STATUTORY INSTRUMENTS

1983 No. 809

VALUE ADDED TAX

The Value Added Tax (Works of Art, Etc.) Order 1983

Made - - - - 31*st May* 1983

Coming into Operation 31*st May* 1983

To be laid before the House of Commons

The Treasury, in exercise of the powers conferred on them by section 13(2) of the Finance Act 1972 (a) and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Value Added Tax (Works of Art, Etc.) Order 1983.

2. Schedule 5 (b) to the Finance Act 1972 shall be varied by the addition of a new Group, Group 11, as follows—

"Group 11—WORKS OF ART, ETC.—CERTAIN DISPOSALS EXEMPTED FROM CAPITAL TAXES

Item No.

1. The disposal of an object with respect to which estate duty is not chargeable by virtue of section 30(3) of the Finance Act 1953 (c), section 34(1) of the Finance Act 1956 (d) or the proviso to section 40(2) of the Finance Act 1930 (e).

2. The disposal of an object with respect to which capital transfer tax is not chargeable by virtue of section 32(3)*(a)* or (4), 34(6)*(a)*, or the words following paragraph *(b)* of section 34(6) of the Finance Act 1975 (f).

3. The disposal of property with respect to which capital transfer tax is not chargeable by virtue of section 78(4) of the Finance Act 1976 (g).

4. The disposal of an asset in a case in which any gain accruing on that disposal is not a chargeable gain by virtue of section 147(2) of the Capital Gains Tax Act 1979 (h).".

(a) 1972 c.41; section 13(2) was amended by the Finance Act 1977 (c.36), Schedule 6, paragraph 6.
(b) Schedule 5 has been varied and the relevant instrument is S.I. 1978/1064.
(c) 1953 c.34.
(d) 1956 c.54.
(e) 1930 c.28; section 40(2) was amended by section 31 of the Finance Act 1958 (c.56) and extended by section 26 of the Finance Act 1936 (c.34) and section 34(2) of the Finance Act 1956 (c.54).
(f) 1975 c.7.
(g) 1976 c.40.
(h) 1979 c.14.

Geoffrey Howe,
P. L. Brooke,
Two of the Lords Commissioners
of Her Majesty's Treasury.

31st May 1983.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order adds a new Group (Group 11) to Schedule 5 to the Finance Act 1972, to provide an exemption from value added tax for certain disposals of works of art, pictures, prints, manuscripts, scientific collections and other objects, of national, scientific, historic or artistic interest, and objects historically associated with a building of outstanding historic or achitectural interest. The disposals to which the exemption applies are acceptances in lieu of estate duty or capital transfer tax and private treaty sales to certain public collections and other bodies, under the administrative arrangements known as the "douceur" arrangments. The exemption from value added tax is linked to the exemptions from capital taxes which apply to these disposals under the provisions referred to in the Order.

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