

SCHEDULE

AMENDMENTS TO THE FINANCE ACT 2003

Return or further return in consequence of later linked transaction

5.—(1) After section 81 (further return where relief withdrawn) insert—

“Return or further return in consequence of later linked transaction

81A.—(1) Where the effect of a transaction (“the later transaction”) that is linked to an earlier transaction is that the earlier transaction becomes notifiable, or that additional tax is payable in respect of the earlier transaction or that tax is payable in respect of the earlier transaction where none was payable before—

- (a) the purchaser under the earlier transaction must deliver a return or further return in respect of that transaction before the end of the period of 30 days after the effective date of the later transaction,
- (b) the return must include a self-assessment of the amount of tax chargeable as a result of the later transaction,
- (c) the tax so chargeable is to be calculated by reference to the rates in force at the effective date of the earlier transaction, and
- (d) the return must be accompanied by payment of the tax or additional tax payable.

(2) The provisions of Schedule 10 (returns, enquiries, assessments and other matters) apply to a return under this section as they apply to a return under section 76 (general requirement to deliver land transaction return), with the following adaptations—

- (a) in paragraph 5 (formal notice to deliver return), the requirement in sub-paragraph (2) (a) that the notice specify the transaction to which it relates shall be read as requiring both the earlier and later transactions to be specified;
- (b) references to the effective date of the transaction to which the return relates shall be read as references to the effective date of the later transaction.

(3) This section does not affect any requirement to make a return under section 76 in respect of the later transaction.”.

(2) In section 80(2) omit “or chargeable”.

(3) In sections 80(3) and 81(3) for “land transaction return” substitute “return under section 76 (general requirement to deliver land transaction return)”.

(4) In section 87 (interest on unpaid tax), in subsection (3) (meaning of “the relevant date”) after paragraph (a) insert—

- “(aa) in the case of an amount payable under section 81A in respect of an earlier transaction because of the effect of a later linked transaction, the effective date of the later transaction;”.