

Exemption of certain transfers from capital acquisitions tax following the dissolution of a marriage. FA 1997 s142(1) and (2) 88.—(1) Notwithstanding any other provision of this Act, a gift or inheritance taken by virtue or in consequence of an order to which this subsection applies by a spouse who was a party to the marriage concerned is exempt from tax and is not taken into account in computing tax.

(2) Subsection (1) applies—

(a) to a relief order or an order under section 25 of the Family Law Act 1995 , made, following the dissolution of a marriage, or

(b) to a maintenance pending relief order made, following the granting of leave under section 23 (3) of the Family Law Act 1995 , to a spouse whose marriage has been dissolved,

(c) to an order referred to in section 41 (a) of the Family Law Act 1995 , or an order under section 42(1) of that Act made in addition to or instead of an order under section 41 (a) of that Act, in favour of a spouse whose marriage has been dissolved,

(d) to an order under Part III of the Family Law (Divorce) Act 1996 , and

(e) to an order or other determination to like effect, made on or after 10 February 2000, which is analogous to an order referred to in paragraph (a), (b), (c) or (d), of a court under the law of another territory made under or in consequence of the dissolution of a marriage, being a dissolution that is entitled to be recognised as valid in the State.