



Taxation (International and Other Provisions) Act 2010

2010 CHAPTER 8

PART 3

DOUBLE TAXATION RELIEF FOR SPECIAL WITHHOLDING TAX

Credit etc for special withholding tax

137 Income tax credit etc for special withholding tax

- (1) Subsection (5) applies if each of conditions A to C is met.
- (2) Condition A is that a person—
 - (a) is liable to income tax for a tax year in respect of a payment of savings income, or
 - (b) would be liable to income tax for a tax year in respect of a payment of savings income but for any exemption or relief.
- (3) Condition B is that special withholding tax is levied in respect of the payment.
- (4) Condition C is that the person is UK resident for the tax year.
- (5) On the making of a claim, income tax (“the deemed tax”) is to be treated as having been—
 - (a) paid by or on behalf of the person for the tax year, and
 - (b) deducted at source for the tax year for the purposes of the provisions listed in subsection (7).
- (6) The amount of the deemed tax is given by section 138.
- (7) The provisions mentioned in subsection (5)(b) are—
 - section 7 of TMA 1970 (notice of liability to income tax and capital gains tax),
 - section 8 of TMA 1970 (personal return),

Status: This is the original version (as it was originally enacted).

section 8A of TMA 1970 (trustee's return),
section 9 of TMA 1970 (returns to include self-assessment),
section 59A of TMA 1970 (payments on account of income tax),
section 59B of TMA 1970 (payments of income tax and capital gains tax), and
section 824(3) of ICTA (repayment supplements: determination of relevant
time).