



Finance Act 1981

CHAPTER 35

FINANCE ACT 1981

PART I

CUSTOMS AND EXCISE

- 1 Spirits, beer, wine, made-wine and cider.
- 2
- 3 Matches and mechanical lighters.
- 4 Increase on duty on hydrocarbon oil etc.
- 5 Energy for refineries etc.
- 6 Repayment of hydrocarbon oil duty.
- 7 Vehicles excise duty: Great Britain.
- 8 Vehicles excise duty: Northern Ireland.
- 9 Betting and gaming duties.
- 10 Import and export procedures.
- 11 Miscellaneous customs and excise amendments.

PART II

12—15

PART III

16—18

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

PART IV

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER I

GENERAL

19—37
38	Interest charged to capital.
39—51

CHAPTER II

RELIEF FOR INVESTMENTS IN NEW CORPORATE TRADES

52—67
-------	-------

CHAPTER III

BENEFITS IN KIND

68—72
-------	-------

CHAPTER IV

CAPITAL ALLOWANCES

73—77
-------	-------

CHAPTER V

CAPITAL GAINS

78	(1)
79	Emigration of donee.
80	Gains of non-resident settlements.
80A	Gains of dual-resident settlements.
81	Migrant settlements.
82	Transfers between settlements.
82A	Payments by and to companies.
83	Provisions supplementary to sections 80 to 82.
84	Power to obtain information for purposes of sections 80 to 82.
85	Non-resident trustees and non-resident companies.
86	Transfers into settlement.
87	Appointments to persons under disability.
88	Disposal of interests in non-resident settlements.
89	Trusts for the disabled.
90	Market value.
91	Consideration on reorganisation of share capital etc.

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

PART V

CAPITAL TRANSFER TAX

92—95
96	(1)
97—106

PART VI

STAMP DUTY

107	Sale of houses at discount by local authorities etc.
108	Shared ownership transactions.
109
110	Pooled pension funds.

PART VII

PETROLEUM REVENUE TAX

111	Restriction of expenditure supplement.
112	Restriction of expenditure supplement: transfers of interest.
113	Restriction of expenditure supplement: loss following net profit period.
114	Restriction of limit on amount of tax payable.
115	Contracts with deferred payment.
116	Spreading of capital expenditure.
117	Spreading of capital expenditure: transitional provisions.
118	Licence payments other than royalties.
119	Transportation costs for off-shore oil.
120
121	Gas banking schemes.

PART VIII

SUPPLEMENTARY PETROLEUM DUTY

122	Charge of supplementary petroleum duty.
123	Increase of gross profit by reference to royalties in kind.
124	Reduction of gross profit by reference to exempt allowance.
125	Repayment of duty in case of field showing loss on cessation.
126	Deduction of duty in computing assessable profit or allowable loss for petroleum revenue tax.
127	Deduction of duty in computing income for corporation tax.
128	Supplementary Provisions.

PART IX

129—
133	

PART X

MISCELLANEOUS AND SUPPLEMENTARY

134	Special tax on banking deposits.
135	Chevening Estate.

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

- 136 Exchange control.
- 137 Irish land Acts.
- 138
- 139 Short title, interpretation, construction and repeals.

SCHEDULES

SCHEDULES 1, 2 —

SCHEDULES 3, 4 —

SCHEDULE 5 —

SCHEDULE 6 — Import Procedures: Amendments of Customs and Excise
Management Act 1979

Entry of goods on importation

1

Acceptance of incomplete entry

2

Examination of goods for purpose of making entry

3

Correction and cancellation of entry

4 After the section inserted by paragraph 3 above there shall...

Removal of uncleared goods

5 In section 40(1) for paragraph (b) there shall be substituted—...

Failure to comply with provisions as to entry

6 At the end of section 41 there shall be inserted...

Duties on imported goods

7 (1) Section 43 shall be amended as follows.

