



# Finance Act 1995

## CHAPTER 4

### FINANCE ACT 1995

#### PART I

##### DUTIES OF EXCISE

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- 1 Low-strength wine, made-wine and cider.
- 2 Wine and made-wine: rates.
- 3 Spirits, beer and cider: rates.
- 4 Alcoholic ingredients relief.
- 5 Denatured alcohol.

###### *Hydrocarbon oil duties*

- 6 Rates of duty.
- 7 Rates of duty: further provisions.
- 8 Hydrocarbon oil: "road vehicle".
- 9 Road fuel gas: old stock.

###### *Tobacco products duty*

- 10 Rates of duty.
- 11 Rates of duty: further provisions.

###### *Pool betting duty*

- 12 Pool betting duty.

###### *Gaming machine licence duty*

- 13 Rates of duty.

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- 14 Extension of duty to amusement machines.

*Air passenger duty*

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16 Assessment of interest on duty.  
17 Preferential debts.

*Vehicle excise duty*

- 18 Increased rates on 30th November 1994.  
19 Vehicle excise and registration: other provisions.

*Recovery of overpaid duty*

- 20 Recovery of overpaid excise duty.

**PART II**

VALUE ADDED TAX AND INSURANCE PREMIUM TAX

*Value added tax*

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22 Imported works of art, antiques, etc.  
23 Agents acting in their own names.  
24 Margin schemes.  
25 Groups of companies.  
26 Co-owners etc. of buildings and land.  
27 Set-off of credits.  
28 Transactions treated as supplies for purposes of zero-rating etc.  
29 Goods removed from warehousing regime.  
30 Fuel supplied for private use.  
31 Appeals: payment of amounts shown in returns.  
32 Penalties for failure to notify etc.  
33 Correction of consolidation errors.

*Insurance premium tax*

- 34 Insurance premium tax.

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- 35 Charge and rates of income tax for 1995-96.  
36 Personal allowance.

*Corporation tax: charge and rate*

- 37 Charge and rate of corporation tax for 1995.  
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- 39 Income chargeable under Schedule A.  
40 Non-residents and their representatives.

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- 42 Abolition of interest relief for commercially let property.

*Benefits in kind*

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- 44 Cars: accessories for the disabled.
- 45 Beneficial loan arrangements: replacement loans.

*Chargeable gains*

- 46 Relief on re-investment: property companies etc.
- 47 Relief on re-investment: amount of relief, etc.
- 48 Roll-over relief and groups of companies.
- 49 De-grouping charges.
- 50 Corporate bonds.

*Insurance companies and friendly societies*

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- 52 Meaning of “insurance company”.
- 53 Transfer of life insurance business.
- 54 Friendly societies.

*Insurance policies*

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- 56 Foreign life policies etc.
- 57 Duties of insurers in relation to life policies etc.

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- 59 Pensions: meaning of insurance company etc.
- 60 Application of section 59.
- 61 Cessation of approval of certain retirement benefits schemes.

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- 65 Contractual savings schemes.
- 66 Enterprise investment scheme: ICTA amendments.
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*Venture capital trusts*

- 70 Approval of companies as trusts.
- 71 Income tax relief.
- 72 Capital gains.
- 73 Regulations.

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- 74 Settlements: liability of settlor.
- 75 Deceased persons' estates: taxation of beneficiaries.
- 76 Untaxed income of a deceased person's estate.

#### *Securities*

- 77 Interest on gilt-edged securities payable without deduction of tax.
- 78 Periodic accounting for tax on interest on gilt-edged securities.
- 79 Sale and repurchase of securities: exclusion from accrued income scheme.
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- 81 Manufactured interest payments: exclusion from bond-washing provisions.
- 82 Manufactured interest on gilt-edged securities.
- 83 Power to make special provision for special cases.
- 84 Stock lending: power to modify rules.
- 85 Stock lending: interest on cash collateral.

#### *Interest*

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- 87 Interest payments deemed to be distributions.

#### *Debts*

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- 89 Application of ss.63 to 66 to debts held by associates of banks.

#### *Reliefs*

- 90 Relief for post-cessation expenditure.
- 91 Employee liabilities and indemnity insurance.
- 92 Post-employment deductions.
- 93 Incidental overnight expenses etc.

#### *Capital allowances: ships*

- 94 Deferral of balancing charges in respect of ships.
- 95 Reimposition of deferred charge.
- 96 Ships in respect of which charge may be deferred.
- 97 Procedural provisions relating to deferred charges.
- 98 Deferred charges: commencement and transitional provisions.

