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Moving to Scotland

Buying a home, Scottish income tax, schools, and wills and estates under Scots law.

Build your free, personal move plan at **yourlandfall.com/plan**: five questions, and only the steps that apply to you.

yourlandfall.com · Based in Scotland, covering the UK.

General information, not personal tax, financial, legal or immigration advice.

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1 · SCOTLAND

How does buying a home in Scotland work?

THE SHORT ANSWER

Very differently from the US, and from England. Homes are often sold "offers over" with a closing date for sealed bids, the seller provides a Home Report with a survey, your offer goes through a solicitor, and you pay Land and Buildings Transaction Tax rather than Stamp Duty.

What's different

- **"Offers over."** Many homes are marketed at "offers over" a set price, and often sell for more.
- **Closing dates.** When several buyers are interested, there's a deadline for sealed bids. There's usually one chance, so agree your limit first.
- **The Home Report.** The seller provides a report with a survey, a valuation and an energy report before you view. Lenders usually work from it.
- **Solicitors do more.** Your offer is made through a solicitor, and many solicitors also sell homes.
- **The deal binds earlier.** Once the **missives** (formal letters between solicitors) are concluded, the contract is binding.

Step by step

1. **Get a mortgage agreed in principle.** This is harder without UK credit history, and some lenders specialize in buyers who've just moved here.
2. **View with the Home Report in hand**, and read the survey and valuation.
3. **Ask your solicitor to note interest**, so you're told if a closing date is set.
4. **Offer by the closing date** through your solicitor.
5. **Missives are concluded**, and the deal is binding.
6. **Date of entry**: the money moves, your solicitor files the LBTT return and pays it, and you get the keys.

Property tax: LBTT and the Additional Dwelling Supplement

In Scotland you pay **Land and Buildings Transaction Tax (LBTT)** to Revenue Scotland, not Stamp Duty.

Two points that catch Americans out:

- **Still own your US home?** If you own another home anywhere in the world when you buy, the **Additional Dwelling Supplement** can apply on top, unless you're replacing your main home within the rules.
- **First-time buyer relief** only applies if you've never owned a home anywhere, including in the US.

Renting first

Most new arrivals rent first. Private tenancies in Scotland are **open-ended**, with no fixed six- or twelve-month term, which gives you flexibility while you get to know the area.

What to do next

See what else is different in Scotland, or build your move plan with Scotland as your destination.

How does Scottish income tax work?

THE SHORT ANSWER

If your main home is in Scotland, you're a Scottish taxpayer. Your earnings, pension and rental income are then taxed at Scottish rates across six bands, rather than the rest of the UK's three. Savings and dividends are still taxed at UK-wide rates, and National Insurance is the same everywhere. Higher earners generally pay a little more than elsewhere in the UK.

Who's a Scottish taxpayer?

You're a **Scottish taxpayer** if you're UK resident and your **main home is in Scotland**. Where your employer is based doesn't matter. Someone living in Edinburgh and working for a London company pays Scottish rates.

You'll see it in your **tax code**, which starts with an **S**.

What's taxed at Scottish rates

Income	Rates
Salary and self-employment	Scottish
Pensions	Scottish
Rental income	Scottish
Savings interest	UK-wide
Dividends	UK-wide
Capital gains	UK-wide
National Insurance	UK-wide

The six bands

Scotland has six income tax bands: **starter, basic, intermediate, higher, advanced and top**. The rest of the UK has three: basic, higher and additional. The **personal allowance** (the tax-free amount) is the same across the UK.

The rates and thresholds are set each year by the Scottish Parliament. In broad terms:

- people on **lower incomes** pay slightly less than in England
- people on **middle and higher incomes** pay more, and the gap grows as income rises

Check the current year's rates on GOV.UK.

The US angle

Paying more UK tax usually means **larger foreign tax credits** on your US return. For most Americans in Scotland, the US bill on salary comes to nothing, and excess credits can carry forward. See how to avoid paying tax twice.

Pensions

If you pay into a **personal pension**, relief is added at the basic rate automatically. Scottish taxpayers in higher bands may need to **claim extra relief** through their tax return. Workplace schemes usually handle this for you.

Moving to or from Scotland mid-year

Your Scottish status is decided for the **whole tax year**, based on where your main home was for most of it. Moving across the border part-way through a year can change which rates apply.

What to do next

See what else is different in Scotland, or build your move plan with Scotland as your destination.

How do schools work in Scotland?

