



# Income Tax (Earnings and Pensions) Act 2003

## 2003 CHAPTER 1

### PART 6 U.K.

EMPLOYMENT INCOME: INCOME WHICH IS NOT EARNINGS OR SHARE-RELATED

### CHAPTER 2 U.K.

BENEFITS FROM NON-APPROVED PENSION SCHEMES

*Benefits treated as employment income*

#### 396 Certain lump sums not taxed by virtue of section 394 U.K.

- (1) Section 394 does not apply to a lump sum if—
  - (a) all of the income and gains accruing to the scheme under which the lump sum is provided are brought into charge to tax, and
  - (b) the lump sum is provided to—
    - (i) the employee mentioned in section 395(4)(b),
    - (ii) a relative of that employee,
    - (iii) the personal representatives of that employee,
    - (iv) an ex-spouse of that employee, or
    - (v) any other individual designated by that employee.
- (2) For the purposes of this section it must be assumed that, unless the contrary is shown, the income and gains accruing to the scheme are not brought into charge to tax.

**Status:**

Point in time view as at 06/04/2003. This version of this provision has been superseded.

**Changes to legislation:**

Income Tax (Earnings and Pensions) Act 2003, Section 396 is up to date with all changes known to be in force on or before 01 September 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.