Delivery of imported goods on giving security for duty

8 In section 119(1) after the words “for home use” there...

Restriction on delivery of goods

9 In section 128(1) and (2) (power to restrict delivery of...

SCHEDULE 7 — Export Procedures

Part I — SECTIONS SUBSTITUTED IN CUSTOMS AND EXCISE
MANAGEMENT ACT 1979

53 Entry outwards of goods.

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

- 54 Acceptance of incomplete entry.
- 55 Correction and cancellation of entry.
- 56 Failure to export.
- 57 Delivery of entry by owner of exporting ship etc.
- 58 Simplified clearance procedure.
- 58A Local export control.
- 58B Provisions supplementary to ss. 58 and 58A.
- 58C Pipe-lines and export of ships and aircraft.
- 58D Operative date for Community purposes.
- 58E Authentication of Community customs documents.

Part II — AMENDMENTS OF CUSTOMS AND EXCISE MANAGEMENT ACT
1979

Control of movement of goods

- 1 (1) Section 31 shall be amended as follows.

Dutiable or restricted goods

- 2 (1) Section 52 shall be amended as follows.

Restrictions on putting export goods alongside for loading

- 3 In section 59(1) for the words “whether under section 53...

Provisions as to stores

- 4 (1) Section 61 shall be amended as follows.

Power to make regulations as to exportation, etc.

- 5 In section 66(2) for the words “a penalty of £100”...

SCHEDULE 8 — Miscellaneous Customs and Excise Amendments
Part I — AMENDMENTS OF CUSTOMS AND EXCISE MANAGEMENT ACT
1979

Definition of “revenue trader”

- 1 (1) In the definition of “revenue trader” in subsection (1)...

Warehousing regulations

- 2 In section 93— (a) in paragraph (a) of subsection (2)...

Deficiency in warehoused goods

- 3 Section 94(2) shall cease to have effect.

Procedure on warehouse ceasing to be approved

- 4 In section 98— (a) at the end of subsection (1)...

Excise licences

- 5 Sections 105 and 106 shall cease to have effect.

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

Powers of entry on premises of revenue traders

6 In section 112— (a) in subsection (1) after the word...

Power to estimate excise duties

7

Execution and distress

8

Proof of documents

9 In section 153 after subsection (3) there shall be inserted—...

Part II — AMENDMENTS OF ALCOHOLIC LIQUOR DUTIES ACT 1979

Ascertainment of volume etc. of alcoholic liquors from labels etc.

10 After subsection (3) of section 2 there shall be inserted—...

Definitions of “wholesale” and “wholesaler”

11 For the definitions of “wholesale” and “wholesaler” in section 4(1)...

Regulations about manufacture of spirits

12 In section 13— (a) after subsection (1) there shall be...

Attenuation charge for distilled spirits

13 In section 14(2) for the words “8.8 degrees” in both...

Distillers’ warehouses

14 In section 15— (a) for subsection (2) there shall be...

Rectifying and compounding of spirits

15 In section 19— (a) after subsection (1) there shall be...

Drawback on British compounds and spirits of wine

16 In section 22 after subsection (3) there shall be inserted—...

Restrictions on distillers and rectifiers

17 In section 24— (a) at the beginning of subsection (1)...

Spirits consignment and advice notes

18 Sections 27 to 30 shall cease to have effect.

Transfer of spirit from distillers’ warehouses

19 In section 32(1) the words from “and” onwards shall cease...

Abolition of wholesalers’ licences etc.

20 Sections 65, 68, 70 and 85 to 89 shall cease...

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

Restrictions on wholesalers of spirits

21 At the beginning of section 69(1) there shall be inserted...

Methylated spirits

22 Section 76 shall cease to have effect.
23 In section 77— (a) in subsection (1) in paragraph (d)...
Part III — AMENDMENTS OF LICENSING ACTS

The Licensing Act 1964

24
25 In the definition of “intoxicating liquor” in section 201(1) of...
26—28

Schedules 9— —

12.....