#### *Capital allowances: other provisions*

- 99 Highway concessions.
- 100 Arrangements affecting the value of a relevant interest.
- 101 Import warehouses etc.
- 102 Commencement of certain provisions.

#### *Management: self-assessment etc.*

- 103 Liability of trustees.
- 104 Returns and self-assessments.
- 105 Records for purposes of returns.

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- 106 Return of employees' emoluments etc.
- 107 Procedure for making claims etc.
- 108 Payments on account of income tax.
- 109 Surcharges on unpaid tax.
- 110 Interest on overdue tax.
- 111 Assessments in respect of income taken into account under PAYE.
- 112 Recovery of certain amounts deducted or paid under MIRAS.
- 113 Allowable losses: capital gains tax.
- 114 Liability of trustees and personal representatives: capital gains tax.
- 115 Minor amendments and repeals.
- 116 Transitional provisions.

*Changes for facilitating self-assessment*

- 117 Treatment of partnerships.
- 118 Loss relief: general.
- 119 Relief for losses on unquoted shares.
- 120 Relief for pre-trading expenditure.
- 121 Basis of apportionment for Cases I, II and VI of Schedule D.
- 122 Amendments of transitional provisions.
- 123 Prevention of exploitation of transitional provisions.

*Change of residence and non-residents*

- 124 Change of residence.
- 125 Non-resident partners.
- 126 UK representatives of non-residents.
- 127 Persons not treated as UK representatives.
- 128 Limit on income chargeable on non-residents: income tax.
- 129 Limit on income chargeable on non-residents: corporation tax.

*Exchange gains and losses and currency contracts*

- 130 Exchange gains and losses: general.
- 131 Exchange gains and losses: transitional provision.
- 132 Currency contracts: transitional provisions.

*Provisions with a foreign element*

- 133 Controlled foreign companies.
- 134 Offshore funds.

*Miscellaneous*

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- 136 Profit-related pay.
- 137 Part-time workers: miscellaneous provisions.
- 138 Charities, etc.: lotteries.
- 139 Sub-contractors in the construction industry.
- 140 Valuation of trading stock on discontinuance of trade.
- 141 Incapacity benefit.
- 142 Annuities purchased where certain claims or actions are settled.
- 143 Lloyd's underwriters: new-style special reserve funds.
- 144 Local government residuary body.
- 145 Payment of rent &c., under deduction of tax.

*Status: Point in time view as at 01/04/2001.**Changes to legislation: There are currently no known outstanding effects for the Finance Act 1995. (See end of Document for details)***PART IV**

## PETROLEUM REVENUE TAX

- 146 Restriction of unrelievable field losses.
- 147 Removal of time limits for claims for unrelievable field losses.
- 148 Transfer of interests in fields: restriction of transferred losses.

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- 149 Transfer: associated bodies.
- 150 Northern Ireland transfer: associated bodies.
- 151 Lease or tack: associated bodies.

**PART VI**

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*Miscellaneous*

- 152 Open-ended investment companies.
- 153 Electronic lodgement of tax returns, etc.
- 154 Short rotation coppice.
- 155 Inheritance tax: agricultural property.
- 156 Proceedings for tax in sheriff court.
- 157 Certificates of tax deposit.
- 158 Amendment of the Exchequer and Audit Departments Act 1866.
- 159 Ports levy.
- 160 .....

*General*

- 161 Interpretation.
- 162 Repeals.
- 163 Short title.

**SCHEDULES**

SCHEDULE 1 — Table of rates of duty on wine and made-wine

SCHEDULE 2 — Denatured alcohol

*The Alcoholic Liquor Duties Act 1979*

- 1 In section 4(1) of the Alcoholic Liquor Duties Act 1979...
- 2 Section 9 of that Act (remission of duty on spirits...
- 3 In section 10 of that Act (remission of duty on...
- 4 In section 24(1)(a) of that Act (restriction on distiller or...
- 5 In sections 75, 77, 79 and 80 of that Act...
- 6 In section 77(2) of that Act (provisions supplemental to powers...
- 7 For section 78 of that Act (additional provisions relating to...

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*The Finance Act 1994*

8 In paragraph 3(1)(d) of Schedule 5 to the Finance Act...

SCHEDULE 3 — Amusement Machine Licence Duty

*Introductory*

1 The Betting and Gaming Duties Act 1981 shall be amended...

*Amusement machine licences*

2 (1) In section 21 (gaming machine licences)—

*Amusement machine licence duty*

3 (1) In subsection (1) of section 22 (duty on gaming...

*Rate of duty*

4 (1) In subsection (1) of section 23 (determination of rate...

