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*Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Paragraph 25 . (See end of Document for details)*

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## SCHEDULE 17 PARTNERSHIPS

### PART 5

#### TRANSACTIONS INVOLVING TRANSFER FROM A PARTNERSHIP

##### *Partnership share attributable to partner*

- 25 (1) This paragraph provides for determining the partnership share attributable to a partner for the purposes of paragraph 22 (see Step 4).
- (2) Where any tax payable in respect of the transfer of the relevant chargeable interest to the partnership has not been paid under this Act, the partnership share attributable to a partner is zero.
- (3) Where the partner ceases to be a partner before the effective date of the transfer of the relevant chargeable interest to the partnership, the partnership share attributable to the partner is zero.
- (4) In any other case, paragraph 26 applies for determining the partnership share attributable to a partner.
- (5) In this paragraph and paragraph 26, the relevant chargeable interest is—
- (a) the chargeable interest which ceases to be partnership property as a result of the land transfer, or
  - (b) where the land transfer is the creation of a chargeable interest, the chargeable interest out of which that interest is created.

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#### **Modifications etc. (not altering text)**

**C1** Sch. 17 para. 25 modified (1.4.2015) by [The Land and Buildings Transaction Tax \(Transitional Provisions\) \(Scotland\) Order 2014 \(S.S.I. 2014/377\)](#), arts. 1, **9**

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#### **Commencement Information**

**II** Sch. 17 para. 25 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

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