

[^{F1}SCHEDULE 2A
ADDITIONAL AMOUNT: TRANSACTIONS RELATING TO SECOND HOMES ETC.

Textual Amendments

F1 Sch. 2A inserted (1.4.2016) by [Land and Buildings Transaction Tax \(Amendment\) \(Scotland\) Act 2016](#) (asp 11), [ss. 1\(3\), 5\(2\)](#) (with s. 3)

PART 2

TRANSACTIONS TO WHICH THIS SCHEDULE APPLIES

Transactions where buyer is a non-individual etc.

- 3 (1) This schedule applies to a chargeable transaction if the following conditions are satisfied—
- (a) the subject-matter of the transaction consists of or includes the acquisition of ownership of a dwelling,
 - (b) the relevant consideration for the transaction is £40,000 or more, and
 - (c) the buyer—
 - (i) is not an individual, or
 - (ii) is an individual and sub-paragraph (2) or (5) applies.
- (2) This sub-paragraph applies if the acquisition is made in the course of a business of the individual the sole or main activity of which is investing or dealing in chargeable interests.
- (3) Sub-paragraph (2) of paragraph 31 of schedule 17 applies for the purposes of sub-paragraph (2) of this paragraph as it applies for the purposes of paragraph 31(1) of that schedule.
- (4) In sub-paragraph (2), the reference to a business of the individual includes a reference to a business of a partnership of which the individual is a partner.
- (5) This sub-paragraph applies if the individual is making the acquisition as trustee under a settlement and, in relation to any dwelling that is or forms part of the subject-matter of the transaction, there is no interested beneficiary.
- (6) For the purposes of sub-paragraph (5), a beneficiary under the settlement is an interested beneficiary in relation to a dwelling if the beneficiary has or will have a relevant interest in the dwelling.]

Changes to legislation:

There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Cross Heading: Transactions where buyer is a non-individual etc..