

^{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 7

GENERAL PROVISION

Power of Scottish Ministers to modify schedule

- 19 (1) The Scottish Ministers may by order amend paragraph 4(2) so as to substitute, for the percentage figure for the time being specified there, a different percentage figure.
- (2) The Scottish Ministers may by order amend paragraph 2(1)(b), 3(1)(b) or 11(4) so as to substitute, for the figure for the time being specified there, a different figure.
- (3) The Scottish Ministers may by order modify this schedule so as to make provision for or about reliefs from the additional amount and, in particular, may—
- (a) add a relief,
 - (b) modify any relief,
 - (c) remove any relief.
- (4) The Scottish Ministers may by regulations modify the following provisions of this schedule—
- (a) Parts 2 (except paragraphs 2(1)(b) and 3(1)(b)) and 4 so far as relating to the application of this schedule in relation to—
 - (i) partnerships,
 - (ii) trusts,
 - (b) Part 6 (except paragraph 11(4)),
 - (c) paragraph 20.
- (5) An order under sub-paragraph (3) may modify any other enactment that the Scottish Ministers consider appropriate.

Interpretation

- 20 (1) In this schedule—
- “bare trust” has the meaning given in paragraph 19 of schedule 18,
 - “relevant consideration” is to be construed in accordance with paragraph 4(3) and (4),
 - “settlement”, except in paragraph 12(5)(b), has the meaning given in paragraph 21 of schedule 18.
- (2) Part 6 of schedule 5 (what counts as a “dwelling”) applies for the purposes of this schedule as it applies for the purposes of schedule 5.

Status: Point in time view as at 01/04/2016.

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)

- (3) For the purposes of this schedule, a beneficiary under a settlement has a relevant interest in a dwelling that is or forms part of the trust property or the subject-matter of a transaction if the beneficiary is entitled to—
- (a) occupy the dwelling for life, or
 - (b) income (whether net or gross) in respect of the dwelling.]

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