Administration) Regulations 2003 (S.I. 2003/2837).

Regulation 3 makes transitional provision, saving the validity of the previous form of self-certificate so that such a document may be delivered to HM Revenue & Customs at any time before 16th April 2007.

These Regulations do not impose new costs on business. Nor do they involve additional costs to the Exchequer.

£3.00

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