*Restrictions on provision of machines*

5 In section 24 (restrictions on provision of gaming machines)—

*Meaning of “amusement machine”*

6 (1) For subsections (1) to (3) of section 25 (meaning...

7 After section 25 there shall be inserted the following section—...

*Supplementary provisions*

8 (1) In section 26 (supplementary provisions)— (a) for the words...

9 (1) In sections 31 and 33(2) (protection of officers and...

10 In Schedule 3 (bingo duty)— (a) in paragraph 5(1)(b), for...

11 (1) In Schedule 4 (supplementary provisions in relation to gaming...

*Consequential amendment of the Customs and Excise Management Act 1979*

12 In section 102(3)(a) of the Customs and Excise Management Act...

SCHEDULE 4 — Vehicle Excise and Registration

Part I — INTRODUCTION

1 In this Schedule “the 1994 Act” means the Vehicle Excise...

Part II — EXEMPTIONS

*Abolition of certain exemptions*

2 The following paragraphs of Schedule 2 to the 1994 Act...

*Exemption for police vehicles*

3 In Schedule 2 to the 1994 Act the following shall...

*Exemption for vehicles used between different parts of land*

4 In Schedule 2 to the 1994 Act the following shall...

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*Commencement*

- 5 This Part of this Schedule shall come into force on...  
Part III — RATES

*General*

- 6 (1) In Schedule 1 to the 1994 Act (annual rates...

*Motorcycles*

- 7 (1) Paragraph 2 of Schedule 1 to the 1994 Act...

*Buses etc.*

- 8 In Schedule 1 to the 1994 Act the following shall...

*Special vehicles*

- 9 (1) Part IV of Schedule 1 to the 1994 Act...

*Special concessionary vehicles*

- 10 .....

*Recovery vehicles*

- 11 (1) Paragraph 5 of Schedule 1 to the 1994 Act...

*Vehicles used for exceptional loads*

- 12 .....

*Haulage vehicles*

- 13 (1) Paragraph 7 of Schedule 1 to the 1994 Act...

*Goods vehicles*

- 14 (1) Part VIII of Schedule 1 to the 1994 Act...

*Charge at higher rate*

- 15 In section 17 of the 1994 Act (exceptions from charge...

*Commencement*

- 16 (1) This Part of this Schedule shall apply in relation...  
Part IV — RATES: SUPPLEMENTARY

*Introduction*

- 17 This Part of this Schedule (which supplements provisions of Part...

*Issue of vehicle licences*

- 18 In section 7(3) of the 1994 Act (matters that may...



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*Exchange of licences*

19 In section 15(4) of the 1994 Act (exchange of licences...)

*Exceptions from charge at higher rate*

20 In section 16 of the 1994 Act (exceptions from charge...)

*Combined road and rail transport*

21 In section 20 of the 1994 Act (combined road and...)

*Relevant higher rate used in calculating penalty*

22 In section 39 of the 1994 Act (relevant higher rate...)

*Relevant period used in calculating penalty*

23 In section 40(2) of the 1994 Act (relevant period used...)

*False or misleading information etc.*

24 In section 45 of the 1994 Act (false or misleading...)

25 In section 60(2) of the 1994 Act (orders subject to...)

*Meaning of “revenue weight”*

26 Immediately before section 61 of the 1994 Act there shall...

*Interpretation*

27 (1) In subsection (3) of section 61 of the 1994...

*Certificates as to vehicle weight*

28 After section 61 of the 1994 Act there shall be...

*Commencement*

29 Paragraph 16 above shall apply for the purposes of this...

Part V — LICENCES

*Applications for licences*

30 (1) In section 7 of the 1994 Act (issue of...)

*Duration of trade licences*

31 (1) In section 13 of the 1994 Act (duration of...)

*Payment for licences by cheque*

32 (1) The following section shall be inserted after section 19...

Part VI — REGISTRATION

33 In section 21 of the 1994 Act (registration of vehicles)...

34 (1) Section 22 of the 1994 Act (registration regulations) shall...

Part VII — OFFENCES

35 (1) In section 31 of the 1994 Act (relevant period...)

36 (1) The following section shall be inserted after section 32...

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37 (1) In section 37(2) of the 1994 Act (penalty where...  
Part VIII — PROCEEDINGS

38 .....  
Part IX — TRANSITIONALS

*Higher rate not to apply*

39 (1) This paragraph applies where a vehicle licence is taken...

*Regulations*

40 (1) This paragraph applies where regulations to determine the seating...  
Part X — SPECIAL RELIEFS

*Relief where exemption abolished*

41 (1) This paragraph applies where— (a) a vehicle licence is...

