

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Land and Buildings Transaction Tax (Scotland) Act 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 17 PARTNERSHIPS

PART 9

INTERPRETATION

Introduction

42 This Part of this schedule defines expressions used in this schedule.

Commencement Information

I1 Sch. 17 para. 42 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

Partnership property

43 Any reference to partnership property is to an interest or right held by or on behalf of a partnership, or the members of a partnership, for the purposes of the partnership business.

Commencement Information

I2 Sch. 17 para. 43 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

Partnership share

44 Any reference to a person's partnership share at any time is to the proportion in which the person is entitled at that time to share in the income profits of the partnership.

Commencement Information

I3 Sch. 17 para. 44 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

Transfer of chargeable interest

45 References to the transfer of a chargeable interest include—
(a) the creation of a chargeable interest,
(b) the renunciation or release of a chargeable interest, and
(c) the variation of a chargeable interest.

Commencement Information

I4 Sch. 17 para. 45 in force at 1.4.2015 by [S.S.I. 2015/108](#), **art. 2**

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Transfer of chargeable interest to a partnership

- 46 For the purposes of this schedule, there is a transfer of a chargeable interest to a partnership in any case where a chargeable interest becomes partnership property.

Commencement Information

I5 Sch. 17 para. 46 in force at 1.4.2015 by [S.S.I. 2015/108](#) , [art. 2](#)

Transfer of chargeable interest from a partnership

- 47 For the purposes of this schedule, there is a transfer of a chargeable interest from a partnership in any case where—
- (a) a chargeable interest that was partnership property ceases to be partnership property, or
 - (b) a chargeable interest is created out of partnership property and the interest is not partnership property.

Commencement Information

I6 Sch. 17 para. 47 in force at 1.4.2015 by [S.S.I. 2015/108](#) , [art. 2](#)

Transfer of interest in a partnership

- 48 For the purposes of this schedule, where a person acquires a partnership share or a person's partnership share increases there is a transfer of an interest in the partnership (to that partner and from the other partners).

Commencement Information

I7 Sch. 17 para. 48 in force at 1.4.2015 by [S.S.I. 2015/108](#) , [art. 2](#)

Connected persons

- 49 In the application of section 1122 of the Corporation Tax Act 2010 (connected persons) for the purposes of this schedule—
- (a) that section has effect with the omission of subsection (7) (partners connected with each other), and
 - (b) for the purposes of paragraph 12 or 22, that section has effect with the omission of subsection (6)(c) to (e) (trustee connected with settlement).

Commencement Information

I8 Sch. 17 para. 49 in force at 1.4.2015 by [S.S.I. 2015/108](#) , [art. 2](#)

Arrangements

- 50 “ Arrangements ” includes any scheme, agreement or understanding, whether or not legally enforceable.

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Commencement Information

19 Sch. 17 para. 50 in force at 1.4.2015 by [S.S.I. 2015/108](#) , [art. 2](#)

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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):

- sch. 2A para. 6(1A) inserted by [S.S.I. 2024/104 art. 6\(a\)](#)
- sch. 2A para. 8(1)(d) inserted by [S.S.I. 2024/104 art. 7\(5\)](#)
- sch. 2A para. 9B9C and cross-headings inserted by [S.S.I. 2024/104 art. 8](#)
- sch. 6A inserted by [S.S.I. 2024/104 sch.](#)