

*Status: Point in time view as at 06/04/2011.*

*Changes to legislation: Finance Act 2007, Cross Heading: Classification of territories is up to date with all changes known to be in force on or before 13 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 24

#### PENALTIES FOR ERRORS

##### Modifications etc. (not altering text)

- C1 Sch. 24 applied (N.I.) (1.4.2008) by [The Education \(Student Loans\) \(Repayment\) Regulations \(Northern Ireland\) 2000 \(S.R. 2000/121\)](#), [regs. 7\(2A\)\(b\)](#), 26(4) (as amended by S.R. 2008/129, [regs. 1](#), 3(a), 4)
- C1 Sch. 24 applied (6.4.2008) by [The Social Security \(Contributions\) Regulations 2001 \(S.I. 2001/1004\)](#), [Sch. 4 paras. 22\(7\)](#), [31\(8\)](#) (as amended by [The Social Security \(Contributions\) \(Amendment No. 3\) Regulations 2008 \(S.I. 2008/636\)](#), [regs. 1\(3\)\(b\)](#), 7)
- C1 Sch. 24 applied (N.I.) (6.4.2009) by [The Education \(Student Loans\) \(Repayment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/128\)](#), [regs. 1\(1\)](#), 9(3)(b), 35(4), 54(8)(b)
- C1 Sch. 24 applied (E.W.) (6.4.2009) by [The Education \(Student Loans\) \(Repayment\) Regulations 2009 \(S.I. 2009/470\)](#), [regs. 1\(1\)](#), 13(3)(b), 40(4), 59(8)(b) (with [reg. 1\(4\)\(6\)](#))
- C1 Sch. 24 applied (with modifications) by SI 2001/1004 [reg. 81\(1\)\(1A\)](#) (as substituted (with application in accordance with [reg. 1\(3\)](#) of the amending S.I.) by [The Social Security \(Contributions\) \(Amendment No. 4\) Regulations 2010 \(S.I. 2010/721\)](#), [regs. 1\(2\)](#), [4](#))
- C1 Sch. 24 modified (8.4.2010) by [Finance Act 2010 \(c. 13\)](#), [Sch. 1 para. 37](#)

#### PART 5

#### GENERAL

#### *[<sup>F1</sup>Classification of territories*

##### Textual Amendments

- F1 Sch. 24 paras. 21A, 21B and cross-headings inserted (6.4.2011) by [Finance Act 2010 \(c. 13\)](#), [s. 35\(2\)](#), [Sch. 10 para. 5](#); S.I. 2011/975, [art. 2\(1\)](#) (with [art. 3](#))

- 21A (1) A category 1 territory is a territory designated as a category 1 territory by order made by the Treasury.
- (2) A category 2 territory is a territory that is neither—
- (a) a category 1 territory, nor
  - (b) a category 3 territory.
- (3) A category 3 territory is a territory designated as a category 3 territory by order made by the Treasury.
- (4) In considering how to classify a territory for the purposes of this paragraph, the Treasury must have regard to—

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- (a) the existence of any arrangements between the UK and that territory for the exchange of information for tax enforcement purposes,
  - (b) the quality of any such arrangements (in particular, whether they provide for information to be exchanged automatically or on request), and
  - (c) the benefit that the UK would be likely to obtain from receiving information from that territory, were such arrangements to exist with it.
- (5) An order under this paragraph is to be made by statutory instrument.
- (6) Subject to sub-paragraph (7), an instrument containing an order under this paragraph is subject to annulment in pursuance of a resolution of the House of Commons.
- (7) If the order is—
- (a) the first order to be made under sub-paragraph (1), or
  - (b) the first order to be made under sub-paragraph (3),
- it may not be made unless a draft of the instrument containing it has been laid before, and approved by a resolution of, the House of Commons.
- (8) An order under this paragraph does not apply to inaccuracies in a document given to HMRC (or, in a case within paragraph 3(2), inaccuracies discovered by P) before the date on which the order comes into force.]

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