
 STATUTORY INSTRUMENTS

1971 No. 1896

INCOME TAX

The Income Tax (Employments) (No. 8) Regulations 1971

<i>Made</i> - - - - -	23rd November 1971
<i>Laid before the House of Commons</i>	30th November 1971
<i>Coming into Operation</i> - - -	6th April 1972

The Commissioners of Inland Revenue, in exercise of the powers conferred upon them by section 204 of the Income and Corporation Taxes Act 1970(a), hereby make the following Regulations:—

1.—(1) These Regulations shall come into operation on 6th April 1972 and may be cited as the Income Tax (Employments) (No. 8) Regulations 1971.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(3) In these Regulations the expression “the Principal Regulations” means the Income Tax (Employments) Regulations 1965(c) as amended (d).

2. The Principal Regulations shall be varied by deleting from paragraph (1) of Regulation 2, in the definition of “simplified tax tables”, the words “under Regulations 20 and 21” and substituting therefor “under Regulation 20”.

3. The following definition shall be added to paragraph (1) of Regulation 2 of the Principal Regulations:—

“pension emoluments” means any payment of emoluments comprising a pension or annuity assessable to income tax under Schedule E.

4. In paragraph (1) of Regulation 16 of the Principal Regulations there shall be inserted after sub-paragraph (b) the following sub-paragraph:—

“(c) payments of pension emoluments in the year in which retirement takes place unless the Inspector directs that Regulation 13 shall apply; and” and sub-paragraph (c) of paragraph (1) of the said Regulation 16 shall be redesignated (d).

5. Regulation 17 of the Principal Regulations shall have effect as if paragraph (7) of that Regulation were deleted and the following paragraphs were inserted:—

“(7) Retirement on pension shall not be treated as a cessation of employment for the purposes of this Regulation if the emoluments are paid by the same person both before and after retirement but any such person shall—

(a) 1970 c. 10.

(b) 1889 c. 63.

(c) S.I. 1965/516 (1965 I, p. 1321).

(d) The amending Regulations are not relevant to the subject matter of these Regulations.

- (a) within 14 days after retirement send to the Inspector a certificate on the prescribed form containing the following, viz:—
- (i) the name of the employee;
 - (ii) the date of the employee's retirement;
 - (iii) the cumulative emoluments at the date of retirement;
 - (iv) the amount of pension payable weekly or monthly as the case may be; and
- (b) on making payments of pension emoluments to the employee after retirement deduct tax in accordance with Regulation 16.
- (8) If the 2 copies of the certificate given to the employee in accordance with paragraph 2 of this Regulation are delivered to an employer who pays or will pay pension emoluments to that employee the employer shall—
- (a) complete one copy of the certificate in accordance with paragraph (3)(a) of this Regulation and send it to the Inspector indicated therein; and
 - (b) deduct tax by reference to the code shown on the certificate and in accordance with Regulation 16."

6. Regulation 21 and paragraph (2) of Regulation 24 of the Principal Regulations are hereby revoked.

By Order of the Commissioners of Inland Revenue.

23rd November 1971.

G. Wolters,
Secretary.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Income Tax (Employments) Regulations 1965.

Regulations 3 to 5 make provision for the code number in operation against the emoluments of an employee immediately prior to retirement to be applied to an occupational pension (whether paid direct from the former employer or from a pension fund) on a non-cumulative basis (instead of the normal cumulative basis) pending instructions from the Inspector of Taxes.

Regulations 2 and 6 withdraw the provision for a modified procedure for deducting tax in the case of certain employees paid weekly.