*Relief where vehicle changes category*

42 (1) This paragraph applies where paragraph 41 above does not...

SCHEDULE 5 — Insurance Premium Tax

- 1 Part III of the Finance Act 1994 (insurance premium tax)...
- 2 (1) Section 53 (registration of insurers) shall be amended as...
- 3 Section 53 shall be further amended by inserting the following...
- 4 The following section shall be inserted after section 53— Information...
- 5 (1) Section 59 (review of Commissioners’ decisions) shall be amended...
- 6 In section 73(1) (interpretation) after the entry relating to “conduct”...
- 7 (1) In Schedule 7 (information, powers, etc.) paragraphs 2(1) to...
- 8 (1) In Schedule 7 the following shall be inserted after...
- 9 .....

SCHEDULE 6 — Amendments in connection with charge under Schedule A

*The Taxes Act 1988*

- 1 .....
- 2 In section 18(3) of that Act (Cases under Schedule D),...
- 3 Sections 22 and 23 of that Act (assessments to income...
- 4 .....
- 5 .....
- 6 .....
- 7 .....
- 8 .....
- 9 .....
- 10 .....
- 11 .....
- 12 .....
- 13 .....
- 14 .....
- 15 .....
- 16 .....
- 17 In section 368(3) and (4) of that Act (exclusion of...

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- 18 .....
- 19 (1) In Chapter I of Part X of that Act...
- 20 .....
- 21 .....
- 22 .....
- 23 .....
- 24 .....
- 25 .....
- 26 In section 692(1) of that Act (reimbursement of settlor), for...
- 27 In section 779(13)(a) of that Act (definition of relevant tax...
- 28 In section 832(1) of that Act (interpretation of the Tax...

*The Capital Allowances Act 1990 (c. 1)*

- 29 .....
- 30 .....
- 31 .....
- 32 .....
- 33 .....
- 34 .....
- 35 .....

*The Taxation of Chargeable Gains Act 1992 (c. 12)*

- 36 .....
- 37 .....

*The Finance (No. 2) Act 1992 (c. 48)*

- 38 In paragraph 2(1) of Schedule 10 to the Finance (No....

SCHEDULE 7 —

- 1 In subsection (6) of section 338 of the Taxes Act...
- 2 After section 338 of that Act there shall be inserted...

SCHEDULE 8 — Life assurance business

Part I — GENERAL AMENDMENTS

*Classes of life assurance business*

- 1 In section 431(2) of the Taxes Act 1988 (interpretative provisions...
- 2 After section 431A of the Taxes Act 1988 insert— Classes...
- 3 In section 432C(2) of the Taxes Act 1988 after “assets...
- 4 (1) Section 438 of the Taxes Act 1988 is amended...
- 5 (1) Section 440 of the Taxes Act 1988 is amended...
- 6 In section 440A of the Taxes Act 1988, in subsection...
- 7 In section 76(1)(d) of the Taxes Act 1988 after “pension...
- 8 In Schedule 19AA to the Taxes Act 1988, in the...
- 9 (1) The Taxation of Chargeable Gains Act 1992 is amended...
- 10 .....

*Linked assets*

- 11 (1) In section 431(2) of the Taxes Act 1988, for...
- 12 (1) In the following provisions for “linked solely” substitute “...

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- 13 (1) Section 432A of the Taxes Act 1988 is amended...  
 14 (1) Section 432C of the Taxes Act 1988 is amended...  
 15 (1) Section 432D of the Taxes Act 1988 is amended...

*Receipts to be brought into account*

- 16 (1) For section 83 of the Finance Act 1989 substitute—...

*Supplementary provisions as to apportionment*

- 17 (1) In section 432B of the Taxes Act 1988 (apportionment...

*Franked investment income: supplementary provisions*

- 18 (1) Chapter V of Part VI of the Taxes Act...  
 19 (1) Section 434 of the Taxes Act 1988 is amended...

*Computation of losses*

- 20 (1) For section 434A of the Taxes Act 1988 substitute—...

*Treatment of interest and annuities*

- 21 (1) After section 434A of the Taxes Act 1988 insert—...

*Interest on repayment of advance corporation tax*

- 22 .....

*Capital allowances*

- 23 (1) After section 434C of the Taxes Act 1988 (inserted...  
 24 .....

*Treatment of tax-free income*

- 25 (1) In the Taxes Act 1988 omit—

*Taxation of pure reinsurance business*

- 26 After section 439 of the Taxes Act 1988 insert— Taxation...

*Life reinsurance business: separate charge on profits*

- 27 (1) After section 439A of the Taxes Act 1988 (inserted...

