

Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Cross Heading: Land sold to financial institution and leased to person. (See end of Document for details)

SCHEDULE 7 ALTERNATIVE PROPERTY FINANCE RELIEF

PART 2

ALTERNATIVE PROPERTY FINANCE: ARRANGEMENTS RELIEVED

Land sold to financial institution and leased to person

- 2 Paragraphs 3 to 6 apply where arrangements are entered into between a person and a financial institution under which the institution—
- (a) purchases a major interest in land (“the first transaction”),
 - (b) grants to the person out of that interest a lease (if the interest acquired is the interest of the owner) or a sub-lease (if the interest acquired is the tenant's right over or interest in a property subject to a lease) (“the second transaction”), and
 - (c) enters into an agreement under which the person has a right to require the institution to transfer the major interest purchased by the institution under the first transaction.

Commencement Information

I1 Sch. 7 para. 2 in force at 1.4.2015 by [S.S.I. 2015/108](#), [art. 2](#)

- 3 The first transaction is exempt from charge if the seller is—
- (a) the person, or
 - (b) another financial institution by whom the interest was acquired under arrangements of the kind mentioned in paragraph 2 entered into between it and the person.

Commencement Information

I2 Sch. 7 para. 3 in force at 1.4.2015 by [S.S.I. 2015/108](#), [art. 2](#)

- 4 The second transaction is exempt from charge if the provisions of this Act relating to the first transaction are complied with (including payment of any tax chargeable).

Commencement Information

I3 Sch. 7 para. 4 in force at 1.4.2015 by [S.S.I. 2015/108](#), [art. 2](#)

- 5 A transfer to the person that results from the exercise of the right mentioned in paragraph 2(c) (“the third transaction”) is exempt from charge if—
- (a) the provisions of this Act relating to the first and second transactions are complied with, and
 - (b) at all times between the second and third transactions—
 - (i) the interest purchased under the first transaction is held by a financial institution, and

Changes to legislation: There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Cross Heading: Land sold to financial institution and leased to person. (See end of Document for details)

- (ii) the lease or sub-lease granted under the second transaction is held by the person.

Commencement Information

I4 Sch. 7 para. 5 in force at 1.4.2015 by [S.S.I. 2015/108](#), [art. 2](#)

- 6 The agreement mentioned in paragraph 2(c) is not to be treated—
- (a) as substantially performed unless and until the third transaction is entered into (and accordingly section 14 does not apply), or
 - (b) as a distinct land transaction by virtue of section 12 (options and rights of pre-emption).

Commencement Information

I5 Sch. 7 para. 6 in force at 1.4.2015 by [S.S.I. 2015/108](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Land and Buildings Transaction Tax (Scotland) Act 2013, Cross Heading: Land sold to financial institution and leased to person.