



Finance Act 2007

2007 CHAPTER 11

PART 6

INVESTIGATION, ADMINISTRATION ETC

Other administration

95 Payment by cheque

- (1) The Commissioners may make regulations providing for a payment to HMRC made by cheque to be treated as made when the cheque clears, as defined in the regulations.
- (2) Section 70A of TMA 1970 (payment by cheque treated as made on receipt by HMRC) is subject to regulations under subsection (1).
- (3) Regulations under subsection (1)—
 - (a) may make provision generally or only for specified purposes,
 - (b) may make different provision for different purposes, and
 - (c) may include incidental, consequential or transitional provision.
- (4) Regulations under subsection (1)—
 - (a) shall be made by statutory instrument, and
 - (b) shall be subject to annulment in pursuance of a resolution of the House of Commons.
- (5) In this section—
 - (a) “the Commissioners” means the Commissioners for Her Majesty's Revenue and Customs, and
 - (b) “HMRC” means Her Majesty's Revenue and Customs.
- (6) In section 204 of FA 2003 (electronic payment), insert at the end—
 - “(13) Regulations under section 95(1) of the Finance Act 2007 (payment by cheque) may, in particular, provide for a payment which is made by cheque in

Status: Point in time view as at 01/08/2023.

Changes to legislation: Finance Act 2007, Section 95 is up to date with all changes known to be in force on or before 15 July 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)

contravention of regulations under this section to be treated as made when the cheque clears, as defined in the regulations under that section.”

(7) In section 70A of TMA 1970 (payments by cheque), insert at the end—

“(3) This section is subject to regulations under section 95(1) of the Finance Act 2007 (payment by cheque).”

(8) In VATA 1994, after section 58A insert—

“58B Payment by cheque

Regulations under section 95(1) of the Finance Act 2007 (payment by cheque) may, in particular, provide for a payment which is made by cheque in contravention of regulations under section 25(1) above to be treated as made when the cheque clears, as defined in the regulations under section 95(1) of that Act.”

Status:

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