



Finance Act 1952

1952 CHAPTER 33 15 and 16 Geo 6 and 1 Eliz 2

An Act to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance.
[9th July 1952]

Modifications etc. (not altering text)

- C1** Ss. 1-73, 75, Schs. 1-14 were not reproduced in Statutes in Force. Ss. 1-29, 31-35, 67, 68, 70-73, 75, Schs. 1-5, 7, 13, 14 Pts. I-IV are repealed. Work is in progress to publish authorities for these repeals and to restore ss. 30, 36-66, 69, 76(2)-(4)(5)(8), Schs. 6, 8-12, 14 Pt. V

Commencement Information

- II** Act partly in force at Royal Assent, partly retrospective, see individual sections; all provisions so far as unrepealed wholly in force at 1.2.1991. Some provisions came into force at specific times of day.

PART VI

MISCELLANEOUS AND GENERAL

74 Stamp duties (exemption for certain transfers to joint boards or joint committees of local authorities). 1945 c. 42.

(1) Where provision is made either—

- [^{F1}(a) by an order under the ^{M1}Water Act 1945 [^{F2}or by or under any local Act of Parliament], for the transfer of the whole or part of the undertaking of any water undertakers [^{F3}to any other water undertakers]; or]
- (b) by an order under the ^{M2}Public Health Act 1936, or the ^{M3}Local Government (Scotland) Act 1947, for the transfer of any property to a joint board constituted under section six of the said Act of 1936 or to a joint board or joint committee constituted under section one hundred and nineteen or one hundred and twenty of the said Act of 1947, as the case may be, [^{F4}from another local authority];

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1952. (See end of Document for details)

then, in considering whether any and if so what duty is payable under section twelve of the ^{M4}Finance Act 1895 (which relates to the stamp duty payable in connection with certain statutory conveyances), the consideration for the transfer shall be left out of account.

- [^{F1}(2) No stamp duty shall be payable on any contract or agreement for such a transfer as is referred to in paragraph (a) of the foregoing subsection, if the contract or agreement is conditional on the making of an order under the Water Act 1945 [^{F5}or under any local Act of Parliament or on the passing of such an Act], to give effect to it.]
- (3) No stamp duty shall be payable on any conveyance, agreement or assignment made, or instrument executed, solely for the purpose of giving effect to a transfer of property to a joint board or joint committee constituted under section one hundred and nineteen or one hundred and twenty of the Local Government (Scotland) Act 1947, [^{F4}from another local authority].
- (4) In this section [^{F4}“local authority” has the meaning assigned to it by section [^{F6}[^{F7}842A] of the Income and Corporation Taxes Act ^{M5}1988]].
- (5) This section shall be construed as one with the Stamp Act 1891.

Textual Amendments

- F1** S. 74 (1)(a)(2) repealed (E.W.) by Water Act 1989 (c. 15, SIF 130), s. 190(1)(3), Sch. 25 para. 18, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), **58**)
- F2** Words inserted by Finance Act 1958 (c. 56), s. **35(4)(a)**
- F3** Words substituted by Finance Act 1958 (c. 56), s. **35(4)(a)**
- F4** Words substituted by Finance Act 1974 (c. 30, SIF 63:1), s. 52, **Sch. 12 para. 6**
- F5** Words inserted by Finance Act 1958 (c. 56), s. **35(4)(c)**
- F6** Words substituted by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844(1)(2), **Sch. 29 para. 32**
- F7** Word substituted by Finance Act 1990 (c. 29, SIF 114), s. 127, **Sch. 18 para. 1**

Marginal Citations

- M1** 1945 c. 42.
- M2** 1936 c. 49
- M3** 1947 c. 43.
- M4** 1895 c. 16.
- M5** 1988 c.1 (63:1).

76 Short title, construction, extent and repeals.

- (1) This Act may be cited as the Finance Act 1952.
- (6) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended or applied by or under any other enactment, including this Act.
- (7) Such of the provisions of Parts I and VI of this Act as relate to matters with respect to which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 1952.