STATUTORY INSTRUMENTS

2005 No. 2045

INCOME TAX CORPORATION TAX

The Income Tax (Construction Industry Scheme) Regulations 2005

Made - - - 25th July 2005

Laid before the House of

Commons - - 25th July 2005

Coming into force in accordance with regulation 1

THE INCOME TAX (CONSTRUCTION INDUSTRY SCHEME) REGULATIONS 2005

PART 1

INTRODUCTION

- 1. Citation and commencement
- 2. Interpretation

PART 2

CONTRACTORS

- 3. Multiple contractors
- 4. Monthly return
- 5. Scheme representative
- 6. Verification etc of registration status of sub-contractor and nominee

PART 3

PAYMENT AND RECOVERY OF AMOUNTS DEDUCTED UNDER SECTION 61

- 7. Payment, due date for payment of amounts deducted and receipts
- 8. Quarterly tax periods
- 9. Recovery from sub-contractor of amount not deducted by contractor
- 10. Return and certificate if amount may be unpaid
- 11. Notice and certificate if amount may be unpaid
- 12. Certificate after inspection of records of contractors and sub-contractors

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 13. Determination of amounts payable by contractor and appeal against determination
- 14. Interest on amounts overdue
- 15. Interest on amount overpaid
- 16. Recovery of amount unpaid and interest
- 17. In-year repayments of provisional excess credit

PART 4

PAYMENTS EXCEPTED FROM SECTION 60

- 18. Small payments
- 19. Work carried out on land owned by person to whom payment is made
- 20. Reverse premiums
- 21. Payments as agent of a local education authority
- 22. Payments in respect of property used for business
- 23. Arrangements involving public bodies
- 24. Charities

PART 5

REGISTRATION OF SUB-CONTRACTORS

- 25. Registration for gross payment or for payment under deduction and cancellation of registration for payment under deduction
- 26. Cancellation of registration for gross payment

PART 6

CONDITIONS TO BE SATISFIED FOR GROSS PAYMENT

Business test

27. Evidence prescribed to satisfy the business test

Turnover test

- 28. Minimum turnover
- 29. Evidence prescribed to satisfy the turnover test
- 30. Number of partners or relevant persons
- 31. Turnover test treated as satisfied in prescribed circumstances

Compliance test

- 32. Exceptions from compliance obligations
- 33. Absence abroad evidence of living outside the United Kingdom
- 34. Absence abroad evidence of compliance with tax obligations
- 35. Evidence of unemployment
- 36. Evidence of full-time education
- 37. Interpretation

PART 7

ELECTRONIC COMMUNICATIONS

- 38. Interpretation
- 39. Whether information has been delivered electronically
- 40. Proof of content of electronic delivery

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 41. Proof of identity of person sending or receiving electronic delivery
- 42. Information sent electronically on behalf of a person
- 43. Proof of delivery of information sent electronically
- 44. Proof of payment sent electronically
- 45. Mandatory electronic payment
- 46. Contractor in default if specified payment not received by applicable due date
- 47. Default notice and appeal
- 48. Default surcharge
- 49. Surcharge notice and appeal

PART 8

SUPPLEMENTARY PROVISIONS

- 50. Delegation of Commissioners for Her Majesty's Revenue and Customs' functions
- 51. Inspection of records of contractors and sub-contractors
- 52. Inspection of records of sub-contractors additional provisions
- 53. Information as to change of control of close company
- 54. Death of contractor
- 55. Service by post
- 56. Application by the Commissioners for Her Majesty's Revenue and Customs of sums deducted under section 61
- 57. Certificate that sum due
- 58. Payment by cheque
- 59. Appeals: supplementary provisions
- 60. Transitional provisions, savings and revocation Signature

SCHEDULE 1 — TRANSITIONAL PROVISIONS AND SAVINGS PART 1 — GENERAL PROVISIONS

- 1. Continuity of the law
- 2. Paragraph 1 does not apply to any change in the...
- 3. Anything which—(a) has been done, or has effect as...
- 4. Any reference (express or implied) in these Regulations or any...
- 5. Any reference (express or implied) in these Regulations to—
- 6. Any reference (express or implied) in these Regulations to contractors,...
- 7. Paragraphs 4, 5 and 6 apply only in so far...
- 8. Paragraph 6 is without prejudice to the generality of paragraph...
- 9. These Regulations have effect in relation to sums liable, under...
- 10. Paragraph 9 is without prejudice to the generality of paragraphs...
- 11. Paragraphs 1 to 10 have effect instead of paragraph (b)...
- 12. General saving for old savings
- 13. Interpretation

PART 2 — SPECIFIC PROVISIONS

- 1. Interest on unpaid amounts: disapplication of regulation 14 for tax years before the tax year ending 5th April 1993
- 2. Interest on overpaid tax: disapplication of regulation 15 for tax years before the tax year ending 5th April 1993

SCHEDULE 2 — REVOCATIONS

Document Generated: 2024-01-17 **Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Explanatory Note