*Provisions applicable to charge under Case I of Schedule D*

- 28 (1) After section 440A of the Taxes Act 1988 insert—...  
 29 .....

*Overseas life assurance business*

- 30 In section 441(1) of the Taxes Act 1988 omit the...  
 31 In section 441A of the Taxes Act 1988 for subsections...  
 32 After section 441A of the Taxes Act 1988 insert— Treatment...  
 33 In paragraph 1(2) of Schedule 19AA to the Taxes Act...

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*Taxation of investment return where risk reinsured*

- 34 After section 442 of the Taxes Act 1988 insert— Taxation...
  - Part II — APPLICATION OF PROVISIONS TO OVERSEAS LIFE INSURANCE COMPANIES
  - 35 (1) After paragraph 5 of Schedule 19AC to the Taxes...
  - 36 In paragraph 5(1) of Schedule 19AC to the Taxes Act...
  - 37 In paragraph 6 of Schedule 19AC to the Taxes Act...
  - 38 After paragraph 6 of Schedule 19AC to the Taxes Act...
  - 39 For paragraph 7 of Schedule 19AC to the Taxes Act...
  - 40 (1) Paragraph 8 of Schedule 19AC to the Taxes Act...
  - 41 In paragraph 9(1) of Schedule 19AC to the Taxes Act...
  - 42 After paragraph 9 of Schedule 19AC to the Taxes Act...
  - 43 (1) In paragraph 10(1) of Schedule 19AC to the Taxes...
  - 44 After paragraph 10 of Schedule 19AC to the Taxes Act...
  - 45 (1) Paragraph 11 of Schedule 19AC to the Taxes Act...
  - 46 After paragraph 11 of Schedule 19AC to the Taxes Act...
  - 47 In paragraph 12(1) of Schedule 19AC to the Taxes Act...
  - 48 After paragraph 14 of Schedule 19AC to the Taxes Act...
  - 49 (1) Schedule 8A to the Finance Act 1989 is amended...
- Part III — SUPPLEMENTARY PROVISIONS

*Penalties*

- 50 In the Table in section 98 of the Taxes Management...

*Miscellaneous*

- 51 (1) The Taxes Act 1988 is amended as follows.

*Commencement*

- 52 The amendment made by paragraph 43(2) above shall be deemed...
- 53 (1) The amendments made by paragraph 17 above have effect...
- 54 The amendment made by paragraph 22 above applies in relation...
- 55 (1) Subject to sub-paragraphs (2) and (3) below, the amendments...
- 56 The amendments made by paragraphs 41(a) and 43(1) above have...
- 57 (1) Except as provided by paragraphs 52 to 56 above,...
- 58 Any power to make regulations exercisable by virtue of an...

SCHEDULE 9 — Transfer of Life Insurance Business

*Consequential amendment of references to sanctioned transfers*

- 1 (1) In the enactments specified in sub-paragraph (2) below, for...

*Modification of the Taxes Act 1988 in relation to overseas life insurance companies*

- 2 (1) Schedule 19AC to the Taxes Act 1988 (modification of...

*Modification of the Capital Allowances Act 1990*

- 3 .....

*Modification of the Taxation of Chargeable Gains Act 1992*

- 4 In subsection (5) of section 213 of the Taxation of...

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- 5 In subsection (7) of section 214A of that Act of...  
6 (1) Schedule 7B to that Act of 1992 (modification of...

#### SCHEDULE 10 — Friendly Societies

##### *Tax exempt life or endowment business*

- 1 (1) Section 460 of the Taxes Act 1988 (exemption from...

##### *Maximum benefits payable to members*

- 2 (1) Section 464 of that Act (maximum benefits payable to...

##### *Qualifying policies*

- 3 In paragraph 3 of Schedule 15 to that Act (friendly...  
4 (1) This paragraph applies to any policy which—

#### SCHEDULE 11 — Personal pensions: income withdrawals

##### *Introductory*

- 1 (1) Chapter IV of Part XIV of the Taxes Act...

##### *Interpretation*

- 2 (1) Section 630 (interpretation) is amended as follows.

##### *Conditions of approval: benefits that may be provided*

- 3 (1) Section 633(1) (conditions of approval: benefits that may be...

##### *Income withdrawals*

- 4 After section 634 (annuity to member) insert— Income withdrawals by...

##### *Lump sum to member*

- 5 (1) Section 635 (lump sum to member) is amended as...

##### *Annuity after death of member*

- 6 In section 636 (annuity after death of member), in subsection...

##### *Income withdrawals after death of member*

- 7 After section 636 (annuity after death of member) insert— Income...

##### *Lump sum on death of member*

- 8 For section 637 (lump sum on death of member) substitute—...

