



# Finance Act 1985

## 1985 CHAPTER 54

### PART III

#### STAMP DUTY

#### **89 Exemption from section 28 of Finance Act 1931.**

- (1) Section 28 of the <sup>M1</sup>Finance Act 1931 (production to Commissioners of instruments transferring land and furnishing of particulars) shall not apply in relation to any instrument (an “exempt instrument”) which falls within any class prescribed for the purposes of this section by regulations made by the Commissioners.
- (2) Regulations under this section may—
  - (a) provide that the particulars mentioned in Schedule 2 to the 1931 Act shall be furnished to the Commissioners, in accordance with the requirements of the regulations, in respect of exempt instruments or such descriptions of exempt instruments as may be prescribed by the regulations;
  - (b) make different provision in relation to different cases or kinds of case and in respect of different parts of Great Britain.
- (3) Any person who fails to comply with any requirement imposed by regulations made under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale <sup>F1</sup> . . .
- (4) The power to make regulations under this section shall be exercisable by statutory instrument; and a statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of the House of Commons.
- (5) Section 35(x) of the 1931 Act (which gives power by regulations to exempt certain instruments in Scotland where particulars are obtained through the General Register of Sasines and which is superseded by the power given by this section) shall cease to have effect.

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*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1985, Section 89. (See end of Document for details)*

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- (6) Regulations made under section 35(x) shall have effect after the commencement of this section as if they were made under this section and as if they imposed on the Keeper of the Registers of Scotland the duty mentioned in section 35(x).

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**Textual Amendments**

**F1** Words in s. 89(3) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1**, Pt.XIV

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**Marginal Citations**

**M1** 1931 c. 28.

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 1985, Section 89.