Finance Act (Northern Ireland) 1948

1948 CHAPTER 15

An Act to alter certain duties of excise (including entertainments duty and duties on licences for mechanically-propelled vehicles) and stamp duties; to amend the law relating to the duties aforesaid and to death duties; to abolish certain duties; to provide for certain payments; and to make further provision in connection with finance. [10th August 1948]

Part I (ss.1,2)—Death Duties

Part II (ss.3#5) rep. by SLR (NI) 1952; 1954 c.17 (NI); SLR 1980

PART III

STAMP DUTIES

Ss.6#9 rep. by 1949 c.15 (NI); SLR (NI) 1952; 1952 c.13 (NI); 1956 c.11 (NI); SL(R) 1976

10 Duty in respect of property acquired by means of certain vesting orders.

(1) Where by the operation of a vesting order made by any Ministry of Northern Ireland under or by virtue of the Roads Improvement Act (Northern Ireland), 1928 [M1], or any subsequent enactment (including an enactment passed after this Act) of the Parliament of Northern Ireland, any land (including land covered by water) or any easement or right in or over any land is vested in any local or public authority (not being a Ministry of Northern Ireland) the following provisions shall have effect with respect to the stamp duty chargeable on such vesting:—

(a) the vesting order shall not be deemed to be an instrument upon which stamp duty is chargeable;

(b) the instrument upon which stamp duty is chargeable shall—

(i) where the compensation money payable in respect of such vesting is paid into court by the local or public authority, as the case may be, be the receipt given to the authority for that payment by the proper

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officer of the court [F1 or the certificate or privity given by such officer in respect of that payment]; and

(ii) where the said compensation money is not paid into court, be the receipt given to the authority by the person to whom the compensation money is paid;

(c) the stamp duty chargeable on each such receipt [F1 certificate or privity] as is mentioned in sub-paragraph (i) or (ii) of the last preceding paragraph shall be the ad valorem stamp duty which would be payable on a conveyance on sale of the land or rights to which the receipt [F1 certificate or privity] relates for a consideration which is the compensation money for which the receipt [F1 certificate or privity] is given;

(d) each such receipt [F1 certificate or privity] as aforesaid shall, notwithstanding anything contained in sub-section (6) of section nine of the Finance Act (Northern Ireland), 1936 M2 (which section requires the presentation to the Ministry of particulars as to certain transfers and lettings of land) or in any regulations made under that sub-section, be deemed to be an instrument by means of which a transfer on sale of an interest in land is effected and to which the provisions of the said section nine applies.

Subs.(2) rep. by SLR (NI) 1953

F1 1949 c.15 (NI)

Marginal Citations
M1 1928 c. 10
M2 1936 c. 33

Part IV (ss.11 - 13) rep. by 1949 c.15 (NI); 1949 c.23 (NI)

Part V (ss.14,15) rep. by 1949 c.15 (NI); SI 1973/2163; 1975 c.7; 1978 NI 11

Part VI (s.16) rep. by SLR (NI) 1952; SLR (NI) 1953; 1956 c.17 (NI); 1972 NI 11

PART VII

SUPPLEMENTAL

S.17 rep. by SLR (NI) 1952

18 Short title and construction.

(1) This Act may be cited as the Finance Act (Northern Ireland), 1948.

(2) … *Death Duties* …, Part III of this Act shall be construed as one with the Stamp Act, 1891 M3.

Subs.(3)(4) rep. by 1954 c.33 (NI)