##### *Other restrictions on approval*

- 9 In section 638 (other restrictions on approval), after subsection (7)...

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*Maximum amount of deductions*

- 10 In section 640 (maximum amount of deductions), in subsection (3)...

*Treatment of personal pension income*

- 11 In section 643 (employer's contributions and personal pension income, &c.),...

*Tax charge on return of contributions after pension date*

- 12 Omit the heading before section 648A and after that section...

SCHEDULE 12 — Contractual Savings Schemes

*Introduction*

- 1 In this Schedule references to section 326 are to section...

*Curtailment of schemes*

- 2 (1) The following provisions of section 326, namely—

*European institutions*

- 3 (1) Section 326 shall be further amended as follows.

*Certification: Treasury specifications*

- 4 (1) Section 326 shall be further amended as follows.

*Treasury authorisation*

- 5 (1) Section 326 shall be further amended by inserting the...

*Section 326: supplementary*

- 6 (1) Section 326 shall be further amended by inserting the...

*Payments under certain contracts*

- 7 (1) Any terminal bonus, interest or other sum payable under...

*Transitional*

- 8 (1) The Treasury may by regulations provide that at the...

SCHEDULE 13 — Enterprise Investment Scheme

*Introduction*

- 1 The Taxation of Chargeable Gains Act 1992 shall be amended...

*Amendments of section 150A*

- 2 (1) Section 150A (enterprise investment scheme) shall be amended as...

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*Reduction of relief*

- 3 The following section shall be inserted after section 150A—  
Enterprise...

*Re-investment*

- 4 (1) The following section shall be inserted after section 150B—...

SCHEDULE 14 — Venture Capital Trusts: Meaning of “qualifying holdings”

SCHEDULE 15 — Venture Capital Trusts: Relief from Income Tax

SCHEDULE 16 — Venture Capital Trusts: Deferred charge on re-investment

*Application of Schedule*

- 1 (1) This Schedule applies where— (a) there would (apart from...

*The postponement of the original gain*

- 2 (1) On the making of a claim by the investor...

*Chargeable events*

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

*Gain accruing on chargeable event*

- 4 (1) On the occurrence of a chargeable event in relation...

*Persons to whom gain accrues*

- 5 (1) The chargeable gain which accrues in accordance with paragraph...

*Interpretation*

- 6 (1) In this Schedule “non-resident” means a person who is...

SCHEDULE 17 — Settlements: liability of settlor

Part I — THE NEW PROVISIONS

- 1 In Part XV of the Taxes Act 1988 (settlements) the...

Part II — MINOR AND CONSEQUENTIAL AMENDMENTS OF THE TAXES ACT  
1988

- 2 In section 125(3)(a) of the Taxes Act 1988, for the...

- 3 In section 339(1)(a) of the Taxes Act 1988, for “section...

- 4 (1) Section 347A of the Taxes Act 1988 (annual payments...

- 5 In section 360A(2)(b) of the Taxes Act 1988, for “section...

- 6 In section 417(3)(b) of the Taxes Act 1988, for “section...

- 7 In section 505(6) of the Taxes Act 1988, for “section...

- 8 Before section 677 of the Taxes Act 1988 insert the...

- 9 (1) Section 677 of the Taxes Act 1988 is amended...

- 10 In section 678 of the Taxes Act 1988, omit subsection...

- 11 After section 682 of the Taxes Act 1988 insert— Supplementary...

- 12 For the heading before section 686 of the Taxes Act...

- 13 In section 686 of the Taxes Act 1988 (liability to...

- 14 (1) Section 687 of the Taxes Act 1988 (payments under...



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- 15 Omit section 689 of the Taxes Act 1988 (recovery from...
- 16 In section 694(3) of the Taxes Act 1988, for “Chapters...
- 17 (1) Section 720 of the Taxes Act 1988 is amended...
- 18 In section 745(6) of the Taxes Act 1988, for “section...
- 19 In section 783(10)(b) of the Taxes Act 1988, for “section...
- 20 In section 839(3) of the Taxes Act 1988, for subsection...

Part III — CONSEQUENTIAL AMENDMENTS OF OTHER ENACTMENTS

*Taxes Management Act 1970 (c.9)*

- 21 In section 27(2) of the Taxes Management Act 1970, for...
- 22 In section 31(3) of the Taxes Management Act 1970 (including...
- 23 In column 1 of the Table in section 98 of...

*Finance Act 1989 (c.26)*

- 24 In section 59(1)(c) of the Finance Act 1989, for “section...
- 25 In section 60 of the Finance Act 1989, omit subsection...