Schedules 13, 14 —

Schedule 15 —

Schedule 16 — Supplementary Petroleum Duty

Management

1 The duty shall be under the care and management of...
2 (1) The provisions of the Taxes Management Act 1970 which...

Returns and information

3 The particulars contained in returns made under paragraph 2 or...

Assessments and determinations

4 (1) Where it appears to the Board that, in accordance...
5 (1) Where a participator has under paragraph 2 of Schedule...
6 (1) Where it appears to the Board—

Appeals

7 (1) A participator may appeal to the Special Commissioners against...
8 (1) A participator who has given notice of appeal under...

Payment

9 Subject to paragraphs 7 and 8 above, the duty charged...
10 (1) Every participator in an oil field shall, at the...
11 (1) Subject to sub-paragraphs (4) and (6) below, every participator...
12 Certificates of tax deposit issued by the Treasury under section...

Interest

13 (1) Duty charged in an assessment for a chargeable period...

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

Transfers to associated companies

14 In paragraph 5(2) and (4) of Schedule 3 to the...

Schedule 17 — Special Tax on Banking Deposits

Part I — THE BASE PERIOD AND CHARGEABLE DEPOSITS

The base period

1 (1) The base period for the purposes of section 134...

Chargeable deposits

2 For the purposes of the principal section and this Schedule...

3 (1) Subject to the following provisions of this paragraph, a...

4 (1) Where any amount of the chargeable deposits held by...

5 (1) The amount of chargeable deposits held by a deposit-taker...

6 Where a person was carrying on a banking business at...

Part II — MANAGEMENT AND COLLECTION

Management

7 The tax shall be under care and management of the...

Notice of liability

8 (1) Every person who is chargeable with the tax shall...

Returns

9 (1) Every person who is chargeable with the tax shall...

10 (1) If a person fails to deliver a return within...

Payment of tax

11 (1) The tax chargeable in the case of any person...

Assessments

12 (1) Any tax with which a person is chargeable may...

13 (1) Where it appears to the Board that the amount...

Right of appeal

14 (1) An Appeal may be brought against an assessment to...

Interest

15 (1) Any tax with which a person is chargeable and...

Information

16 (1) Where the Board are not satisfied that the information...

Incorrect returns, accounts, etc.

17 (1) Where a person fraudulently or negligently—

Status: Point in time view as at 19/07/2006.

Changes to legislation: Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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)

Application of Taxes Management Act

18 (1) The provisions of the Taxes Management Act 1970 specified...

Schedule 18 —

Schedule 19 — Repeals

Part I — IMPORT PROCEDURES

Part II — EXPORT PROCEDURES

Part III — CUSTOMS AND EXCISE: MISCELLANEOUS

1 The repeals in the Food and Drugs Act 1955, the...

2 The repeal in section 6 of the Betting and Gaming...

3 The repeals in the Finance (No. 2) Act 1975 and...

4 The repeals in the Hydrocarbon Oil Duties Act 1979 have...

Part IV — VALUE ADDED TAX

Part V — CAR TAX

Part VI — INCOME TAX AND CORPORATION TAX: GENERAL

1 The repeals in section 188 of and Schedule 8 to...

2 The repeal in section 269 of the said Act of...

3 The repeals in section 36 of the Finance (No. 2)...

4 The repeals in Schedule 6 of the Finance Act 1978...

Part VII — STOCK RELIEF

Part VIII — CAPITAL GAINS

1 The repeal of section 17 of the Capital Gains Tax...

2 the repeals in section 19 of that Act and section...

Part IX — CAPITAL TRANSFER TAX

1 The repeals of section 30 of, and in Schedules 4...

2 The repeals of section 35 of, and Part I of...

3 The repeal in Schedule 10 to the Finance Act 1975...

4 The repeal of section 93 of the Finance Act 1976...

5 The repeals of sections 115 and 116, and in section...

6 The repeal of section 51 of the Finance Act 1977...

Part X — PETROLEUM REVENUE TAX

Part XI — EXCHANGE CONTROL

Part XII — IRISH LAND ACTS

Status:

Point in time view as at 19/07/2006.

Changes to legislation:

Finance Act 1981 is up to date with all changes known to be in force on or before 31 May 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.