



Finance Act 2003

2003 CHAPTER 14

PART 4

STAMP DUTY LAND TAX

Reliefs

71 Certain acquisitions by registered social landlord

[^{F1}(A1) A land transaction under which the purchaser is a profit-making registered provider of social housing is exempt from charge if the transaction is funded with the assistance of a public subsidy.]

- (1) A land transaction under which the purchaser is a [^{F2}relevant housing provider] is exempt from charge if—
- the [^{F2}relevant housing provider] is controlled by its tenants,
 - the vendor is a qualifying body, or
 - the transaction is funded with the assistance of a public subsidy.

[^{F3}(1A) In this section “relevant housing provider” means—

- a non-profit registered provider of social housing, or
- a registered social landlord.]

- (2) The reference in subsection (1)(a) to a [^{F4}relevant housing provider] “controlled by its tenants” is to a [^{F4}relevant housing provider] the majority of whose board members are tenants occupying properties owned or managed by it.

“Board member”, in relation to a [^{F4}relevant housing provider], means—

- if it is a company, a director of the company,
- if it is a body corporate whose affairs are managed by its members, a member,
- if it is body of trustees, a trustee,

Changes to legislation: Finance Act 2003, Section 71 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) if it is not within paragraphs (a) to (c), a member of the committee of management or other body to which is entrusted the direction of the affairs of the [^{F4}relevant housing provider].
- (3) In subsection (1)(b) “qualifying body” means—
- (a) a [^{F5}relevant housing provider],
 - (b) a housing action trust established under Part 3 of the Housing Act 1988 (c. 50),
 - (c) a principal council within the meaning of the Local Government Act 1972 (c. 70),
 - (d) the Common Council of the City of London,
 - (e) the Scottish Ministers,
 - (f) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39),
 - (g) Scottish Homes,
 - (h) the Department for Social Development in Northern Ireland, or
 - (i) the Northern Ireland Housing Executive.
- (4) In [^{F6}this section] “public subsidy” means any grant or other financial assistance—
- (a) made or given by way of a distribution pursuant to section 25 of the National Lottery etc. Act 1993 (c. 39) (application of money by distributing bodies),
 - (b) under section 18 of the Housing Act 1996 (c. 52) (social housing grants),
 - (c) under section 126 of the Housing Grants, Construction and Regeneration Act 1996 (c. 53) (financial assistance for regeneration and development),
 - [^{F7}(ca) under section 19 of the Housing and Regeneration Act 2008 (financial assistance by the Homes and Communities Agency),]
 - [^{F8}(cb) made or given by the Greater London Authority,]
 - (d) under section 2 of the Housing (Scotland) Act 1988 (c. 43) (general functions of the Scottish Ministers), or
 - (e) under Article 33 [^{F9}or 33A] of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15)).
- [^{F10}(5) In this section “public subsidy” also means any grant under section 31 of the Local Government Act 2003 (grants towards expenditure incurred or to be incurred by local authorities) towards expenditure incurred or to be incurred on the provision of social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008 (see sections 68 and 72 of that Act).]

Textual Amendments

- F1** S. 71(A1) inserted (with effect in accordance with s. 81(8) of the amending Act) by [Finance Act 2009 \(c. 10\)](#), [s. 81\(3\)](#)
- F2** Words in s. 71(1) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [s. 325\(1\)](#), [Sch. 9 para. 30\(2\)](#); [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))
- F3** S. 71(1A) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [s. 325\(1\)](#), [Sch. 9 para. 30\(3\)](#); [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))
- F4** Words in s. 71(2) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [s. 325\(1\)](#), [Sch. 9 para. 30\(2\)](#); [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))
- F5** Words in s. 71(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [s. 325\(1\)](#), [Sch. 9 para. 30\(2\)](#); [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))
- F6** Words in s. 71(4) substituted (with effect in accordance with s. 81(8) of the amending Act) by [Finance Act 2009 \(c. 10\)](#), [s. 81\(4\)](#)

Changes to legislation: Finance Act 2003, Section 71 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F7** S. 71(4)(ca) inserted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), **Sch. 8 para. 79**; S.I. 2008/3068, art. 2(1)(w)(3) (with arts. 6-13)
- F8** S. 71(4)(cb) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 19 para. 40**; S.I. 2012/628, art. 6(i) (with arts. 9, 11, 14, 15, 17)
- F9** Words in s. 71(4)(e) inserted (N.I.) (1.4.2007) by [The Housing \(Amendment\) \(Northern Ireland\) Order 2006 \(S.I. 2006/3337\)](#), art. 1(3), **Sch. para. 8**; S.R. 2007/37, art. 2
- F10** S. 71(5) inserted (15.3.2023 in relation to land transactions the effective date of which falls on or after that date) by [Finance \(No. 2\) Act 2023 \(c. 30\)](#), **s. 314(1)(2)**

Commencement Information

- I1** Pt. 4 wholly in force at Royal Assent subject to Sch. 19, see s. 124, [Sch. 19 para. 1\(1\)](#)

Changes to legislation:

Finance Act 2003, Section 71 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 57(3) inserted by [2011 c. 11 Sch. 22 para. 4](#)
- s. 87(3)(a)(ia) inserted by [S.I. 2003/2760 Sch. para. 3\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The affecting S.I. is revoked and superseded by [S.I. 2003/2816](#))
- Sch. 12 para. 3(2)(aa) inserted by [2007 asp 3 Sch. 5 para. 32](#) (This effect was superseded by the repeal of Sch. 12 para. 3 by Finance Act 2008 (c. 9), s. 129(4), Sch. 43 para. 16)
- Sch. 12 para. 1A inserted by [2007 c. 15 Sch. 13 para. 147\(2\)](#) (The amending provision was repealed before coming into force.)
- Sch. 12 para. 1A omitted by [2008 c. 9 Sch. 43 para. 9](#) (The amending provision was repealed before coming into force.)