*Finance Act 1990 (c.29)*

- 26 In section 25(12)(b) of the Finance Act 1990, for “section...

*Taxation of Chargeable Gains Act 1992 (c.12)*

- 27 For section 77 of the Taxation of Chargeable Gains Act...
- 28 In section 78 of the Taxation of Chargeable Gains Act...
- 29 (1) Section 79 of the Taxation of Chargeable Gains Act...
- 30 In section 97 of the Taxation of Chargeable Gains Act...
- 31 In section 286 of the Taxation of Chargeable Gains Act...
- 32 In Schedule 1 to the Taxation of Chargeable Gains Act...

SCHEDULE 18 — Deceased persons’ estates

*Introductory*

- 1 Part XVI of the Taxes Act 1988 shall be amended...

*Limited interests in residue*

- 2 (1) In section 695 (limited interests in residue), the words...

*Absolute interests in residue*

- 3 (1) In section 696 (absolute interests in residue), for subsection...

*Supplemental provisions relating to section 696*

- 4 (1) After subsection (1) of section 697 (calculation of residuary...

*Special provisions as to successive interests in residue*

- 5 (1) For subsection (2) of section 698 (special provisions as...

*Adjustments and information*

- 6 After subsection (4) of section 700 (adjustments and information) there...

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*Interpretation*

7 Subsection (14) of section 701 (cases where residuary income has...

SCHEDULE 19 —

SCHEDULE 20 — Claims etc. not included in returns

*Making of claims*

1 In Schedule 1A to the Management Act (claims etc. not...

*Keeping and preserving of records*

2 After paragraph 2 of that Schedule there shall be inserted...

*Amendments of claims*

3 In paragraph 3 of that Schedule (amendments of claims), in...

*Giving effect to claims and amendments*

4 (1) At the beginning of sub-paragraph (1) of paragraph 4...

*Power to enquire into claims*

5 In paragraph 5 of that Schedule (power to enquire into...

SCHEDULE 21 — Self-assessment etc: transitional provisions

*Notice of liability*

1 Section 7 of the Management Act (notice of liability) shall...

*Payments on account of income tax*

2 (1) Section 59A of that Act (payments on account of...

*Partnerships*

3 (1) This paragraph applies in the case of a partnership...

SCHEDULE 22 — Prevention of exploitation of Schedule 20 to Finance Act 1994  
Part I — CASES I AND II OF SCHEDULE D

*Increase of profits or gains of transitional period*

1 (1) This paragraph applies where, in the case of a...

2 (1) This paragraph applies where, in the case of a...

*Increase of profits or gains of transitional overlap period*

3 (1) This paragraph applies where, in the case of a...

4 (1) This paragraph applies where, in the case of a...

5 (1) This paragraph applies where, in the case of a...

Part II — CASES III, IV AND V OF SCHEDULE D

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*Increase of trade etc. profits or gains arising in 1995-96 and 1996-97*

- 6 (1) This paragraph applies where, in the case of any...

*Increase of trade etc. profits or gains arising in transitional overlap period*

- 7 (1) This paragraph applies where, in the case of any...  
8 (1) This paragraph applies where, in the case of any...

*Increase of interest arising in 1995-96 and 1996-97*

- 9 (1) This paragraph applies where, in the case of any...

*Increase of other income arising in 1995-96 and 1996-97*

- 10 (1) This paragraph applies where, in the case of any...  
Part III — PROCEDURAL AND OTHER PROVISIONS

*Time limits for purposes of paragraphs 1, 2, 4, 6 and 8 to 10*

- 11 (1) Nothing in subsection (2) or (3) of section 29...

*Advance notice for purposes of paragraphs 3, 5 and 7*

- 12 (1) An officer of the Board shall not so amend...

*Penalties not to apply in certain cases*

- 13 (1) Where a relevant return (as originally made) states—  
Part IV — INTERPRETATION

*Relevant changes for purposes of paragraphs 1, 3, 6 and 7*

- 14 (1) Any accounting change or change of business practice is...

*Relevant transactions for purposes of paragraphs 1, 3, 6 and 7*

- 15 Any self-cancelling transaction or transaction with a connected person is...  
16 (1) An agreement by which the person by whom a...  
17 (1) For the purposes of paragraph 15 above, any question...

*Relevant arrangements for purposes of paragraph 9*

- 18 (1) Any arrangements under which— (a) interest arises at irregular...

*Relevant arrangements for purposes of paragraph 10*

- 19 Any arrangements under which income arises at irregular intervals during...

*Relevant transactions for purposes of paragraph 10*

- 20 (1) Any transaction with a connected person is a relevant...

