



# Finance (No. 2) Act 2005

## 2005 CHAPTER 22

### PART 3

#### STAMP TAXES

##### *Stamp duty land tax*

#### 47 E-conveyancing

<sup>F1</sup>(1) .....

(2) In section 79(1) of FA 2003 (registration of land transactions) after “in relation to the transaction” insert “ or such information about compliance as the Commissioners for Her Majesty's Revenue and Customs may specify in regulations. ”

(3) In section 119(1) of FA 2003 (land transactions: effective date) for “the date of completion” substitute—

“(a) the date of completion, or

(b) such alternative date as the Commissioners for Her Majesty's Revenue and Customs may prescribe by regulations.”

(4) After paragraph 7(1) of Schedule 10 to FA 2003 (land transaction returns: correction of errors) insert—

“(1A) The power under sub-paragraph (1) may, in such circumstances as the Commissioners for Her Majesty's Revenue and Customs may specify in regulations, be exercised—

(a) in relation to England and Wales, by the Chief Land Registrar;

(b) in relation to Scotland, by the Keeper of the Registers of Scotland;

(c) in relation to Northern Ireland, by the Registrar of Titles or the registrar of deeds;

(d) in any case, by such other persons with functions relating to the registration of land as the regulations may specify.”

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*Changes to legislation: There are currently no known outstanding effects for the Finance (No. 2) Act 2005, Cross Heading: Stamp duty land tax. (See end of Document for details)*

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- (5) The Commissioners for Her Majesty's Revenue and Customs—
- (a) may make regulations conferring administrative functions on a land registrar in connection with stamp duty land tax, and
  - (b) may make payments to land registrars in respect of the exercise of those functions.
- (6) In subsection (5) “land registrar” means—
- (a) in relation to England and Wales, the Chief Land Registrar,
  - <sup>F2</sup>(b) .....
  - (c) in relation to Northern Ireland, the Registrar of Titles or the registrar of deeds, and
  - (d) in any case, such other persons with functions relating to the registration of land as regulations under subsection (5) may specify.
- (7) Regulations under subsection (5)—
- (a) shall be made by statutory instrument, and
  - (b) shall be subject to annulment in pursuance of a resolution of the House of Commons.

#### Textual Amendments

- F1** S. 47(1) omitted (with effect in accordance with s. 29(4) of the amending Act) by virtue of [Scotland Act 2012 \(c. 11\)](#), s. 44(2)(b)(3)(b), [Sch. 3 para. 29\(a\)](#) (with s. 29(5)(6)); S.I. 2015/637, art. 2
- F2** S. 47(6)(b) omitted (with effect in accordance with s. 29(4) of the amending Act) by virtue of [Scotland Act 2012 \(c. 11\)](#), s. 44(2)(b)(3)(b), [Sch. 3 para. 29\(b\)](#) (with s. 29(5)(6)); S.I. 2015/637, art. 2

## 48 Disclosure of information contained in land transaction returns

- (1) After section 78 of FA 2003 insert—

### “78A Disclosure of information contained in land transaction returns

- (1) Relevant information contained in land transaction returns delivered under section 76 (whether before or after the commencement of this section) is to be available for use—
- (a) by listing officers appointed under section 20 of the Local Government Finance Act 1992, for the purpose of facilitating the compilation and maintenance by them of valuation lists in accordance with Chapter 2 of Part 1 of that Act,
  - (b) as evidence in an appeal by virtue of section 24(6) of that Act to a valuation tribunal established under Schedule 11 to the Local Government Finance Act 1988,
  - (c) by the Commissioner of Valuation for Northern Ireland, for the purpose of maintaining a valuation list prepared, and from time to time altered, by him in accordance with Part 3 of the Rates (Northern Ireland) Order 1977, and
  - (d) by such other persons or for such other purposes as the Treasury may by regulations prescribe.

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- (2) In this section, “relevant information” means any information of the kind mentioned in paragraph 1(4) of Schedule 10 (information corresponding to particulars required under previous legislation).
- (3) The Treasury may by regulations amend the definition of relevant information in subsection (2).”
- (2) In section 245 of FA 1994 (production of documents: supplementary) for subsection (2) substitute—
- “(2) The information contained in any document produced to the Commissioners under section 244(2) above shall be available for use by the Commissioner of Valuation for Northern Ireland.”
- (3) For the heading to Part 6 of FA 1994 substitute “ Stamp duty ”.
- (4) Regulation 3 of the Stamp Duty Land Tax (Consequential Amendment of Enactments) Regulations 2005 (S. I. 2005/82) is hereby revoked.
- (5) Subsections (1) to (4) come into force on such day as the Treasury may by order appoint.
- (6) Section 114(3) of FA 2003 (negative resolution procedure) does not apply to an order made under subsection (5).

#### Commencement Information

- I1** S. 48 partly in force; s. 48(5)(6) in force at Royal Assent, see s. 48(5)
- I2** S. 48(1)-(4) in force at 30.7.2009 by S.I. 2009/2094, art. 2

#### 49 Miscellaneous amendments

Schedule 10 (which makes miscellaneous amendments of Part 4 of FA 2003) has effect.

**Changes to legislation:**

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