THE SHORT ANSWER

Scotland has its own system. Children start primary school (P1) in August, aged about four and a half to five and a half, and spend seven years in primary and up to six in secondary. They take Nationals, Highers and Advanced Highers rather than GCSEs and A levels. Places are allocated by catchment area, so where you live decides your school.

Stages and ages

Stage	Years	Rough age	Rough US equivalent
Nursery (early learning and childcare)	—	3–5	Preschool
Primary	P1–P7	4½–12	Kindergarten to 6th grade
Secondary	S1–S6	11–18	6th/7th to 12th grade

The school year starts in **mid-August**. Children usually start **P1** in the August when they're between about **4½ and 5½**. Children born in the autumn and winter months can usually **defer** starting for a year, with a funded nursery place.

Exams

- **National 4 and 5**, usually in S4 (age 15–16)
- **Highers**, usually in S5, typically four or five subjects. They're the main qualification for Scottish universities.
- **Advanced Highers**, in S6, for some subjects

Students can leave school at 16, but most going to university stay to S5 or S6.

Getting a place

- State schools are **free** and run by local councils.
- Each address has a **catchment** primary and secondary school. Living in the catchment usually guarantees a place.
- You can make a **placing request** for a school outside your catchment, but it isn't guaranteed.

- If schools matter to you, **check the catchment before you rent or buy**. Councils publish catchment maps.

Other options

- **Independent schools** charge fees, now including VAT.
- **Gaelic-medium education** is available in some areas.
- Some schools offer the **International Baccalaureate**.

University in Scotland

Most undergraduate degrees take **four years**, similar to the US. Students with Scottish “home” fee status don’t pay tuition fees, but eligibility depends on **residence and immigration status**, so check before applying.

What to do next

See the full guide to UK schools, or build your move plan with Scotland and “A family with children”.

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How do wills and estates work in Scotland?

THE SHORT ANSWER

Scotland has its own law of succession. A spouse and children have "legal rights" to part of your money and belongings that a will can't override, estates go through "confirmation" rather than probate, and unmarried partners have limited rights. A US will may not work smoothly here, so many Americans in Scotland make a Scottish will coordinated with their US one.

Legal rights: what a will can’t change

In Scotland, a spouse or civil partner and children have **legal rights** to part of your **movable estate**: money, investments and belongings, but not land or buildings.

Who	Legal rights share of movable estate
Spouse or civil partner, if there are children	One third
Spouse or civil partner, if no children	One half
Children together, if there’s a spouse	One third
Children together, if no spouse	One half

They can claim these instead of what the will leaves them. This surprises people from US states where you can leave your estate however you choose.

If there’s no will

Scotland’s intestacy rules give a surviving spouse **prior rights** to the home (up to a limit), its furnishings and a cash sum, followed by legal rights, and then the rest passes to relatives in a set order. **Unmarried partners don’t inherit automatically**; they can apply to the court, but only within six months.

Confirmation, not probate

Executors apply to the **sheriff court** for **confirmation**, which gives them authority to collect and distribute the estate. Assets in the US may need a separate US process.

Your US will

A US will can be **recognized** in Scotland if it was validly made, but it can cause delay and cost in practice. Many Americans here:

- make a **Scottish will** for UK assets, and keep a **US will** for US assets
- make sure each one says clearly what it covers, so neither cancels the other

Powers of attorney

A US power of attorney may not work in Scotland. Scottish **powers of attorney** are registered with the **Office of the Public Guardian (Scotland)**.

Inheritance tax and US estate tax

- **UK inheritance tax** now depends on residence. After about **ten years of UK residence**, your worldwide estate can be in scope; before that, mainly UK assets.
- As a US citizen, your worldwide estate stays within **US estate tax**.
- The **US–UK estate tax treaty** helps prevent the same estate being taxed twice.
- Leaving assets to a spouse who isn't a US citizen, or isn't long-term UK resident, can have **limits on the usual spouse exemptions** in both countries.

What to do next

This is an area for a Scottish solicitor working with a cross-border tax adviser. Build your move plan with Scotland as your destination.

About Landfall

Landfall helps Americans plan their move to the UK, with free move plans and guides that cover both countries. It's run by Leah Guevara from Edinburgh. Based in Scotland, covering the UK.

Members get dated reminders, templates, a community and time with Leah. When a step needs a qualified specialist, such as tax in both countries, investments or immigration, we say so plainly and can introduce you to people we trust. We're independent and never take a fee for introductions.

Your next step: build your free move plan at yourlandfall.com/plan, or see memberships at yourlandfall.com/membership

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