*General*

- 21 (1) In this Schedule “turnover”, in relation to a trade,...

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SCHEDULE 23 — Obligations etc. imposed on UK representatives

*General imposition of obligations etc.*

1 (1) Subject to the following provisions of this Schedule, the...

*Discharge of obligations and liabilities*

2 Subject to the following provisions of this Schedule—

*Obligations and liabilities requiring notice*

3 Where any obligation or liability such as is mentioned in...

*Information requirements*

4 (1) The obligations relating to the furnishing of information which...

*Criminal offences and penalties etc*

5 (1) A person shall not by virtue of this Schedule...

*Indemnities*

6 An independent agent of the non-resident shall be entitled—

*Meaning of “independent agent”*

7 (1) In this Schedule “independent agent”, in relation to the...

SCHEDULE 24 — Exchange gains and losses  
Part I — AMENDMENTS OF FINANCE ACT 1993

*Introduction*

1 Chapter II of Part II of the Finance Act 1993...

*Trading gains and losses*

2 In section 128 (trading gains and losses) the following subsections...

*Non-trading gains and losses*

3 (1) Section 129 (non-trading gains and losses) shall be amended...

*Assets and liabilities*

4 .....

*Chargeable gains*

5 .....

6 .....

Part II — AMENDMENTS OF OTHER PROVISIONS

*Introduction*

7 Paragraphs 8 to 12 below shall be deemed to have...

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*Interest on overdue tax*

- 8 In section 87A of the Taxes Management Act 1970 (interest...
- 9 .....
- 10 In section 91 of the Taxes Management Act 1970 (effect...

*Interest on tax overpaid*

- 11 In section 826 of the Taxes Act 1988 (interest on...
- 12 (1) In subsection (7) of that section (amounts of surplus...

SCHEDULE 25 — Controlled Foreign Companies

*Introduction*

- 1 In this Schedule— (a) paragraph 2 contains an amendment designed...

*The principal amendment*

- 2 The following section shall be inserted after section 747 of...

*Connected amendments*

- 3 In section 747 of the Taxes Act 1988 (imputation of...
- 4 In section 748 of the Taxes Act 1988 (limitations on...
- 5 In section 750 of the Taxes Act 1988 (territories with...
- 6 (1) Schedule 24 to the Taxes Act 1988 (assumptions for...
- 7 The following section shall be inserted after section 168 of...

SCHEDULE 26 — Change in ownership of investment company: deductions

*Introductory*

- 1 The Taxes Act 1988 shall have effect subject to the...

*Main provisions*

- 2 After section 768A there shall be inserted the following sections—...

*Supplementary provisions*

- 3 After Schedule 28 there shall be inserted— Schedule 28A Change...

*Consequential amendments*

- 4 (1) Section 769 (rules for ascertaining change in ownership of...

*Application of Schedule*

- 5 This Schedule shall apply in relation to a change in...

SCHEDULE 27 — Sub-contractors in the construction industry

*Payments to which provision for deductions applies*

- 1 (1) In subsection (1) of section 559 of the Taxes...

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*Persons who are contractors and sub-contractors*

- 2 (1) In subsection (2) of section 560 of that Act...

*Individual partners and liabilities for certain contraventions*

- 3 (1) In subsection (2)(b) of section 561 of that Act...

*Turnover test etc.*

- 4 (1) Section 562 of that Act (conditions for grant of...  
5 Section 563 of that Act (conditions to be satisfied by...  
6 For subsections (3) to (5) of section 564 of that...  
7 (1) After subsection (2) of section 565 of that Act...

*Commencement of paragraphs 3 to 7*

- 8 (1) Except in the case of paragraph 3(2) and (3)...

*Powers to make regulations*

- 9 In section 566 of that Act (general powers to make...

SCHEDULE 28 —

- 1 In the Taxes Management Act 1970 after section 115 there...  
2 After Schedule 3 to that Act there shall be inserted—...

SCHEDULE 29 — Repeals

- Part I — ALCOHOLIC LIQUOR  
Part II — ROAD FUEL GAS  
Part III — BETTING AND GAMING ETC.  
Part IV — AIR PASSENGER DUTY  
Part V — VEHICLE EXCISE AND REGISTRATION  
Part VI — VALUE ADDED TAX  
Part VII — INSURANCE PREMIUM TAX  
Part VIII — INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX  
Part IX — PETROLEUM REVENUE TAX  
Part X — STAMP DUTY  
Part XI — INHERITANCE TAX: AGRICULTURAL PROPERTY  
Part XII — PORTS LEVY

**Status:**

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**Changes to legislation:**

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